



RIO DELLCITY COUNCIL AGENDA
CLOSED SESSION – 4:00 P.M.
REGULAR MEETING - 6:00 P.M.
TUESDAY, FEBRUARY 20, 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 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. 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. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1. 2023/0220.01 - **Conference with Labor Negotiator** – Kyle Knopp , CityManager – Rio Dell Employees Association, Rio Dell Peace Officers Association and all Contract Employees PursuantTo Gov't Code §54957

D. PUBLIC COMMENT REGARDING CLOSED SESSION

E. RECESS INTO CLOSED SESSION – 4:00 p.m.

F. RECONVENE INTO OPEN SESSION – 6:00 p.m.

G. ORAL ANNOUNCEMENTS

H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not 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.

K. CONSENT CALENDAR

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

1. 2024/0220.02 - Approve Minutes of the February 6, 2024 regular meeting **(ACTION)** - Pg. #5
2. 2024/0220.03 - Approve the distribution of the City's Request for Proposal (RFP) for Auditing Services for FY 2023-24 **(ACTION)** - Pg. #26
3. 2024/0220.04 - Approve the Appointment of Reshell Gurney to the Rio Dell Planning Commission for the remainder of the three-Year term ending December 31., 2025 **(ACTION)** - Pg. #36
4. 2024/0220.05 - Receive and File the Check Register for January **(ACTION)** - Pg. #40

- [5.](#) 2024/0220.06 - Approve Letter of Opposition to AT&T “Land Line” Service Disconnection Application with the California Public Utilities Commission (PUC) **(ACTION)** - Pg. #45

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. REPORTS/STAFF COMMUNICATIONS

- [1.](#) 2024/0220.07 - City Manager/Staff Update - Pg. #50

N. SPECIAL PRESENTATIONS/STUDY SESSIONS

- [1.](#) 2024/0220.08 - Fiscal Year 2023-24 Mid-Year Financial Report **(RECEIVE & FILE)** - Pg. #53

O. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

- [1.](#) 2024/0220.09 - Temporary Waiver of Sewer Fees for Customers Whose Residences Have Been “Red-Tagged” by a Declared Natural Disaster **(DISCUSSION/POSSIBLE ACTION)** - Pg. #69
- [2.](#) 2024/0220.10 - Public Hearing – Cost Recovery for the Abatement of 289 Berkeley St. **(DISCUSSION/POSSIBLE ACTION)** – Pg. #75
- [3.](#) 2024/0220.11 - Public Hearing – Cost Recovery for the Abatement of 601 Gunnerson Lane **(DISCUSSION/POSSIBLE ACTION)** - Pg. #81
- [4.](#) 2024/0220.12 - Public Hearing – Cost Recovery for the Abatement of 483 Fourth Ave. **(DISCUSSION/POSSIBLE ACTION)** - Pg. #87
- [5.](#) 2024/0220.13 - Award of Bid – Clean California Gateway Landscape Improvement Project to Jagimo Corporation, Inc. DBA J & G Lawn and Garden in the Amount of \$148,984 and Authorize the City Manager to execute an Agreement **(DISCUSSION/POSSIBLE ACTION)** - Pg. #93
- [6.](#) 2024/0220.14 - Authorize the City Manager to Approve Change Orders up to \$31,941 for the Clean California Gateway Project including up to \$10,941 for Cherry Tree Removal **(DISCUSSION/POSSIBLE ACTION)** - Pg. #94

P. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- [1.](#) 2024/0220.15 - Second Reading (by title only) and adoption of Ordinance No. 403-2024 Amending the City’s Zoning Regulations to 1) define and allow for residential care homes with six or fewer persons by right in all residential zones; 2) update the definition of family to mean one or more persons living together in a dwelling unit; and 3) provide for farm employee housing consistent with state law in zones that allow agriculture as a permitted use pursuant to the State Employee Housing Act (Health and Safety Code of Regulations, Section 5061(b)(3) **DISCUSSION/POSSIBLE ACTION)**- Pg. #98
- [2.](#) 2024/0220.16 - Introduction and first reading (by title only) of Ordinance No. 404-2024 Amending the Rio Dell Municipal Code (RDMC) Establishing a Cannabis Cultivation Tax Guarantee **(DISCUSSION/POSSIBLE ACTION)** - Pg. #107

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, March 5, 2024 at **6:00 PM.***

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 6, 2024**

The regular meeting of the Rio Dell City Council was called to order at 6:00 p.m. by Mayor Garnes.

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

Others Present: Chief of Police Allen, Finance Director Sanborn, Wastewater Superintendent Kelly, Community Development Director Caldwell (Attended Remotely), Water Roadways Superintendent Jensen (Attended Remotely), Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: City Manager Knopp (excused)

CEREMONIAL MATTERS

In Appreciation to Sarah Reback for her Dedication to the Community

Mayor Garnes said that the City Council would like to take the opportunity to acknowledge and thank Sarah Reback from the Rio Dell Community Resource Center for her hard work and dedication to the community.

She read a statement on behalf of the City Council (included with these minutes as Attachment 1), thanking her for the amazing job that she and her staff do for Rio Dell and presented her with a Certificate of Appreciation and a Yeti cup with the City's logo that read "Sarah Reback – In Appreciation for your Hard Work and Dedication to the Community."

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters.

Sharon Wolfe addressed the Council and thanked Sarah and the Community Resource Center for all that they do. She said that every time the state, county or local government has asked the Community Resource Center to step up for services they have, and gone far beyond. She noted that they will be asking more of the Community Resource Centers as they implement Barely First Prevention Services throughout the County. She said that Rio Dell is in a good position because of having such an awesome community resource center.

Steven Saunders addressed the Council regarding his sewer bill and said that he was displaced after the earthquake and has not been able to live in his home yet is still being

FEBRUARY 6, 2024 MINUTES
Page 2

billed for sewer service. He presented a utility bill in the amount of \$323.95 (representing charges from September 2023-January 2024). He said that the charges are unfair and requested the Ordinance be amended to include language to allow for an exception to waive the sewer charges in the event of an emergency when the homeowner is not allowed or able to occupy the residence. He requested the matter be placed on a subsequent agenda to address the issue. He also asked for donations from the community to help pay the outstanding bill and asked that donations be left with Sarah Reback at the Community Resource Center.

Consensus of the Council was to place the item on the next agenda for discussion and/or consideration.

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.

Councilmember Woodall asked that Consent Calendar Item #4 be removed for separate discussion.

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

- 1) Minutes of the January 16, 2024 regular meeting;
- 2) Authorizing the City Manager to purchase exercise station equipment in the amount of \$19,258.81; and
- 3) Approving Award of Bid to Hooven Construction for the Clean California Grant Rio Dell Exercise Station in the amount of \$34,945 and authorizing the City Manager to execute an agreement in coordination with the City Attorney

Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Award of Bid for the Clean California Gateway Landscape Improvement Project to Jagimo Corporation Inc., DBA J & G Lawn and Garden in the amount of \$148,984 and authorize the City Manager to execute an Agreement in coordination with the City Attorney
Councilmember Woodall said that in reading the staff report, she realized that the plan is to remove all of the trees in the Gateway under the proposed project. She said that she understood that the original plan was to only remove the trees that were not doing well. She expressed disappointment to learn at the last minute that all the trees would be removed, including the beautiful flowering Cherry trees and others.

FEBRUARY 6, 2024 MINUTES
Page 3

Mayor Garnes said that she was also disappointed and explained that under the grant application, all of the trees must be replaced. She said that the City Manager is discussing with the contractor the possibility of removing the trees and replanting them rather than destroying them although the additional cost would be on the City.

Councilmember Wilson asked for clarification on which trees in the Gateway were to be removed.

Mayor Garnes said that it would include all the trees at the beginning of the Gateway from the north end of town to Davis St.

She said that it was her understanding that the State awarded the grant and require that all of the trees identified in the grant application be planted. She said that the concern is not what happens to the existing trees but that all of the trees included in the application be planted.

Councilmember Wilson recommended the Council get better clarification on the terms of the grant before tearing out the trees and noted that this is also his first-time hearing that all of the trees would be removed. He asked if the City was in jeopardy of losing the grant if work does not commence in the next month or so.

Finance Director Sanborn said that the grant expires on June 30, 2024 so the City is on a fairly tight timeline to get the contract executed and get the project started. He explained that as stated in the grant, there are a certain number of trees the City is obliged to plant which requires removal of trees in the median. The City has the choice of uprooting the existing trees and trying to replant them but it would be at the City's expense as the grant would not cover that.

Discussion continued regarding the project timeline and destroying the existing trees versus saving them.

Mayor Garnes pointed out that the issue is timing and if the City starts the project and does not meet the timeline for the grant, the City could ultimately owe the State \$148,984. It doesn't matter to the State whether the City decides to save the trees or not. She said that the item before the Council is to award the contract as prescribed by the grant then come back and discuss a possible change order for removal of the trees so that they remain as viable trees as that was not part of the original bid. The additional cost would be at the City's expense. She noted that the City Manager asked the contractor if they had the ability to remove the entire root ball to save the trees and for a cost estimate which had not been determined.

Mayor Pro Tem Carter pointed out that the AdHoc and the City Manager asked the state to approve a change to the scope but they denied the request.

FEBRUARY 6, 2024 MINUTES
Page 4

Councilmember Orr said that he understands the idea of trying to save the trees but the bigger picture is why three of the council members didn't find out about this until now.

Mayor Garnes commented that the AdHoc discussed the project with the City Manager and the item was previously ajenized and discussed with the Council.

Councilmember Orr expressed concern regarding the communication between the Council, or lack thereof.

Mayor Pro Tem Carter said that the Council can move forward with awarding the bid then come back and discuss the disposition of the trees once the estimate for the tree removal is received since they are two separate issues.

Councilmember Woodall said that she would like the item continued to the next regular meeting.

Motion was made by Orr/Woodall to continue the item to the meeting of February 20, 2024 for further discussion. Motion carried 3-2; with Garnes and Carter dissenting.

REPORTS/STAFF COMMUNICATIONS

Mayor Garnes provided highlights of the staff update and invited questions from the Council.

Mayor Pro Tem Carter commented that she was glad to see the City Manager attending the City Manager's conference which allows him the chance to talk about what the City experienced last winter with the earthquakes and storms.

She asked Wastewater Superintendent Kelly to provide a brief recap of the recent storm event.

Wastewater Superintendent Kelly commented that the extra I & I (inflow and infiltration) has impacted the bugs at the plant and they are doing their best to keep them happy as they do not like the dissolved oxygen that is coming in through the rainwater. Councilmember Woodall commended Superintendent Kelly for her written staff update and said that it was very thorough.

Mayor Garnes acknowledged the Police Department for recent efforts in helping to clean up the City and getting guns and drugs off the streets.

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

FEBRUARY 6, 2024 MINUTES
Page 5

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

Provide Staff Direction Regarding Letter of Opposition on Measure A, the Humboldt County Cannabis Reform Initiative

Mayor Garnes read the City Manager staff report outlining the background of Measure A, the Humboldt Cannabis Reform Initiative and invited public comment on the measure.

Jesse Jeffries addressed the Council regarding the origin and impacts of Measure A on small farmers. He said that he is the owner of multiple cannabis farms in Humboldt County and the City of Rio Dell. He said that the proponents of Measure A say that it is to benefit the small famers however, this is far from the truth. He commented that small farmers were not involved in the drafting of this initiative and was an initiative created by two individuals and a San Francisco attorney. He said if the initiative was drafted with the small farmer and environmental concerns in mind then landowners, environmental groups and community members, policy makers and council members would have been involved in the drafting process of Measure A.

He added that it has taken many years to draft the current cannabis ordinance in Humboldt County and the ordinance already addresses all of the things the initiative seeks to change. It portrays that cultivation in Humboldt County is rapidly growing and needs more regulation in an already over-regulated industry. He said that over-regulation has already played a role in putting small farmers out of business.

He said that while the current ordinance is not perfect, it is effective and was created from input from community members, environmental groups, and other regulatory agencies. Environmental policies are already in place to protect residents, neighborhoods, land owners, wildlife, and watersheds. He said that Measure A is not only about the cannabis industry but is an attack on landowner's private property rights and land use designations. They claim that Measure A is to keep mega-grows out of Humboldt County but at the best is disingenuous as there are no mega grows in Humboldt County. He asked the City Council to vote No on Measure A and not let two disgruntled individuals change the course of the cannabis policies in Humboldt County. He finished by saying that this initiative will negatively impact the farmers and the community as a whole.

Ross Gordon, policy director with Humboldt County Growers Alliance addressed the Council and said that he opposes Measure A and completely agrees with the comments made by Mr. Jeffries. He said that the County of Humboldt has very comprehensive cannabis regulations and Measure A is 38 pages of very detailed law and rewrites the County ordinance without any public input. He referred to a long list of community members who oppose Measure A including Sheriff Honsal and other local Cities and

FEBRUARY 6, 2024 MINUTES
Page 6

Commerce organizations. He expressed concern that the proposed initiative is not about regulating cannabis but more about micro-managing cannabis by restricting water usage, energy usage, or the number or size of structures. He noted that this is extensively discussed in the Humboldt County Planning Department's report. He said that this affects every single farmer within the County's jurisdiction regardless of size and passage of this initiative would have devastating effects on the entire county. He pointed out that the County received \$52 million in cannabis revenue from local farmers and encouraged the City Council to endorse a No vote on Measure A.

Gabriel Smith, general manager of Root 101 commented that the cannabis business has been decimated over the past two years and if Measure A passes, as one of the biggest tax payers in Rio Dell, they may be forced to close their doors. He said to please vote No on Measure A.

Dylan Matole, a farmer from Honeydew addressed the Council and said that over the last eight years as a farmer and a citizen he has engaged in policy and spent countless hours in front of the County Board of Supervisors and more recently, the Arcata, Eureka, and Fortuna City Councils. He acknowledged the difficulty of being a council member and applauded them for being willing to take on this job and listen to these issues. He pointed out that what Measure A is doing is undoing hours and hours of policy making decisions and it allows two wealthy retired individuals to fund a policy that will negatively impact the County. This will undue and supersede the current policy which is setting a dangerous precedent for establishing complex policies.

Craig Johnson said that he owns a small farm in Southern Humboldt under 10,000 square feet which is exactly what the proponents ran this measure on. He referred to a map from the Measure A website which show the concentration of cannabis farms in Humboldt County as far as the different water sheds. He noted that the legend shows that one of the dots reflects 1.5 miles so it represents that the green dots represent miles and miles of farms. However, to date if you add up all the legal farms they would fit into one-half of a square mile. He said that this type of policy is no longer necessary as farms have already been fully regulated. He commented that this community as well as other communities want the farmers to succeed and all have different reasons whether it is the medicine, the economic gain or just the right of private property rights. He asked the City Council to join the farmers in opposing Measure A.

Andy Riggs, a local business owner then addressed the Council in opposition of Measure A and said that he grew up in this area and now lives on his family farm in Stafford where he operates a small 3,000 square foot cannabis farm. He said as a kid growing up here, he attended Fortuna High and imagined himself attending college with a career in forestry, a subject he grew a passion for because of his Ag teacher Mr. Myers. He said that many of his peers also considered a career in forestry and knew they had the mill to fall back on if college didn't work out. Sadly, the decline in the forest industry changed that for many

FEBRUARY 6, 2024 MINUTES
Page 7

locals and no matter how anybody feel about cannabis, it is a viable industry. He said that raising a crop has never been easy work yet it is a renewable and sustainable endeavor. The money that used to flow in from cannabis would spread through the County to local establishments such as restaurants and car dealerships and bolster the local economy. He said that although the local cannabis industry is a fraction of what it once was, it still brings money, hope, and opportunity to our local area. He said that he believes that Rio Dell understands this and is something he appreciates. He said that what scares him most about this measure is the precedent it will set as this 38-page initiative will amend 13 pages of the County's General Plan. He said that other industries could be next and urged the City Council to oppose Measure A.

Cassandra Terrafelo, said that she is a small farmer and also owns and operates a distribution and processing facility in Eureka. She said that the proponents of this measure have consistently said that the opponents don't understand the intention and are misinterpreting the initiative. She said that if this measure passes, she will have to comply with what the law says but the Humboldt County Planning Department basically said that it will be impossible to enforce. She commented that Ross Gordon is a genius and interprets a lot of this initiative and so they are not misinterpreting it. She provided stickers opposing Measure A.

Supervisor Bushnell said that she also spoke at the Fortuna City Council meeting and has taken opposition to Measure A since early on. She indicated that she was part of the AdHoc that worked with Mark and Betsy, the proponents of this measure and tried to work with them to start a change to the County ordinance noting that the ordinance is not perfect and a work in progress. She said that brand new industries grow and change and you need to be able to adapt to those changes but something that is tied to the General Plan does not allow that. She said that one of the things that has been continually said is that it is not the intent to punish cultivators but when you create an ordinance it becomes law which takes a lot of work by attorneys and while it may not be the intent, how you accomplish that doesn't always work out.

She said that what is strange about this initiative is that no other industries have come up against this so why not dairies or other industries. She said that it is not really about cannabis but rather the policies and the way it is being directed. Cannabis is legal whether you like it or not which is understandable but you have to get along to co-exist and it is not fair to punish farmers who have come from 2016 to now and followed every rule and regulation to comply. She said that the sheriff opposes this measure because it will cause farmers to go underground.

She added that the Planning Department will have to create these ordinances and cultivators will have to change according to the new regulations; that cost would be passed onto the cultivators.

FEBRUARY 6, 2024 MINUTES
Page 8

Kelly Flores from Margro Advisors provided a handout on Measure A (included with these minutes as Attachment 2). She explained some of the technical elements of the measure and said that it would prohibit cultivation expansion or expansion of any new cannabis cultivation related structures including ancillary buildings, water storage tanks, ponds, or solar arrays. It also would limit farmers to no more one cultivation permit with a limit of 10,000 square feet. In addition, farms would be prohibited from being located along unpaved roads. She said this measure is over zealous and over-reaching as well as being over restrictive and does not support local farmers or the County as a whole. She asked that the City Council support the letter of opposition and allow this industry to move forward.

Suzanne Maese from Margro Advisors commented that they moved into town two years ago and have made major investments in Rio Dell. She said that they have a very busy cannabis consulting firm here and passage of this measure would dramatically affect their business and require them to close their doors. She urged the City Council to consider the collateral damage and protect the farmers who are taking care of the land. She reiterated that if this measure passes, there will be no amendments or expansions of cannabis activities which is what they help facilitate.

Mark Thurmond, one of the co-sponsors of Measure A addressed the Council via Zoom and said that the analysis done by the County is seriously flawed. He indicated that the measure does not prohibit improvements, only expansion of existing cannabis farms. He said that it also does not require existing farms to upgrade the road standards or improve facilities. He asked the City Council to carefully read both the initiative and the Humboldt County Planning Department analysis and compare what each document says. He said that there were many false statements in the analysis and statements made tonight and said that this initiative is not about two old retired fuddy-duddies getting together and writing this initiative as it was crafted in collaboration with the growers. He said that they collected 7,000 signatures from people in support of Measure A.

Nick Erickson, resident of Rio Dell since 1996 and owner of a small cannabis farm clarified that Mr. Thurmond indicated that they have 7,000 supporters of Measure A yet at every function he has attended there have only been two or three supporters show up. He also pointed out that when Ordinance 1.0 was formulated, there were public forums where everybody could come together and try to formulate the regulations, none of them showed up. He said that it wasn't until they realized that they might have a farm in their own backyard that they decided to act. He said with regard to obtaining 7,000 signatures in support of Measure A, they presented it as protecting small farms and protecting the environment. He noted that it took the County six weeks to go through the 38-page initiative so the average person signing the petition would not at a glance understand the initiative. He strongly urged the City Council to vote No on the initiative.

There being no further public comment, the public hearing was closed.

FEBRUARY 6, 2024 MINUTES
Page 9

Councilmember Orr said that he was raised that you don't share your votes or try to influence people but that you trust them to read and understand things on their own to vote their conscience. He said that he teaches his students the same thing in school. He thanked Supervisor Bushnell for reiterating the same thing. He said that when he came here tonight it was an obvious No vote for him as the measure is decisive and draconian and excessively restrictive. He commented that he read it three times and does not need a legal degree to see what's going on. He said that he doesn't feel qualified to sway anyone's vote or tell them how to vote however, he will vote to oppose this initiative. He added that if passed, it could drive Humboldt County bankrupt.

Mayor Pro Tem Carter said that she read the initiative and has been following this for about two years. She said that she re-read the initiative and the county analysis before the meeting as well as the rebuttals that came from the proponents of Measure A. She pointed out that the legal cannabis industry is relatively new and there is need for flexibility to be able to change with the times. She also said that this would be undoing all of the work that went into transitioning from the black market to a legal market. She noted that to prepare for this meeting, she went out and talked to people in the community including those in support of the measure. She said that the industry is already strained and everyone has worked really hard to come into compliance.

She said that her most important point is that her job as an elected official, regardless of what her own personal opinions about cannabis may be, is that she is here to speak for her constituents and in hearing from the residents and businesses of Rio Dell, nobody wants this so it is her duty as an elected official to speak for those people and vote No in support of Measure A.

Councilmember Wilson said that this discussion takes him back to 2016 with legalization of cannabis and said that his views have changed considerably since then. He said that he was opposed to Rio Dell's cannabis ordinance and Prop 64 through the State. Those things passed and the citizens of Rio Dell spoke. He said that the more conservative people wanted to see money coming into Rio Dell. The City has a very good ordinance which is modeled after the County's ordinance. He said that through all of the work that has been done, he feels that the County and the City of Rio Dell have been successful in making this industry work.

He said that in listening to Sheriff Honsal, who he greatly respects, his big concern was that this initiative would push farmers back into the black market. With the decline in the timber and fishing industries, the only way people were going to make it around here was in the cannabis industry and to push that back into the illegal market is not good. He commented that the illegal grows don't seem to have decreased.

Supervisor Bushnell commented that illegal grows in Humboldt County have decreased from 15,000 to less than 1,000.

FEBRUARY 6, 2024 MINUTES
Page 10

Councilmember Wilson said that he trusts the people in this room who are involved in the industry and think that the activities of the County have made it a viable legal industry along with guidelines and it is not productive to push farmers back into the illegal market. He said that the people in support of this initiative don't seem to be around except for on the telephone and he also opposes Measure A and he supports the letter of opposition.

Councilmember Woodall said that she was glad to see people come and voice their concerns to the Council which helps to understand the initiative. She said that she has always supported the cannabis industry and will also vote in support of the letter of opposition to Measure A.

Mayor Garnes noted that the legal farmers in Humboldt County have done everything they could do to be in compliance and that it doesn't seem like there is any more to regulate except some minor tweaks here and there. She commented that Rio Dell had over a hundred meetings before approving the cannabis regulations and the County had many meetings and the County and the Cities came to this decision and feel that the farmers have done everything they could to meet the requirements. She said that everything has already been covered in her opinion but she did ask that the City Manager bring this matter forward and allow the City Council to take a stand for the farmers and for all of the hard work of everyone in developing cannabis regulations.

Councilmember Orr said that he married into Humboldt County so hasn't had a lifetime around this industry. He said that his father-in-law was in the logging industry and he knows people in the fishing industry so it didn't take him long to figure out what happened there. He expressed appreciation to everyone for showing up and keeping the same thing from happening to the cannabis industry.

Motion was made by Carter/Orr to approve the letter opposing Measure A, the Humboldt Cannabis Reform Initiative. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Second reading (by title only) and adoption of Ordinance No. 402-2024 Related to False Alarms and Fees

Chief Allen provided a staff report and explained that the ordinance was introduced at the January 16, 2024 regular meeting and is back for its second reading and adoption. He said that Ordinance 402-2024 establishes false alarms and fees. The Rio Dell Police Department is responsible for responding to both commercial and residential alarms and a majority of those calls they respond to are false alarms due to non-maintenance of the equipment or operator error.

FEBRUARY 6, 2024 MINUTES
Page 11

If adopted, it will start in January 2025 and the fees will be \$20.00 every two years with the first two years waived. He explained that false alarms refer to excessive alarms so the first two false alarm calls would not be charged. The third false alarm would result in a fee of \$75.00 and would increase with subsequent false alarm calls.

Mayor Garnes opened the public hearing to receive public input on the proposed ordinance.

Sharon Wolfe said to reiterate, this is for commercial alarms that trigger a police response.

Chief Allen said that it is for commercial and residential alarms that trigger a police response.

Motion was made by Orr/Carter to approve the second reading (by title only) and adoption of Ordinance No. 402-2024 *Related to False Alarms and Fees*. Motion carried 5-0.

Introduction and first reading (by title only) of Ordinance No. 403-2024 Amending the City's Zoning Regulations to 1) define and allow for residential care homes with six or fewer persons by right in all residential zones; 2) update the definition of family to mean one or more persons living together in a dwelling unit, and 3) provide for farm employee housing consistent with state law in zones that allow agriculture as a permitted use pursuant to the State Employee Housing Act (Health and Safety Code of Regulations), Section 5061(b)(3)
Community Development Director Caldwell provided a staff report and said that state law and the City's approved Housing Element require that the City identify the City's housing goals, policies, and implementation programs for the planning period 2019 through 2027. He said that the proposed text amendments fulfill some minor implementation measures in the Housing Element. He said that the City has the option to not implement these changes however; would not be eligible for future grant funding.

He reviewed the three proposed zoning text amendments and said that they were presented to the Rio Dell Planning Commission at their meeting of November 28, 2023 and the commission unanimously approved the text amendments as recommended.

Councilmember Woodall noted that the City already has residential care homes and asked if this zoning amendment just incorporates the regulations in the ordinance.

Community Development Caldwell explained that the current regulations refer to Residential Care Facilities as a facility that provides 24-hour non-medical care for more than six persons and this amendment defines residential care homes with six or fewer persons principally permitted in residential zones.

FEBRUARY 6, 2024 MINUTES
Page 12

Motion was made by Carter/Orr to approve the introduction and first reading (by title only) of Ordinance No. 403-2024 *Amending the City's Zoning Regulations to 1) define and allow for residential care homes with six or fewer persons by right in all residential zones; 2) update the definition of family to mean one or more persons living together in a dwelling unit, and 3) provide for farm employee housing consistent with state law in zones that allow agriculture as a permitted use pursuant to the State Employee Housing Act (Health and Safety Code of Regulations), Section 5061(b)(3) and to bring the ordinance back to the Council at their meeting of February 20, 2024 for its second reading and adoption.* Motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Carter addressed the recent head-on collision that occurred a couple miles north of Rio Dell tragically taking the lives of two Rio Dell residents. She said that it not only affected the family members of the victims but it also affected the entire community including the children at school. She extended heartfelt condolences to anyone affected by this tragedy.

She said that the regular meeting of the Rio Dell School Board was moved to February 27, 2024 at 6:00 p.m. as the result of this tragedy and the loss of one of their students.

She also reported on the last Chamber of Commerce meeting and said that they are already discussing plans for Wildwood Days.

Councilmember Orr commented on the recent fatalities and said that Christina Freitas was a bridesmaid in his wedding so he knew her and her family well. He extended special thanks to Officer House for responding to the scene. He said that he attended the funeral and memorial service and it was nice to see how many people showed up

Councilmember Wilson reported that he would be attending an HWMA meeting on Thursday.

Councilmember Woodall reported that she would be attending a Fire Department Board meeting on Thursday.

Mayor Garnes reported that she would be attending an HTA meeting on Wednesday morning.

Chief Allen announced that because this accident was such a tragedy to the community, there would be a candlelight vigil at Memorial Park for Christina and her daughter on Monday at 6 p.m. and invited the community to attend. He commented that Officer House was one of the first responders on the scene and witnessed what officers hope they never have to witness and thanked the City Council for the support.

FEBRUARY 6, 2024 MINUTES
Page 13

Supervisor Bushnell asked that the invitation be extended to the Fortuna Fire Department.

Mayor Garnes then reminded everyone of the Disaster Preparedness Academy on March 2, 2024 at the Rio Dell Fire Hall. She urged everyone to go online to the Blue Lake Casino website to register and said there are flyers at City Hall and at the Community Resource Center. They will be giving out first aid kits, disaster preparedness kits and disaster plans and encouraged everyone to attend. She said on March 3, 2024 there will also be a Spanish speaking Disaster Preparedness Academy.

She also reported on the CERT meeting that occurred last night at the Rio Dell Fire Hall with another one scheduled for February 28, 2024. In addition, on February 17, 2024 there will be a CERT training in Blue Lake and at the Fortuna Fire Hall for CERT qualified people on February 22, 2024 at 6 p.m.

ADJOURNMENT

A motion was made by Carter/Woodall to adjourn the meeting at 7:42 p.m. to the February 20, 2024 regular meeting. The motion carried 5-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk

Sarah,

You know there are people that were made to do certain jobs. People who go above and beyond. People who not only have the right mindset, but the determination, tenacity, and most importantly, the heart to do certain jobs well. You, Sarah, are one such person. While we all know that running a Community Resource Center can be rewarding and energizing, we also know that it can be difficult, emotionally taxing and chaotic, sometimes even scary and thankless. But Sarah, through it all, you've not only done it well, but you have found the joy in it. You almost always wear a smile on your face which in turn puts a smile on the faces that come through the door.

You and your staff have created a warm, welcoming, and helpful environment for all of the citizens of Rio Dell and really, for anyone who has a need regardless of their address. You have provided people at any level, a safe place to work on resolution of difficult issues dealing with Medicare and MediCal, Social Security, living spaces and so on, or even, just a safe place to simply be, without judgment.

So, thank you Sarah, and thanks to your staff for creating a Community Resource Center that has become a pillar of Rio Dell. A Community Resource Center that is about one thing, having a happy, healthy and solid community.

The Rio Dell City Council

MARGRO ADVISORS

Public Comment

Measure A

February 6, 2024

info@margroadvisors.com

(707) 500-2420

ATTACHMENT 2

Measure A Restrictions

Prohibits: Expansion of any new cannabis cultivation related structures including ancillary buildings, water storage tanks, ponds, or solar arrays

Result: Those who have received water and solar tanks gants requiring building permits can not be approved

Prohibits: Having more than 1 cultivation permit per property

Result: Farmers with nursery or processing permits, which are cultivation activities, would be “non-conforming”

Prohibits: Farms over 10,000 sq ft

Result: Those over 10,000 sq feet would be “non-conforming”

Measure A Restrictions

Prohibits: Farms from being located along unpaved roads

Result: Requires Farms be located on a Category 4 Road (paved with two 10' wide lanes separated by a painted stripe) or be considered "non-conforming"

Prohibits: Any new permits or modifications for expansion beyond the amount in existence as of March 4, 2022

Result: No new permits, no modifications to expand cultivation of any size until the amount drops below the March 2022 level

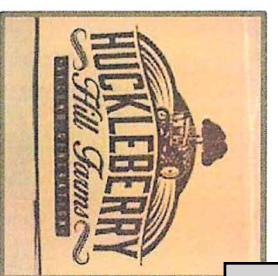
What is non-conforming?

Non-Conforming:

Means to be out of compliance with the county code. It means that the county will not be allowed to approve any future land use permits, amendments, or modifications until the site comes into compliance with the requirements of the County code.

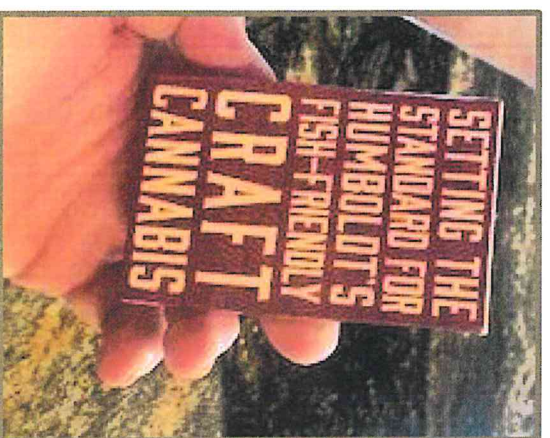
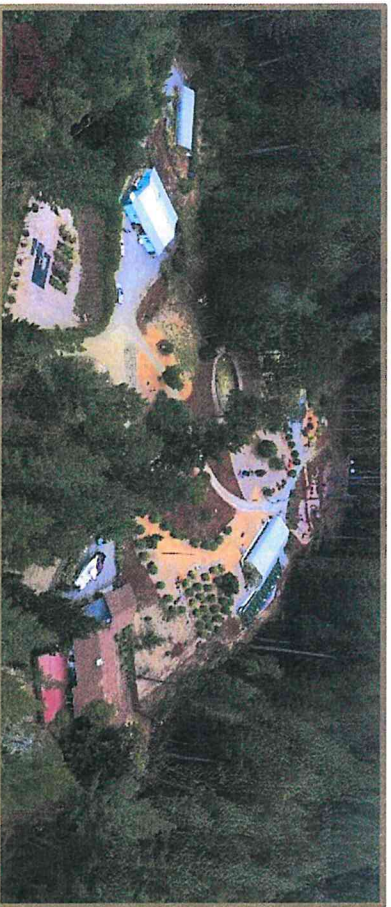
Result: “non-conforming” farms will be frozen in time. They can exist but will not be allowed to make any changes or improvements including environmental upgrades that require county approval.

Who will be impacted?



Huckleberry Hill Farms is a supplier to Willie Nelson's brand "Willie's Reserve" and a vocal advocate for sustainable farming by providing educational tours to visitors through their county Tourism Permit.

The farm has an Outdoor Permit along with a Nursery Permit to share their genetics with other farmers. The company would not be allowed to make any upgrades or changes to their site, or they would lose a permit due to a prohibition on not having more than one permit per parcel.



Who will be impacted?

Moon Made Farms is a regenerative Sun + Earth certified and DEM Pure certified farm that works to contribute more to the environment than it takes from the ecosystem.

It has plans to expand its solar array by adding a larger \$50,000 system partially funded through state Cannabis grants.

Their farm is 16,934 sq ft. Measure A would render the farm “non-conforming” and force them to reduce their farm by 40% to 10,000 sq ft or cancel moving forward with permitting the solar project to “expand” their renewable power resources.



Cannabis vs Other Agriculture

How do Cannabis Farms compare with other farms in Humboldt?

Measure	Non-Cannabis	Cannabis
Average Size Farm	731 acres 31,482,360 sq ft	0.36 acres 15,613 sq ft
Number of Commercial Farms	849	1,103
Total amount of County Land Used	970 sq miles	0.61 square miles
Percentage of Humboldt Land Used for Farming	27%	.016%
Percentage of Commercial Farms over 1 acre	100%	2%
Percentage of Commercial Farms Over 10 Acres	75%	0%
Median Size Farm	60 acres / 2,613,600 sq ft	0.23 acres / 10,000 sq ft

Data Sources: USDA 2017 Census of Agriculture County Data, Humboldt County CCMLUO Report 9-15-2022 & HCRI Analysis and Recommendations

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



DATE: February 20, 2024
TO: Mayor and Members of the City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Request for Proposals for Auditing Services for Fiscal Year 2023-24

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the distribution of the City’s Request for Proposal (RFP) for Auditing Services for Fiscal Year 2023-24.

BACKGROUND AND DISCUSSION

Each year an independent auditing firm audits and prepares financial statements for the City of Rio Dell in accordance with Generally Accepted Accounting Standards (GAAP) and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that an audit be performed to obtain reasonable assurance about whether the financial statements are free from material misstatement. Per California Government Code 12410.6:

(a) An audit for any local agency, including those submitted to the Controller pursuant to subdivision (a) of Section 12410.5, shall be made by a certified public accountant or public accountant, licensed by, and in good standing with, the California Board of Accountancy.

(b) Commencing with the 2013–14 fiscal year, a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years. For purposes of calculating the six consecutive fiscal years, the local agency shall not take into account any time that a public accounting firm was employed by that local agency prior to the 2013–14 fiscal year. The Controller may waive this requirement if the Controller finds that another eligible public accounting firm is not available to perform the audit.

JJA CPA, Inc. has provided the City with auditing services for 7 consecutive years, from Fiscal Year 2016-17 through 2022/23. Per CA Govt Code 12410.6, the City of Rio Dell is required to find another eligible public accounting firm to perform future City audits. The Controller waived this requirement last year after no other eligible public accounting firms responded to the RFP.

ATTACHMENTS

Request for Proposal



REQUEST FOR PROPOSAL
FINANCIAL AUDIT SERVICES

RETURN TO:

City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562
Attention: Travis Sanborn, Finance Director

The request for proposal process allows the City to select the vendor that best meets the needs of the City, taking into consideration qualifications, price, and service capabilities.

RFP Release Date: February 21, 2024

RFP Submittal Deadline: April 5, 2024, at 3:00 PM

Table of Contents

I. Introduction..... 1

II. Description of the City..... 2

III. Scope of Services..... 2

IV. Deliverables..... 3

V. City’s Responsibilities..... 4

VI. Compensation..... 4

VII. Proposal Requirements..... 4

VIII. Evaluation Process..... 7

IX. Terms of Engagement..... 7

X. Submission Instructions..... 7

I. INTRODUCTION

- a. The City of Rio Dell requests proposals from qualified firms of certified public accountants to audit its financial statements for six years, starting with the fiscal year ending 2024. These audits are to be performed in accordance with Generally Accepted Auditing Standards (GAAP), the standards set forth for financial audits in the U.S. General Accounting Office's (GAO) Governmental Auditing Standards, federal single audit requirements, and Governmental Accounting Standards Board (GASB) Pronouncements.
- b. During the evaluation process, the City of Rio Dell reserves the right, where it may serve the City's best interest, to request additional information or clarifications from proposers or to allow corrections of errors or omissions. At the discretion of the City, firms submitting proposals may be asked to make oral presentations as part of the evaluation process.
- c. The City of Rio Dell reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals unless clearly and expressly noted in the proposal submitted and confirmed in the contract between the City of Rio Dell and the firm selected.
- d. To be considered, five (5) proposal copies must be received by 3:00 PM, April 5, 2024. Please send proposals to:

Travis Sanborn, Finance Director
City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 9556
(707) 764-3532
sanbornt@cityofriodell.ca.gov

- e. The City of Rio Dell reserves the right to reject all provisions submitted and waive any irregularity.
- f. Questions about this Request for Proposal should be directed to Travis Sanborn at sanbornt@cityofriodell.ca.gov. Electronic versions of the prior year's City audit reports are available upon request.
- g. It is anticipated that the selection of a firm will be completed by April 16, 2024.

II. DESCRIPTION OF THE CITY

- a. Rio Dell is located approximately 28 miles south of the City of Eureka in Humboldt County and was incorporated in 1965 as a general law city that operates under the council-manager form of government. The City Council consists of the Mayor, who the Council elects to serve a two-year term, and four members, who are elected at large, serving a staggered term of four years. The City provides a full range of municipal services, including Police, Building, Planning, Water, Sewer, Streets, and Administration.
- b. The City's Fiscal Year 2023-24 Operating and Capital Budget totals \$8.7 million.
- c. The Finance Department performs general accounting, budgeting, accounts payable, accounts receivable, cash receipts, utility billing, business license, payroll, cash management, and debt administration.
- d. The City of Rio Dell uses Accufund software for all accounting functions.
- e. The auditor's principal contact with the City of Rio Dell will be the Finance Director. The contact person will coordinate the assistance the City of Rio Dell provides to the auditor.

III. SCOPE OF SERVICES

- a. The auditors will perform a financial and compliance audit to determine (a) whether the combined financial statements of the City fairly present the financial position and the results of financial operations in accordance with Generally Accepted Accounting Principles and (b) whether the City has complied with laws and regulations that may have a material effect upon the financial statements.
- b. The auditors will examine the City's internal accounting controls and accounting procedures and render written reports of their findings and recommendations to the Finance Director and the City Manager. The examination shall be made, and reports rendered in accordance with generally accepted government auditing standards.
- c. In the required reports on internal controls, the auditor shall communicate any reportable conditions found during the audit.
- d. Reportable conditions that are also material weaknesses shall be identified in the report. Non-reportable conditions discovered by auditors shall be reported in a separate letter to management, which shall be referred to in the reports on internal controls.

- e. Irregularities and illegal acts: Auditors shall be required to make an immediate, written report of all irregularities and illegal acts or indications of unlawful acts of which they become aware to the following parties:
 - i. City Council
 - ii. City Manager
 - iii. Finance Director
- f. Before issuing their final reports, the auditors will meet with the Finance Director and their designees and conduct an exit interview. All audit reports will be addressed to the City Council.
- g. Field Work: The City of Rio Dell anticipates and expects the primary fieldwork for the City to begin on or near the first week of October of each year. This does not include preliminary fieldwork, which may occur in June or July.
- h. Attendance at Meetings and Hearings: As part of the work scope, and included in the contract price, is attendance by the Contractor at a minimum of one (1) public meeting to present and discuss its findings and recommendations. The contractor shall attend as many “working” meetings with staff as necessary in performing work-scope tasks.
- i. The auditors may be consulted occasionally throughout the year as an information resource. The auditors may be asked to provide guidance on implementing Government Accounting Standards Board (GASB) requirements and specifics of federal and state regulations as they may affect local governmental accounting. They may also be asked to assist with the implementation of new pronouncements.

IV. DELIVERABLES

- a. Audit and preparation of financial statements.
- b. If the City’s federal expenditures meet the required limit, test programs for compliance with the Single Audit Act and applicable laws and regulations and issue the Single Audit Report.
- c. Perform agreed-upon auditing procedures about the City’s GANN Limit (Appropriations Limit) and render a letter to the City regarding compliance.
- d. Preparation of the State Controller’s Financial Transactions Report.
- e. Electronic copies of the above reports should be emailed to the City staff when completed.

V. CITY'S RESPONSIBILITIES

- a. City staff will prepare the final closing of the books and provide the Transmittal Letter and Management's Discussion and Analysis (MD & A). The City will provide balance sheets for all funds and detailed subsidiary ledgers.
- b. City staff will produce the confirmation letters that the auditors mail.
- c. The City will provide the auditor with reasonable workspace, desks, and chairs. The auditors will also be furnished access to the internet, telephones, facsimile machines, and photocopying machines.

VI. COMPENSATION

- a. The City will pay the auditors for those services described in Section III (Auditor's Responsibilities) the not-to-exceed amount contained within the agreement. For additional services required after the agreement's inception, written approval by the City is required before such services are rendered, for which a fee will be paid based on the auditor's quoted hourly rates.
- b. The auditors may submit itemized bills for their services at the end of each calendar month. The City will promptly review and issue payment accordingly.
- c. The City shall receive all final opinions and reports for the City of Rio Dell's financial statements by December of each year, barring any unforeseen City delays.

VII. PROPOSAL REQUIREMENTS

- a. Independence: The firm should provide an affirmative statement that it is independent of the City of Rio Dell as defined by generally accepted auditing standards. Moreover, the firm must have no conflicts of interest with regard to any other work performed for the entity being audited. It is understood that the services performed by the auditors are in the capacity of independent contractors rather than as officers, agents, or employees of the City of Rio Dell.
- b. License to Practice in California: An affirmative statement indicating that the firm and all assigned key professional staff are appropriately licensed to practice in California should be included.
- c. Firm Qualifications and Experience: The proposal should state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed, and the number and nature of the staff to be so employed on a part-time basis. Please indicate whether

any members of the audit team assigned to the City are reviewers in the GFOA Certificate of Achievement for Excellence in Financial Reporting program or the CSMFO Certificate of Award program.

- d. The firm must also submit a copy of the report on its most recent external quality control review, stating whether it included a review of specific government engagements.
- e. The firm shall also provide information on the results of any federal or state desk reviews or field reviews of its audits during the past three (3) years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three (3) years with state regulatory bodies or professional organizations.
- f. For the firm's office assigned responsibility for the audit, list the most significant engagements (maximum of 10) performed in the last five years that are similar to the engagement described in this proposal request. Reference contacts should also be included.
- g. Partner, Supervisory, and Staff Qualifications and Experience: The firm shall identify the principal supervisory and management staff, including engagement partners, managers, other supervisors, and specialists, who would be assigned to the engagement and indicate whether each such person is licensed to practice as a certified public accountant in California. The firm also should provide information on the governmental auditing experience, including the scope of audit services requested by the City of each person, information on relevant continuing professional education for the past three (3) years, and membership in professional organizations pertinent to the performance of this audit.
- h. Specific Audit Approach: The proposal should set forth a work plan, including an explanation of the audit methodology to be followed, to perform the services required in Part I, Section III of this request for proposals.
- i. Total All-Inclusive Maximum Price: The bid should contain all pricing information relative to performing the audit engagement described in this proposal request. The total all-inclusive maximum price to be bid is to contain all direct and indirect costs, including all out-of-pocket expenses. Maximum pricing should be included for all years of audits.
- j. Hourly Rate Schedule for key personnel assigned to the City's Project.
- k. Ownership of City-Related Documents: All property rights, including publication rights of all reports produced by the proposer in connection with services performed under this agreement, shall be vested in the City of Rio Dell. The

proposer selected shall only publish or release the results of its examinations with express written permission from the City of Rio Dell.

- l. Acceptance of Proposal Contents: After the City selects auditors, the contents of the submitted proposal will become a contractual obligation. The successful proposer must execute a standard consultant agreement with the City. Failure of the auditors to agree to include the proposal as part of the contractual agreement may result in the cancellation of the award. The City reserves the right to reject those parts that do not meet the City's approval.
- m. Acceptance or Rejection and Negotiation of Proposals: The City reserves the right to reject any or all proposals, waive non-material irregularities or information in the proposal request, and accept or deny any item or combination. By requesting proposals, the City is in no way obligated to award a contract or to pay the expenses of the proposing firms in connection with the preparation or submission of a proposal. Furthermore, the City reserves the right to reject any proposals before executing the contract(s) without penalty to the City of Rio Dell. If the City elects to refuse all proposals, it reserves the right to continue with its current service arrangement.
- n. Insurance Requirements: The Contractor shall provide proof of insurance as specified:
 - i. Commercial General Liability (CGL) with limits of no less than \$1,000,000 per occurrence
 - ii. Workers' Compensation with limits of no less than \$1,000,000 per occurrence
 - iii. Professional Liability with limits of no less than \$1,000,000 per occurrence
- o. Business License: The Contractor must have a valid City of Rio Dell business license before executing the contract. Additional information regarding the City's Business License Program can be obtained from Karen Dunham, City Clerk dunhamk@cityofriodellcity.ca.gov, or (707) 764-3532.

VIII. EVALUATION PROCESS

- a. In reviewing the proposals, a city review team will use the following criteria (not in ranked order):
 - i. Experience and qualification of staff assigned to the engagement
 - ii. References (particularly local government references) and relevant work performed for those references
 - iii. Firm’s demonstrated interest in maintaining continuity of auditing staff assigned to clients over time
 - iv. Cost
- b. Proposers may be asked to make oral presentations to supplement the proposal. These presentations will be held after receipt of the proposals and will be part of determining the auditors' qualifications. The oral presentation may result in the City's rejection of the proposal.

IX. TERMS OF ENGAGEMENT

- a. The audit contract period shall cover six years (6) starting with the fiscal year ending June 30, 2024.

X. SUBMISSION INSTRUCTIONS

- a. To be considered, five (5) proposal copies must be received by 3:00 PM, April 5, 2024. Please send proposals to:

Travis Sanborn, Finance Director
City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562
(707) 764-3532
sanbornt@cityofriodell.ca.gov

- b. The City of Rio Dell reserves the right to reject all provisions submitted and waive any irregularity.



*675 Wildwood Avenue
Rio Dell, CA 95562*

TO: Rio Dell City Council
THROUGH: Kyle Knopp, City Manager
FROM: Karen Dunham, City Clerk
DATE: February 20, 2024
SUBJECT: Planning Commission Appointment

RECOMMENDATION

Approve the appointment of Reshell Gurney to the Rio Dell Planning Commission for the remainder of the three-year term ending December 31, 2025.

BACKGROUND AND DISCUSSION

There is currently one vacancy on the Rio Dell Planning Commission as the result of the resignation of Jacqui Wilson with her term ending December 31, 2022. A Notice of Vacancy was posted on January 5, 2023, with the final date for submission of applications being January 12, 2023. Since there were no applications received, the date was extended each month until such time, one or more applications were received.

The only application received was from Reshell Gurney.

Provided there are no objections or questions from the Council, the staff is requesting the Council simply forgo the balloting and approve the appointment of Reshell Gurney to fill the vacancy.

ATTACHMENTS:
Planning Commission Application
Notice of Vacancy

CITY OF RIO DEL
FEB 01 2024
RECEIVED

Section K, Item 3.



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

APPLICATION FOR COMMISSION/BOARD

NAME Reshell Gurney DATE 1-30-24
ADDRESS 724 Pacific ave HOME PHONE 707-601-8994
BUSINESS PHONE 707-601-8994

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD/COMMISSION:

Planning Commission

OCCUPATION Realtor

HOW LONG HAVE YOU LIVED IN RIO DELL? 21 years

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES
S Humboldt County Realtor / office holder at
Van Duzen Grange

ADDITIONAL PERTINENT INFORMATION/REFERENCES
Personal Reference - John Coleman

EDUCATION Fortuna High School - 1996

Please answer the following two questions:

1) Why are you interested in serving on this board/commission?

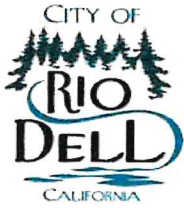
I Live in and love Rio Dell!
we need more people to step up and
continue to make our town great.

2) What special talents/experience/education do you possess that will be useful in this position?

I make my own hour so I am
available, personable, understand real
estate laws and I have an ability to
lead.

Note: A Resume may be attached

Return form to the City of Rio Dell at 675 Wildwood Ave., Rio Dell, CA 95562



PUBLIC NOTICE PLANNING COMMISSION NOTICE OF COMMISSION VACANCY

NOTICE IS HEREBY GIVEN, that two (2) vacancies exist on the Rio Dell Planning Commission. The City of Rio Dell is soliciting applications from those who wish to be considered to fill one (1) position as **Planning Commissioner** and one (1) position as **Planning Commissioner Alternate** for the remainder of 3-year terms ending **December 31, 2025**.

The Planning Commission consists of five (5) members and one (1) alternate member who are residents of the City of Rio Dell. Regular meetings are held on the **4th Tuesday of each month at 6:00 p.m.** in Rio Dell City Hall Council Chambers.

Applications may be obtained at and returned to:

City of Rio Dell
Karen Dunham, City Clerk
675 Wildwood Ave.
Rio Dell, CA 95562

Applications must be received by **5:00 P.M. Thursday, February 15, 2024**. The new Commission appointment will be made on **February 20, 2024** at the regular meeting of the Rio Dell City Council. Further information may be obtained by contacting the City Clerk’s office at 764-3532 or by emailing the City Clerk at dunhamk@cityofriodell.ca.gov.

Karen Dunham, CMC
City Clerk, City of Rio Dell

Date

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

Ref#	Date	Vendor	Description	Amount
12657	1/03/2024	[4780] Hum. Co. Planning Dept	CDBG - 177 Belleview Ave	900.00
12736	1/10/2024	[0576] 101 AUTO PARTS	Battery	56.32
12737	1/10/2024	[4109] ACCESS HUMBOLDT	4th Quarter Fee Ending 12/31/2023	270.00
12738	1/10/2024	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR DECEMBER 2023 - City Hall & COPIER CHARGES FOR DECEMBER 2023 - PD	440.60
12739	1/10/2024	[3975] AT&T - 5709	FAX LINE EXPENSES FOR DECEMBER 2023 - PD, FAX LINE EXPENSES FOR DECEMBER 2023 - City Hall	66.82
12740	1/10/2024	[6252] AXON ENTERPRISE, INC.	Body Cam and Accessories	9,459.93
12741	1/10/2024	[4063] CITY OF FERNDALE	Police Services	148.15
12742	1/10/2024	[2293] CITY OF FORTUNA	Police Dispatch for January 2024, LAB TESTING -COLIFORM QUANTI-TRAY; BOD; TSS/MLSS; COLIFORM PA; COLIFORM 3X5	9,015.83
12743	1/10/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 12/29/23	138.90
12744	1/10/2024	[7064] DAETWILER, DUTCH & CATELYN	CUSTOMER DEPOSIT REFUND	168.16
12745	1/10/2024	[7358] DIBBLE, TRISTEN & CRANDALL	CUSTOMER DEPOSIT REFUND	38.00
12746	1/10/2024	[2405] FORTUNA ACE HARDWARE	Deck Brush	21.68
12747	1/10/2024	[7700] FULLER APPRAISALS	CDBG - 177 Belleview Ave	900.00
12748	1/10/2024	[6410] HUMBOLDT LODGING ALLIANCE	HCTBID TOT Assessment Tax Fee Report Form October - December 2023	480.58
12749	1/10/2024	[7452] KAY, MARINA	CUSTOMER DEPOSIT REFUND	177.12
12750	1/10/2024	[7220] LARRY WALKER ASSOCIATES, INC.	Services Rendered Through 11/30/2023 - Assistance During NPDES Permit Reissuance	1,661.75
12751	1/10/2024	[7195] METER, VALVE & CONTROL, Inc	Itron 100W+ Water Meter Endpoint (Encoder)	3,679.92
12752	1/10/2024	[2551] MIRANDA'S ANIMAL RESCUE	Animal Control for Dec. '23	1,900.00
12753	1/10/2024	[3006] MISSION LINEN SUPPLY, INC	Cleaning & Maintenance on PW Shirts, Clean Mop Head, Clean Mop Head	215.54
12754	1/10/2024	[2569] NORTH COAST LABORATORIES, INC.	Ammonia Nitrogen - Un-ionized (calculation); Ammonia Nitrogen w/o distillation; Conductivity @ 25.0 @C; ELAP Certification fee; Hardness, Nitrate and/or Nitrite; THM by EPA 624; Total Dissolved Solids, Nitrogen, Phosphate Phosphorus; Turbidity, BOD/NFR; ELAP Certification fee	1,125.00
12755	1/10/2024	[4393] NYLEX.net. Inc.	Replace Chief's PC Hard Drive, Setup of New Laptops for WWTP	506.25
12756	1/10/2024	[2319] OPTIMUM BUSINESS	PUBLIC WORKS INTERNET & PHONES	521.75
12757	1/10/2024	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserve on 12/29/2023	400.00
12758	1/10/2024	[7542] POINT EMBLEMS LLC	Pin Clasps	139.63
12759	1/10/2024	[6349] RECOLOGY EEL RIVER	Garbage Bags for Dec. '23	84.40
12760	1/10/2024	[2657] RIO DELL EMPLOYEES ASSOC	EMPLOYEE DUES FOR QUARTER ENDING 12/31/2023	121.00
12761	1/10/2024	[4570] SHRED AWARE	Shredding	74.26
12762	1/10/2024	[2682] SMALL CITIES ORGANIZED RISK EFFORT (SCORE)	3rd Quarter Premium for Worker's Compensation Insurance	34.5
12763	1/10/2024	[2724] STATE WATER RESOURCES CONTROL BOARD	Water System Annual Fees Billing Period 7/1/23-6/30/24	4.2
12764	1/10/2024	[2715] STEWART TELECOMMUNICATION	Phone Lines City Hall - February 2024, Phone Lines PD - February 2024	5
12765	1/10/2024	[7701] SUPER VACUUM MANUFACTURING CO., INC	Graphics	5
12766	1/10/2024	[7585] SWEAT PANDA FORTUNA, LLC	Unlimited Month to Month Membership w/Auto Renew for three P.D. staff	4
12767	1/10/2024	[3829] TELSTAR INSTRUMENTS, INC	Replace On-Site Hypochlorite Generator, Hubbell Process Water Heater	26,0

Section K, Item 4.

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

Ref#	Date	Vendor	Description	Amount
12768	1/10/2024	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR DECEMBER 2023	1,040.00
12769	1/10/2024	[2750] USA BLUEBOOK	Tube Assembly and Ammonia Tests, Turbidimeter Kit	2,516.15
12770	1/10/2024	[3373] VALLEY LUMBER & MILLWORK	Locks	497.53
12771	1/10/2024	[2772] WENDT CONSTRUCTION, INC	Transfer of Load of Base to Stockpile, Vector Truck, Storm Drain Clean Out @ Painter St	1,535.00
12772	1/10/2024	[2779] WILDWOOD SAW	Grease Gun	35.79
12773	1/10/2024	[2787] WYCKOFF'S	PD: Sewer Line Stoppage Work, Pipe Nipples and Tees, Replace Pumps for Analyzers	1,210.01
12774	1/11/2024	[2724] STATE WATER RESOURCES CONTROL BOARD	401 Permit Application Payment	2,985.00
12775	1/17/2024	[2457] HUMBOLDT COUNTY CLERK-RECORDER	Mitigated Negative Declaration (ISMND) FILING FEE	2,966.75
12776	1/18/2024	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE	105.00
12777	1/18/2024	[2283] COASTAL BUSINESS SYSTEMS	Contract Base Rate Charge for the 1/25/2024 to 1/24/2025 Billing Period	1,998.00
12778	1/18/2024	[4855] FRESHWATER ENVIRONMENTAL SERVICES	Training and Materials	1,740.23
12779	1/18/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	Primer Paint and Adhesive Remover	28.35
12780	1/18/2024	[4214] HUMBOLDT CO OFFICE OF EDUCATION	CITATION CONTEST FORMS, ALARM PERMIT FORMS	41.48
12781	1/18/2024	[7702] INTERNATIONAL ASSOC. OF CHIEFS OF POLICE	Active Dues from 1/1/24-12/31/24	240.00
12782	1/18/2024	[7475] LEAF CAPITAL FUNDING LLC	Lease of Kyocera TA 308ci Copier System	204.41
12783	1/18/2024	[6008] SABRINA M LUMPKIN	REIMBURSEMENT FOR EVIDENCE LABELS	24.77
12784	1/18/2024	[5934] NORTH COAST JOURNAL, INC	BID ADVERTISEMENT FOR RIO DELL EXERCISE STATION	540.00
12785	1/18/2024	[4393] NYLEX.net. Inc.	New Secondary Drive for Officer's Computer	150.45
12786	1/18/2024	[6825] OPTIMUM	INTERNET SERVICES JANUARY 2024	900.00
12787	1/18/2024	[4215] ROCHA'S AUTOMOTIVE, INC.	Warning Light Diagnostic	157.00
12788	1/18/2024	[7189] SHARP AUTO GRAPHICS & SIGNS, INC.	Remove and Replace Graphics on Ford Explorer	350.00
12789	1/18/2024	[2719] STATE WATER RESOURCES CONTROL BD	Drinking Water Distribution Operator Certification Renewal for Grade D2	65.00
12790	1/18/2024	[6373] THATCHER COMPANY, INC.	Sodium Bisulfite 25% - 275 G Tote	5,352.68
12791	1/24/2024	[4603] CALIF. BUILDING STANDARDS COMMISSION	PERMIT ASSESSMENT FEES FOR OCTOBER THROUGH DECEMBER 2023	37.80
12792	1/24/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 1/12/24	138.90
12793	1/24/2024	[2315] COUNTY OF HUMBOLDT PLANNING & BUILDING DEPT	HSG-2023-18213; NOTICE TIME STANDARD RFP; 762 RIGBY AVE; STEVEN SAUNDERS, HSG-2023-18213; 50% ADJ TO COST REPORT; 762 RIGBY AVE; STEVEN SAUNDERS	3,584.92
12794	1/24/2024	[2342] DEPT OF CONSERVATION DIVISION OF ADMIN.	STRONG MOTION INSTRUMENTATION & SEISMIC HAZARD MAPPING FEE FOR OCTOBER THROUGH DEC	83.07
12795	1/24/2024	[5568] DIVISION OF THE STATE ARCHITECT	DISABILITY ACCESS & EDUCATION FEES FOR OCTOBER THROUGH DEC. 2023	5.60
12796	1/24/2024	[6904] EDGE ANALYTICAL, INC.	DRIED BIOSOLIDS-COMPOST BUILDING TESTING	201.00
12797	1/24/2024	[2407] FORBUSCO LUMBER	PT LUMBER; 50 PC 18" SPF STAKES; FASTENERS; 1/2" REBAR; TAPE	199.54
12798	1/24/2024	[2405] FORTUNA ACE HARDWARE	HOOK SCREWS; MULTI-TOOL HANGERS; DIGITAL PLASTIC TIMER	17.75
12799	1/24/2024	[5052] GHD, INC	PROFESSIONAL SERVICES FOR EARTHQUAKE DAMAGE ASSESSMENTS	2
12800	1/24/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	6-OUTLET SURGE PROTECTOR, FIXED-FLOW SUBMERSIBLE/INLINE PUMP; TITANIUM RESERVOIR WATER HEATER, SIGN STAKES, PIGTAIL, METAL FOR UP TO 15X19" SIGN, KRYLON BLACK SPRAY PAINT FOR GRAFFITI	
12	1/24/2024	[2457] HUMBOLDT COUNTY CLERK-RECORDER	COPIES	
12	1/24/2024	[4474] IIMC	ANNUAL MEMBERSHIP THROUGH 3/31/2025	

Section K, Item 4.

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

Ref#	Date	Vendor	Description	Amount
12803	1/24/2024	[5623] KYLE C KNOPP	REIMBURSEMENT FOR CARE OF ADMIN CAR	18.00
12804	1/24/2024	[2519] LC ACTION POLICE SUPPLY	TEN G47 MOS FXD 9MM GLOCK PISTOLS	4,665.38
12805	1/24/2024	[2521] LEAGUE OF CALIF. CITIES	Membership Dues for Calendar Year 2024	2,870.00
12806	1/24/2024	[3006] MISSION LINEN SUPPLY, INC	Cleaning & Maintenance for PW Shirts, Clean Mop Head	54.11
12807	1/24/2024	[2569] NORTH COAST LABORATORIES, INC.	AQUEOUS SAMPLE DIGESTION; DISSOLVED ORGANIC CARBON; HALOACETIC ACIDS; ICP-MS & OES METALS; ORGANACHLORINE PESTICIDES & PCB's, AMMONIA NITROGEN-UNIONIZED; AMMONIA NITROGEN W/O DISTILLATION; CONDUCTIVITY; HARDNESS; NITRATE AND/OR NITRITE; THM BY EPA 624: TOTAL DISSOLVED SOLIDS, NITROGEN & PHOSPHATE PHOSPHORUS; TURBIDITY, COLIFORM QUANTI-TRAY, AMMONIA NITROGEN W/O DISTILLATION	1,742.00
12808	1/24/2024	[6100] NORTHERN CALIFORNIA GLOVE	ORANGE NITRILE GLOVES; UNISEAL NITRILE EXAM GLOVES; G-GRIP GLOVES; TOOL HANDZ PLUS GLOVES	94.82
12809	1/24/2024	[6621] PAPE MACHINERY	TWO WHEELS FOR RIDING MOWER DECK	226.15
12810	1/24/2024	[3343] PITNEY BOWES RESERVE ACCOUNT	POSTAGE PURCHASE FOR RESERVE	400.00
12811	1/24/2024	[2659] RIO DELL PETTY CASH	LIGHTED TRACTOR PARADE ENTRY FEES & SUPPLIES; FAREWELL CAKE FOR WW SUPERINTENDENT; TAX FORMS	147.41
12812	1/24/2024	[2662] RIO DELL-SCOTIA CHAMBER OF COMMERCE	CHRISTMAS DECORATIONS REIMBURSEMENT	2,804.80
12813	1/24/2024	[4215] ROCHA'S AUTOMOTIVE, INC.	MAINTENANCE & REPAIRS FOR 2002 GMC SIERRA 2500 TRUCK	4,500.76
12814	1/24/2024	[2693] SHELTON'S AUTO LUBE	OIL CHANGE FOR 2017 FOR TAURUS	78.00
12815	1/24/2024	[2719] STATE WATER RESOURCES CONTROL BD	Drinking Water Distribution Operator Certification Renewal for Grade D3	90.00
12816	1/24/2024	[6590] SUN RIDGE SYSTEMS, INC.	RIMS ANNUAL SUPPORT SERVICES-RECORDS MANAGEMENT 12/31/23 - 12/12/2024	7,111.00
12817	1/24/2024	[2750] USA BLUEBOOK	TWO TUBE ASSEMBLY FOR A2 & M2 PUMPS; TWO TUBE ASSEMBLY FOR A1 & A-100N PUMPS, FLUID-TRAC ULTRASONIC DRUM LEVEL GAUGE ONLY, DPD 1 DISPENSER 10 ML SAMPLE TESTS; MANGANESE LR REAGENT TESTS	791.97
12818	1/24/2024	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR FEBRUARY 2024	391.07
12819	1/24/2024	[2772] WENDT CONSTRUCTION, INC	REPAIR STORM DRAIN & PATCH ASPHALT	1,388.78
12820	1/24/2024	[2787] WYCKOFF'S	1" PVC BALL VALVE SXS, 3/4 " PVC SCH 80/90; FEMALE ADAPTERS; COUPLINGS; 90 DEG ELBOWS; SUMP PUMP; PIPE	199.98
12821	1/31/2024	[2102] JOHN D BEAUCHAINE	Training/ICI Sexual Assault	295.50
12822	1/31/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 1/26/24	138.90
12823	1/31/2024	[4181] CSMFO	2024 CSMFO Professional Membership Renewal	55.00
12824	1/31/2024	[2405] FORTUNA ACE HARDWARE	Hardware and Bits, Tarp, Rope, Bungees, Tape	375.40
12825	1/31/2024	[5052] GHD, INC	Professional Services Rendered Throught 10/28/2023	102,671.38
12826	1/31/2024	[7356] GRAINGER, INC.	Bulkhead Tank Fitting, Reinforced Tubing	
12827	1/31/2024	[7663] GREENWAY PARTNERS	Gateway Preparation of Drawings for Construction	1
12828	1/31/2024	[2457] HUMBOLDT COUNTY CLERK-RECORDER	Copies for Water Project	
12829	1/31/2024	[6004] INTERNATIONAL CODE COUNCIL, INC.	Governmental Membership 2 years	
12	1/31/2024	[7711] JUNIOR BARN	8x14 Econo Junior Barn	7
12	1/31/2024	[6653] CRYSTAL L LANDRY	Reimbursement for Gas	
Section K, Item 4.				

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

Ref#	Date	Vendor	Description	Amount
12832	1/31/2024	[2541] MCMaster-CARR SUPPLY CO.	Mobil Mobilgear 600 XP 220 Gear Oil	443.79
12833	1/31/2024	[2569] NORTH COAST LABORATORIES, INC.	Coliform Quanti-tray, ELAP Certification Fee	195.00
12834	1/31/2024	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserve on 1/19/24	400.00
12835	1/31/2024	[6891] SUNBELT RENTALS, INC.	Bull Float	32.80
12836	1/31/2024	[6373] THATCHER COMPANY, INC.	Aqua Ammonia, 25% Tech - 375 #, Sodium Bisulfite 25% - 275 G Tote	7,258.90
12837	1/31/2024	[2750] USA BLUEBOOK	Double Eyewash Station	107.80
12838	1/31/2024	[3917] VERIZON WIRELESS	Safety Phones PD & PW (& Mayor): Dec 17- Jan 16	656.88
12839	1/31/2024	[2779] WILDWOOD SAW	Power Trim Edger	1,041.59
12840	1/31/2024	[2787] WYCKOFF'S	Pipe	54.68
Total Checks/Deposits				281,698.05

Ref#	Date	Vendor	Description	Amount
D1585112	1/2/2024	WITHDRAWAL	INTELLIPAY GLITCH - DUPLICATE CHARGE TO CUSTOMER THEN REFUNDED	-940.91
9837281	1/04/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 12/29/2023	-12,175.10
9837290	1/04/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR ALLIED ADMINISTRATORS-DELTA DENTAL ONLINE PAYMENT FOR FEB 2024.	-2,439.37
NSF	1/05/2024	WITHDRAWAL	NSF: ACH/E-CHECK DATED 01/02/2024. RETURNED ON 01/04/2024.	-166.61
939-984	1/08/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 12/29/2023	-5,834.43
5846730	1/08/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 12/29/2023	-21,744.42
4393809	1/09/2024	ELECTRONIC FUNDS TRANSFER	EFT: WEXBANK/SHELL FUEL CO PAYMENT FOR NOV/DEC 2023.	-3,549.33
613-898	1/09/2024	ELECTRONIC FUNDS TRANSFER	EFT: CA Dept of Tax & Fee Administration for Annual Sales Tax Payable for 2023.	-448.00
449803	1/10/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR DECEMBER 2023.	-1,825.22
9837296	1/16/2024	WITHDRAWAL	ANALYSIS SERVICE CHARGE FOR JANUARY 2024.	-278.07
9837295	1/18/2024	ELECTRONIC FUNDS TRANSFER	EFT: BANK OF AMERICA CREDIT CARD PAYMENTS -DEC 2023 & JAN 2024	-2,290.00
9837291	1/18/2024	ELECTRONIC FUNDS TRANSFER	EFT: BENEFIT BRIDGE/PUBLIC AGENCY PAYMENT FOR FEB 2024	-31,159.12
9837289	1/18/2024	ELECTRONIC FUNDS TRANSFER	EFT: DEARBORN LIFE INSURANCE PAYMENT FOR FEB 2024	-450.00
6643282	1/18/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 01/12/2024	-12,096.38
9837288	1/18/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR JANUARY 2024	-23,322.08
1112024	1/19/2024	WITHDRAWAL	NSF ACH/E-CHECK 01/11/2024	-632.00
E-CHECK11724	1/19/2024	WITHDRAWAL	NSF ACH/E-CHECK DATED 01/17/2024	-449.13
996058	1/19/2024	WITHDRAWAL	NSF CHECK#2333, DATED 01/15/2024.	-136.36
9837287	1/22/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 01/12/2024	-17,779.42
9837286	1/22/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 01/12/2024	-4,539.55
9837292	1/22/2024	ELECTRONIC FUNDS TRANSFER	EFT: VSP INSURANCE PAYMENT FOR FEBRUARY 2024	-
845661	1/26/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR JANUARY 2024.	-1,
Total EFT's/Bank Withdrawals				-144,

Section K, Item 4.

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

Ref#	Date	Vendor	Description	Amount
TRX TO PR	1/02/2024	TRANSFER FROM CHECK TO PAYROLL ACCT	TRANSFER TO PAYROLL ACCT FOR FINAL PAY CHECK 01/02/2024.	-6,843.60
TRX TO PR	1/02/2024	TRANSFER FROM CHECK TO PAYROLL ACCT	TRANSFER TO PAYROLL ACCT FOR PPE 12/29/2023	-51,114.10
TRX TO PR	1/18/2024	TRANSFER FROM CHECK TO PAYROLL ACCT	TRANSFER TO PAYROLL ACCT FOR PPE 01/12/2024	-46,876.32
TRX TO PR	1/30/2024	TRANSFER FROM CHECK TO PAYROLL ACCT	TRANSFER TO PAYROLL ACCT FOR PPE 01/26/2024	-47,223.47
TRX TO PR	1/31/2024	TRANSFER FROM CHECK TO PAYROLL ACCT	TRANSFER TO PAYROLL ACCT ON 01/31/2024 (Duplicate Transfer by mistake).	-47,223.47
Total Transfer Between Accounts				-199,280.96

Ref#	Date	Vendor	Description	Amount
9837285	1/02/2024	WITHDRAWAL	DEBIT CARD TO PURCHASE POSTAGE TO MAIL SWRCB WATER PAYMENT	-9.65
6839957	1/04/2024	WITHDRAWAL	DEBIT CARD: Pay Pass Due Optimum Bill caused by new phone system change over.	-196.11
6449188	1/10/2024	WITHDRAWAL	DEBIT CARD: PURCHASE YEAR END FILINGS FOR W2's, 1099MISC & 1099NEC FOR 2023.	-76.59
9837293	1/30/2024	WITHDRAWAL	DEBIT CARD FOR POSTAGE TO MAIL U/B BILLS FOR JANUARY 2024	-519.27
Total Debit Card Withdrawal				-801.62

Section K, Item 4.



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

February 20, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approve Letter of Opposition to AT&T "Land Line" Service Discontinuation Application with the California Public Utilities Commission

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the letter or provide direction to staff.

BACKGROUND AND DISCUSSION

Attached to your agenda is a CPUC Fact Sheet on the matter.

///

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



Feb. 20, 2024

Members, California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: AT&T COLR application - Oppose

Dear Members of the Public Utilities Commission,

On behalf of the City of Rio Dell and as a concerned resident of this City and Humboldt County, I write to strongly request your opposition to AT&T California's application to terminate its Carrier of Last Resort (COLR) obligation. The potential implications for our community are deeply concerning, and I urge you to consider the specific challenges faced by residents and businesses in Rio Dell.

AT&T's application seeks relief from its COLR obligations in over 99% of its service territory, where AT&T believes alternative voice providers exist, without requesting a replacement COLR. This proposal, if approved, could allow AT&T to cancel service to its Plain Old Telephone Service (POTS) customers as early as 6 months, leaving rural customers in Humboldt County and Rio Dell particularly vulnerable.

Rio Dell, with its diverse and sprawling landscapes, relies heavily on landline services, especially in remote and rural areas where alternatives may be limited. During emergencies, such as natural disasters or power outages, access to reliable 911 and 211 services is paramount, and POTS remains the most dependable communication tool in our safety net arsenal. The unavailability of cell service after the December 2022 earthquake underscored the importance of maintaining reliable landline services, as many residents were left without means of communication during a time of crisis.

Additionally, alternative technologies proposed by AT&T do not offer commensurate regulatory treatment or consumer protections, further jeopardizing the safety and accessibility of communication services in our community.

Furthermore, AT&T's application fails to address the unique needs of our elderly, vulnerable, and disadvantaged populations, who may struggle to find suitable alternative services in the event of service termination. The potential withdrawal of wireline infrastructure without adequate replacement options could leave entire neighborhoods in Rio Dell without telecommunications options, compromising public safety and economic development.

It is imperative that the CPUC prioritize the interests of residents and businesses in Rio Dell by rejecting AT&T's application and preserving the existing COLR obligation. Rio Dell is committed to providing reliable, secure, and open networks to all citizens, and AT&T's proposal undermines these efforts.

In the face of these challenges, the Rio Dell City Council respectfully urges the CPUC help protect the residents of Rio Dell. Rejecting AT&T's application would ensure the continued provision of reliable, accessible, and affordable telephone services for those who depend on the existing COLR obligation.

Sincerely,

Debra Garnes
Mayor
City of Rio Dell



CPUC Fact Sheet

PUBLIC PARTICIPATION HEARING

AT&T's Applications for Targeted Relief from its Carrier of Last Resort Obligation and Relinquish its Eligible Telecommunications Carrier Designation (A.23-03-003 and A.23-03-002)

AT&T's application regarding Carrier of Last Resort Obligations (A.23-03-003)

In this application, AT&T requests to be relieved of its Carrier of Last Resort (COLR) obligations in certain areas of California. If approved, it would no longer be required to offer landline telephone service where it is currently required to offer Basic Service in those areas. Basic Service includes nine service elements such as Lifeline rates for eligible customers, free access to 9-1-1, Telephone Relay Service, and directory and operator services. More information on Basic Service is available at <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-mapping-program/broadband-public-feedback/basic-service-definition>.

What is a Carrier of Last Resort (COLR)? A COLR is a telecommunications service provider that stands ready to provide basic telephone service, commonly landline telephone service, to any customer requesting such service within a specified area. At least one telephone company in a specified area is legally required to provide access to telephone service to anyone in its service territory who requests it. This is known as the Carrier of Last Resort (COLR) obligation which ensures that everyone in California has access to safe, reliable, and affordable telephone service. AT&T is the designated COLR in many parts of the state and is the largest COLR in California. Where AT&T is the default landline telephone service provider means that the company must provide traditional landline telephone service to any potential customer in that service territory. AT&T is proposing to withdraw as the COLR in your area without a new carrier being designated as a COLR.

What areas are impacted by AT&T's request to withdraw as a COLR? [Here](#) is the list of census designated places where AT&T is requesting to withdraw as the designated COLR and [here](#) is an online version of the map with address lookup.

What might happen if AT&T withdraws as a COLR? An area without a COLR could mean that there would be no landline telephone company serving that area and that there could possibly be no landline telephone access for customers in that area. If AT&T's proposal were accepted as set forth in its application, then no COLR would be required to provide basic service in your area. This does not necessarily mean that no carriers would, in fact, provide service in your area—only that they would not be required to do so. Other outcomes are possible, such as another carrier besides AT&T volunteering to become the COLR in your area, or the CPUC denying AT&T's proposal.

AT&T's application regarding Eligible Telecommunication Carrier Designation (A.23-03-002)

On March 3, 2023, AT&T requested to give up its designation as an Eligible Telecommunications Carrier (ETC).

What is an ETC? An ETC is a telephone company operating in a specific geographic area, that receives financial assistance from the federal government-established Universal Service Fund to provide high quality, and affordable telephone service to customers at all income levels in specific geographic areas. One example of a program funded by the Universal Service Fund is federal Lifeline. While funding for this program is provided by the federal government, each state determines a telephone company's eligibility for ETC designation. In California, a company's eligibility for these federal funds is determined by the CPUC.

Does an ETC provide California LifeLine? In California, the CPUC also approves and denies applications for state funding for programs to provide universal support, including California LifeLine (California's program is called LifeLine with a capital "L" for "Line"). The California LifeLine program is separate from the federal Lifeline program. An ETC may be a provider of California LifeLine as well as federal Lifeline, but eligibility to provide California LifeLine is not limited to only ETC providers.

What is AT&T's request in this application? AT&T is applying to give up its ETC designation, which it no longer offer federal Lifeline, as well as other federal programs designed to subsidize telecommunications support for low-income individuals and individuals located in remote areas. AT&T's participation in the California LifeLine program is a separate matter from this application to give up its ETC designation. AT&T asserts that it is not necessary to keep its ETC designation because it no longer receives any federal high-cost support from the federal government to provide universal service. By relinquishing its ETC designation, AT&T will no longer be eligible to receive federal support to provide Lifeline, which could potentially affect all current AT&T Lifeline customers.

What areas are impacted by AT&T's request to give up its ETC designation? All areas of AT&T's service territory where it currently holds ETC designation, which is the same as its Carrier of Last Resort (COLR) service territory, could be impacted if the CPUC approves AT&T's application. Here is a map of the different COLR service territories in California, including AT&T's: https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/communications-division/documents/high-cost-support-and-surcharges/chcf-a-1/ilec-territories-2023_230412.pdf

What are the potential impacts on customers' bills? For a household receiving federal Lifeline from AT&T, the bill could increase by \$5.25 per month for voice-only service, or \$9.25 per month for bundled or internet service. In addition to these amounts, a household on Tribal lands receiving federal Lifeline from AT&T could experience an additional \$25 per month bill increase.

What is required of AT&T for the CPUC to approve AT&T's request? AT&T must demonstrate that another ETC provider can provide universal support in the areas where AT&T wishes to surrender its ETC designation.

For more information on Eligible Telecommunications Carrier designation, please visit <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/service-quality-and-etc/eligible-telecommunications-carrier>

Public Participation Hearings

The public participation hearings (PPHs) provide an opportunity for the public to communicate directly with the CPUC regarding AT&T applications to remove its obligations under California to provide voice services.

WHEN	FORMAT	LOCATION
February 6, 2024, 2 p.m. and 6 p.m.	In-person only	Clovis City Council Chambers 1033 5th Street, Clovis, CA 93612
February 22, 2024, 2 p.m. and 6 p.m.	In-person only	Mendocino County Board of Supervisors 501 Low Gap Road, Room 1070, Ukiah, CA 95482
March 14, 2024, 2 p.m. and 6 p.m.	In-person only	Indio City Hall Council Chambers 100 Civic Center Mall, Indio, CA 92201
March 19, 2024, 2 p.m. and 6 p.m.	Virtual only	1-800-857-1917 Passcode: 6032788# www.adminmonitor.com/ca/cpuc

Consistent with the PPHs' purpose of hearing from members of the public, representatives of parties already involved in this proceeding are not permitted to comment at the PPH. More information at www.cpuc.ca.gov/pph

Other Ways to Participate

Subscribe to receive documents in A.23-03-003 and A.23-03-002 at: subscribecpuc.cpuc.ca.gov/fpss/Default.aspx

Submit comments electronically to the CPUC using the "Add Public Comment" button on the "Public Comment" tab of the Docket Card for A.23-03-003 at apps.cpuc.ca.gov/c/A2303003 and A.23-03-002 at apps.cpuc.ca.gov/c/A2303002. You can also review other public comments related to this rulemaking. The public may submit multiple public comments throughout the proceeding.

Contact the CPUC's Public Advisor at:

- Phone: 1-866-849-8390 (toll-free) or 1-415-703-2074
- TTY: 1-866-836-7258 (toll-free) or 1-415-703-5282
- Mail: CPUC Public Advisor's Office, 505 Van Ness Avenue, San Francisco, CA 94102
- Email: public.advisor@cpuc.ca.gov

Please reference AT&T's Applications 23-03-003 and 23-03-002 in any communication with the CPUC.



Staff Highlights – 2024-02-20

City Council

City Manager

February 7-9 attended the League of California Cities City Manager’s Conference in Los Angeles.

The Council’s next agenda will include an important opposition letter to the “taxpayer Protection Act & Government Accountability Act” a ballot measure that will appear on the November ballot. This Act has significant impact on local governments, including Rio Dell.

City Clerk

City Attorney

Human Resources, Risk & Training

Finance Department

Complete quarterly Activity and Expense reporting for CDBG - City of Rio Dell Owner Occupied Rehab / Rental Rehab of Tenant-Occupied Single-Family Homes

Completed Mid-Year report and updated Departments on current YTD expenditures

Completed year-end field work with the City’s auditing firm JJA, CPA.

Completed Rio Dell’s Possessory Interests Report

Executed quarterly reports and invoicing for Eel River Trail, Gateway Beautification, Eel River Crossing Project, and Rio Dell CIP Water Infrastructure project.

Met with Clean CA reps to discuss progress on Gateway Beautification and Eel River Trail project

Work with CDAA on the List of Projects for the 2022 Earthquake – invoicing, documentation, etc.

Work with Caltrans on invoicing EO work for earthquake road damage

Further work on STIP Invoicing for Neighborhood Connectivity Project submitted to the State of CA

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

Attend meetings with the State regarding SSES and Painter St. State-Funded projects.



Public Works Water

Public Works Wastewater

Cleared sewer plug on 2nd Avenue between Elko and Dixie.
Jetted Riverside, 2nd & Elko, 1st & Elko, DJ's run, and both sides of Fern Lift Station.
Completion of Full-Scale Chloramine Testing Report turned into the State, with high praise.
Q4 Report turned into the State on time.
SSO at Painter Street 2/4/2024; 209,100 gallons.
Due to High levels of I&I into the plant, Eff-001 failed TSS test on 2/1/24
Plant tour to Mayor Garnes and Rusty Hicks.
Building for Chloramine project installed.
WENDT Construction, installation of manhole on Painter St. and new sewer lateral connection.
Monthly sampling 2/13/2024, results in two weeks.
Lateral Inspection at 1010 Pine Street, Passed inspection.
SSO Technical Reports for SSO's: 1/13/24 and 1/20/24; Certified and sent into the State.

Public Works Streets, Buildings and Grounds

Public Works City Engineer

Public Works Capital Projects

Police Department

Community Development Department

Hot Water Heater Inspection 551 Pacific Ave
Framing and shear Inspection 550 Painter Street
Mini-Split Inspection 1173 Riverside Drive
Final Inspection (earthquake repairs), Roof Inspections 246 & 248 First Avenue



Footing inspection 140 River Road

Framing, shear Inspection 255 Ogle Avenue

Framing and Shear Inspection 127 Berkeley Street.

Rough Electrical and Propane Tank 585 View Avenue, need to relocate propane tank to meet NFPA setback requirements.

Correspondence with Oona Smite (HCOAG) regarding REAP funds and potential uses. Potential use of funds for Housing Condition Survey.

Work on Northwestern Flower Company Staff Report.

Contact owner/agent for additional information regarding parking lot landscaping requirements.

Foundation upgrade inspection 161 Second Ave.

FAU – Mini Split inspection 223 Belleview Avenue. Need to install a supplemental ground rod.

Roof Inspections 244, 246 & 248 First Avenue

Final Inspections Earthquake Damage 246 & 248 First Avenue

Final Inspection siding and windows 300 A Center Street

Violation Letter – Roof – 296 Center Street

Review Petronoff/Hoffman LLA application, open file and refer.

Prepare Roscoe Subdivision extension staff report.

Prepare staff report for second reading approval and adoption of the housing text amendments.

Review cannabis tax financial security regulations of other jurisdictions, prepare staff report and ordinance implementing financial security requirements for cultivation.

Final Inspection 160 River Street – earthquake damage.

Rough electrical and plumbing inspections 210 Sequoia Ave, units A & B.

Rough electrical and gas inspection 189 Douglas Street.

Insulation and rough electrical inspection 597 View Ave

Intergovernmental

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



DATE: February 20, 2024
TO: Rio Dell City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Fiscal Year 2023-24 Mid-Year Financial Report

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive and file the Fiscal Year (FY) 2023-24 Mid-Year Financial Report.

BACKGROUND AND DISCUSSION

The Finance Director provides reports on the budget to keep the Rio Dell City Council and the public informed on the status of the City’s finances. The attached Mid-Year Financial Report for FY 2023-24 summarizes budgeted versus actual amounts as of December 31, 2023, and describes any significant variances.

ATTACHMENTS

FY 2023-24 Mid-Year Financial Report

MID-YEAR FINANCIAL REPORT

Mid-Year FY 2023-24

This Mid-Year Financial Report reviews the City’s financial condition for fiscal year (FY) 2023-24 as of December 31, 2023. The report describes the revenues received and expenditures incurred and explains any significant budget variances at mid-year or projected to occur at the end of the fiscal year.

SUMMARY

The FY 2023-24 adopted budget for the City of Rio Dell was \$8.77 million, with estimated revenues of \$7.58 million. Total City revenues received at mid-year were \$2.55 million; expenditures totaled \$3.25 million. This difference is primarily due to expenses incurred on capital projects, grants, and Earthquake repairs yet to be reimbursed by the granting or State agency.

Revenues: The city’s major funds had received 43% of revenues as of mid-year. This compares to 40% for the same period last year. There is a slight increase in the percentage of General Fund revenues received at mid-year; 29% was collected compared to 21% in the last mid-year report. Due to the current uncertainties in the economic climate at the local and State levels, the City budgeted revenues lower, most notably in Sales Tax and Cannabis revenue projections.

Expenditures: As of mid-year, City-wide expenditures were \$3.25 million or 37% of the \$8.77 million adjusted budget. Operating expenses were 52% of the budget, 12% more than last year. These increases are directly attributed to the December 2022 Earthquake disaster. Capital project expenditures are increased due to continued work on large grant-funded projects such as the Eel River Trail.

The following table shows budget versus actual amounts by the department and current and prior year variances by percentage at mid-year.

EXPENDITURES BY DEPT.				
OPERATING	BUDGET	MID-YEAR ACTUAL	% EXPENDED	% PRIOR YEAR
Admin Car	1,600	352	22%	13%
Building	125,936	60,138	48%	48%
City Council	27,179	11,013	41%	17%
City Manager	511,828	162,227	32%	38%
Finance	488,235	221,505	45%	40%
Planning	53,463	25,105	47%	44%
Police	1,370,133	708,573	52%	45%
General Government	106,189	37,044	35%	6%
Recycling	18,820	8,166	43%	88%
Sewer	919,893	567,273	62%	54%
Water	645,661	396,375	61%	44%
Streets	218,815	147,077	67%	56%
Facilities & Grounds	161,011	69,294	43%	44%
Total Operating	4,648,763	2,414,142	52%	40%
Debt Service/Payments	488,881	269,414	55%	50%
Capital Projects	3,631,751	562,868	15%	13%
TOTAL	8,769,395	3,246,424	37%	28%

Expenditures in the city’s major funds were 49% of the budget as of mid-year.

REVENUES BY MAJOR FUND			
	BUDGET	MID-YEAR ACTUAL	% RECEIVED
GENERAL FUND	1,614,600	461,492	29%
STREETS	341,047	201,536	59%
SLESF	150,000	-	0%
BUILDING FUND	56,150	49,366	88%
SEWER	1,470,934	749,436	51%
WATER	1,299,450	639,117	49%
TOTAL	4,932,181	2,100,947	43%

EXPENDITURES BY MAJOR FUND			
	BUDGET	ACTUAL	% EXPENDED
GENERAL FUND	1,971,698	843,593	43%
STREETS	323,881	218,432	67%
SLESF	155,664	93,513	60%
BUILDING FUND	125,936	60,222	48%
SEWER	1,817,577	888,991	49%
WATER	1,373,823	720,522	52%
TOTAL	5,768,579	2,825,273	49%

MID-YEAR FINANCIAL REPORT

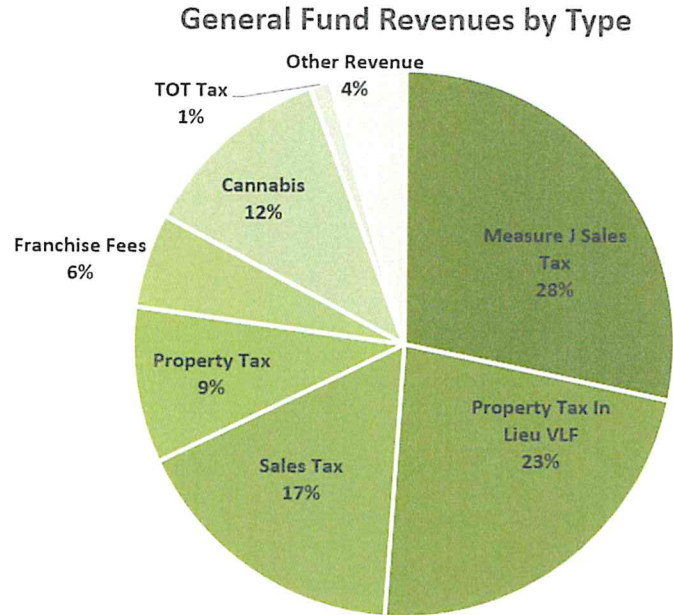
Mid-Year FY 2023-24

GENERAL FUND

As of December 31, 2023, General Fund revenues received were \$461,492, and expenditures were \$843,593.

Revenues: At mid-year, 29% of budgeted revenues had been received, compared to 21% for the same period last year. Property tax and In Lieu VLF funds are typically received from the County in the second half of the fiscal year, which is the primary reason revenues are below estimates at mid-year.

40% of budgeted cannabis revenues were received at mid-year compared to 55% last year. This is due to Ordinance 397-2023, a local ordinance that allowed cultivators on the Dinsmore Plateau to make a one-time tax payment by March 15 as an alternative to quarterly payments during the fiscal year.



Expenditures: Budgeted appropriations for the General Fund for FY 2023-24 total \$1.97 million. This includes \$198,000 for capital and special projects. Total appropriations spent at mid-year were \$843,593 or 43%.

STREETS FUNDS

Revenues: Projected street revenues increased by 3.5% or \$11,846 for the current fiscal year. 59% of those revenues were received by mid-year compared to 37% last year. The most notable increases were in the TDA and SB1 RMRA funds. Gas tax revenues were budgeted 1.7% lower year over year.

STREETS REVENUES	BUDGET	ACTUAL	% RECEIVED
020 GAS TAX	104,517	47,359	45%
021 SB1 RMRA	83,727	28,128	34%
024 TDA	125,803	126,049	100%
026 RSTP	27,000	-	0%
TOTAL	341,047	201,536	59%

GENERAL FUND	BUDGET	MID-YEAR ACTUAL	%
Property Tax In Lieu VLF	456,340	-	0%
Local Sales Tax Measure J	368,000	156,029	42%
Sales Tax	272,000	112,851	41%
Property Tax	149,375	-	0%
Franchise Fees	90,000	21,138	23%
Cannabis	186,000	74,630	40%
Transient Occupancy Tax	20,000	5,097	25%
Other Revenues	72,885	91,747	126%
TOTAL	1,614,600	461,492	29%

The top three revenue sources in the General Fund are Property Tax In Lieu of Vehicle License Fees, Local Sales Tax Measure J, and Retail Sales Tax. Cannabis revenues exceeded property tax revenues for the first time in FY 2020-21 and, despite the industrywide downturn, are anticipated to do so again in the current fiscal year. 'Other Revenues' include Police Services Fees, rental revenues for cell towers, and gains on disposal of assets.

MID-YEAR FINANCIAL REPORT

Mid-Year FY 2023-24

Expenditures: Actual Streets funds expenditures were 67% of adopted budgeted appropriations at mid-year, compared to 50% last year. This increase is primarily due to ongoing emergency earthquake expenditures.

STREETS EXPENDITURES	BUDGET	MID-YEAR ACTUAL	% EXPENDED
020 GAS TAX	102,411	83,130	81%
021 SB1 RMRA	70,257	24,179	34%
024 TDA	127,111	100,829	79%
026 RSTP	24,102	10,294	43%
TOTAL	323,881	218,432	67%

ENTERPRISE FUNDS

SEWER FUNDS

Revenues: The Sewer fund’s total budgeted revenues for FY 2023-24 are estimated at \$1.47 million. This includes all fees, charges, penalties, and new connections for sewer service. Actual revenues received at mid-year were \$749,436, or 51% of the budget. Last year, at this time, revenues were \$697,433. The increase in the current year is primarily due to the revised sewer and water rates. Revenues are on target to end the year as estimated.

SEWER REVENUES	BUDGET	MID-YEAR ACTUAL	% RECEIVED
050 SEWER OPERATIONS	1,063,000	493,115	46%
052 SEWER CAPITAL	105,000	64,547	61%
054 SEWER DEBT SVC.	302,934	191,774	63%
TOTAL	1,470,934	749,436	51%

Expenditures: Total sewer expenditures at mid-year were \$888,991, 49% of the budgeted amount. Expenditures in the Sewer Operating fund were at 51%. The treatment plant loan of \$6.6 million with the California State Waterboard will be paid off in 2043.

SEWER EXPENDITURES	BUDGET	MID-YEAR ACTUAL	% EXPENDED
050 SEWER OPERATIONS	1,249,643	637,661	51%
052 SEWER CAPITAL	265,000	99,863	38%
054 SEWER DEBT SVC.	302,934	151,467	50%
TOTAL	1,817,577	888,991	49%

WATER FUNDS

Revenues: The Water Fund’s total budgeted FY 2023-24 revenues are estimated at \$1.29 million. This includes all fees, charges, and penalties. Actual revenues received at mid-year were \$639,117, or 49% of the budget. Water revenues are divided between Operations, Debt Service, Capital Projects, Metro Wells, and Dinsmore Zone.

WATER REVENUES	BUDGET	MID-YEAR ACTUAL	% RECEIVED
060 WATER OPERATION	840,500	416,678	50%
061 WATER DEBT SVC.	136,000	67,223	49%
062 WATER CAPITAL	281,375	133,473	47%
063 METRO WELLS	18,375	9,083	49%
064 DINSMORE ZONE	23,200	12,660	55%
TOTAL	1,299,450	639,117	49%

Expenditures: Total water expenditures at mid-year were \$720,522, or 52% of the budgeted amount. Expenditures in the Water Capital Fund were at 145%. This increase resulted from emergency earthquake repairs (\$107,813) and the CalOES grant-funded Eel River Pipeline Seismic Retrofit Project (\$67,012). The water plant loan of \$2.7 million with the California State Waterboard will be paid off in 2029.

WATER EXPENDITURES	BUDGET	MID-YEAR ACTUAL	% EXPENDED
060 WATER OPERATION	960,626	439,755	46%
061 WATER DEBT SVC.	136,000	68,000	50%
062 WATER CAPITAL	138,000	199,449	145%
063 METRO WELLS	29,097	10,660	37%
064 DINSMORE ZONE	110,100	2,658	2%
TOTAL	1,373,823	720,522	52%

MID-YEAR FINANCIAL REPORT

Mid-Year FY 2023-24

BUDGET OUTLOOK

The mid-year review indicates that revenues are largely tracked at budgeted levels, and expenditures are generally on course to remain within budget. However, several factors are anticipated to impact the budget outlook, as outlined below.

Earthquake

- The December 20th earthquake and its subsequent aftershock on January 1st inflicted profound hardship upon the City of Rio Dell. Essential utilities like water and power were disrupted for days, and significant structural damage rendered numerous homes uninhabitable. The financial burden of this disaster extends beyond the immediate, impacting future fiscal years. Compounding this challenge, inflationary pressures and escalating service costs cast uncertainty on large-scale infrastructure projects necessitated by the earthquake.

Following CalOES guidelines, Rio Dell is eligible for reimbursement of up to 75% of approved project costs. However, the remaining 25% remains the city's responsibility. Recognizing this fiscal burden, the city has proactively pursued avenues to qualify for CalOES coverage of this 25% share, requiring a case-by-case assessment.

Rio Dell's situation exemplifies the intricate interplay between natural disasters and municipal fiscal constraints. While the earthquake's immediate impact was severe, the city's proactive approach to securing resources and navigating financial complexities underscores its resilience. Moving forward, Rio Dell's ability to secure complete funding and

rebuild its infrastructure will be crucial in ensuring a swift and sustainable recovery.

Cannabis

- Recent cannabis pricing declines and reduced market activity have adversely impacted City revenues in the past growing seasons. This volatility was previously communicated to the Council and remains a concern for future fiscal stability. However, staff remains confident in the City's long-term prospects within the cannabis industry due to several key advantages:
 - ✓ Comprehensive and strategic local regulations: Our regulatory framework fosters a stable and predictable environment for legal cannabis businesses.
 - ✓ Absence of "legacy grow" challenges: Unlike other municipalities, we are not burdened by the complexities and financial liabilities associated with unregulated pre-existing cultivation operations.
 - ✓ Robust municipal infrastructure: We possess the necessary infrastructure to support the growth and needs of the legal cannabis industry.
 - ✓ Attractiveness to professional legal cannabis operators: These factors position us as a favorable location for established and reputable cannabis businesses, fostering sustainable growth and revenue generation.

MID-YEAR FINANCIAL REPORT

Mid-Year FY 2023-24

TPGAA

- The Taxpayer Protection and Government Accountability Act (TPGAA) initiative, currently proposed for the November 2024 California ballot, has sparked significant debate on its potential impact on small cities in the state. Here's a breakdown of the key arguments and concerns:

Potential Negative Impacts:

- ✓ **Reduced Revenue:** The initiative proposes raising the voter approval threshold for local taxes from a simple majority to two-thirds, making it more challenging for small cities to raise funds for essential services like infrastructure, public safety, and social programs. This could exacerbate budget shortfalls and limit their ability to address critical needs.
- ✓ **Increased Litigation:** The initiative expands the definition of what constitutes a "tax," potentially subjecting more fees and charges to legal challenges. This could lead to costly lawsuits and further strain limited resources in small cities.
- ✓ **Reduced Local Control:** The initiative imposes restrictions on how local governments can spend certain types of revenue, potentially limiting their flexibility and ability to prioritize local needs. This could hinder their responsiveness to community concerns and hinder innovative solutions.

Uncertainty and Legal Challenges:

The initiative's potential impact is complex and depends on city size, existing tax structure, and future service needs. Additionally, the initiative faces legal challenges contesting its constitutionality, which could affect its implementation and timeline.

The TPGAA initiative has the potential to significantly impact small cities in California, with both potential negative and positive consequences. It's crucial for residents, businesses, and local officials to carefully consider its potential effects and engage in informed discussions before the November election.

Additional Resources:

-Cal Cities:

- <https://www.calcities.org/>
- <https://www.calcities.org/news/post/2023/10/04/cal-cities-joins-legal-challenge-against-taxpayer-protection-ballot-measure>

- California State Legislative Analyst's Office:

- <https://lao.ca.gov/ballotanalyses/propositions>

MID-YEAR FINANCIAL REPORT

Mid-Year FY 2023-24

Streets Funds

The City of Rio Dell Street Funds faces challenges from electric vehicles and declining Gas Taxes.

- ✓ Existing state-based formulas for street funding are inadequate, failing to cover maintenance costs fully.
- ✓ The COVID-19 pandemic further exacerbated funding shortfalls.
- ✓ The rise of electric vehicles (EVs) and the decline in gas tax revenue create additional challenges.
- ✓

Impact of EV Adoption:

- ✓ California's commitment to reducing greenhouse gas emissions through EV mandates and other climate initiatives leads to decreased gasoline and diesel consumption.
- ✓ This translates to lower gas tax revenue, impacting state, county, and city funding for streets.

Due to these factors, the Legislative Analyst's Office predicts a \$6 billion decline in gas tax revenue over the next decade.

Mitigation Efforts:

- ✓ Significant General Fund investments have helped offset the revenue shortfall thus far.

However, the long-term sustainability of this approach remains uncertain.

California faces a critical need to reform street funding in light of declining gas tax revenue and the growing adoption of EVs. Sustainable solutions must be identified to ensure adequate funding for essential infrastructure maintenance and improvements.



City of Rio Dell Fiscal Year 2023-24 Mid-Year Financial Report



Fiscal Year 2023-24 Revenues and Expenditures by Major Fund

	REVENUES BY MAJOR FUND		
	BUDGET	MID-YEAR ACTUAL	% RECEIVED
GENERAL FUND	1,614,600	461,492	29%
STREETS	341,047	201,536	59%
SLESF	150,000	-	0%
BUILDING FUND	56,150	49,366	88%
SEWER	1,470,934	749,436	51%
WATER	1,299,450	639,117	49%
TOTAL	4,932,181	2,100,947	43%

	EXPENDITURES BY MAJOR FUND		
	BUDGET	ACTUAL	% EXPENDED
GENERAL FUND	1,971,698	843,593	43%
STREETS	323,881	218,432	67%
SLESF	155,664	93,513	60%
BUILDING FUND	125,936	60,222	48%
SEWER	1,817,577	888,991	49%
WATER	1,373,823	720,522	52%
TOTAL	5,768,579	2,825,273	49%



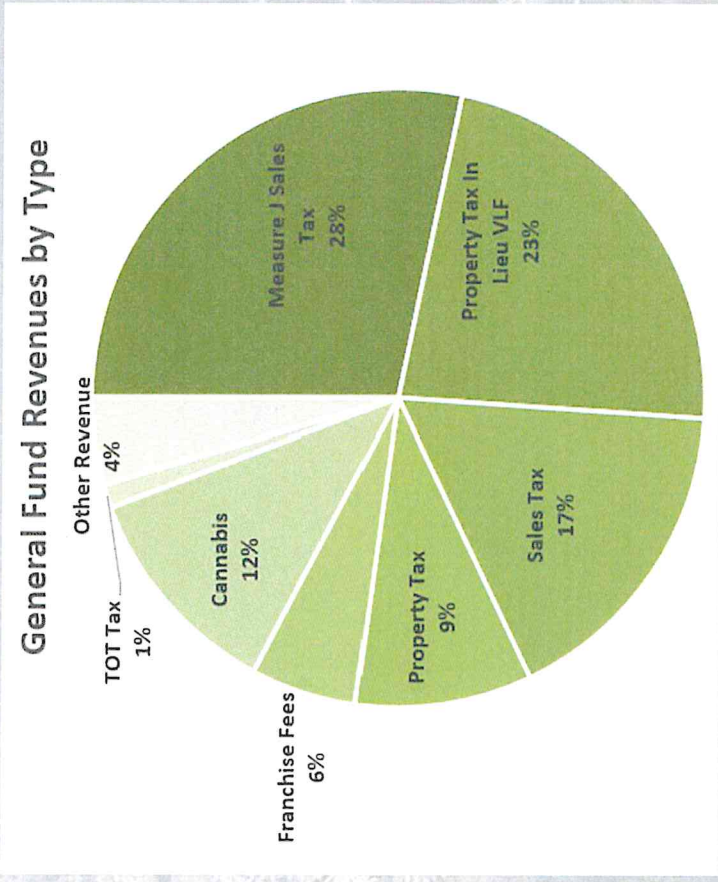
Fiscal Year 2032-24 Expenditures

By Department

EXPENDITURES BY DEPT.				
OPERATING	BUDGET	MID-YEAR ACTUAL	% EXPENDED	% PRIOR YEAR
Admin Car	1,600	352	22%	13%
Building	125,936	60,138	48%	48%
City Council	27,179	11,013	41%	17%
City Manager	511,828	162,227	32%	38%
Finance	488,235	221,505	45%	40%
Planning	53,463	25,105	47%	44%
Police	1,370,133	708,573	52%	45%
General Government	106,189	37,044	35%	6%
Recycling	18,820	8,166	43%	88%
Sewer	919,893	567,273	62%	54%
Water	645,661	396,375	61%	44%
Streets	218,815	147,077	67%	56%
Facilities & Grounds	161,011	69,294	43%	44%
Total Operating	4,648,763	2,414,142	52%	40%
Debt Service/Payments	488,881	269,414	55%	50%
Capital Projects	3,631,751	562,868	15%	13%
TOTAL	8,769,395	3,246,424	37%	28%



General Fund - Revenues



GENERAL FUND	BUDGET	MID-YEAR ACTUAL	%
	Property Tax In Lieu VLF	456,340	-
Local Sales Tax Measure J	368,000	156,029	42%
Sales Tax	272,000	112,851	41%
Property Tax	149,375	-	0%
Franchise Fees	90,000	21,138	23%
Cannabis	186,000	74,630	40%
Transient Occupancy Tax	20,000	5,097	25%
Other Revenues	72,885	91,747	126%
TOTAL	1,614,600	461,492	29%



Streets Funds

020 Gas Tax, 021 SB1, 024 TDA, 026 RSTP

STREETS REVENUES			
	BUDGET	ACTUAL	% RECEIVED
020 GAS TAX	104,517	47,359	45%
021 SB1 RMRA	83,727	28,128	34%
024 TDA	125,803	126,049	100%
026 RSTP	27,000	-	0%
TOTAL	341,047	201,536	59%

STREETS EXPENDITURES			
	BUDGET	MID-YEAR ACTUAL	% EXPENDED
020 GAS TAX	102,411	83,130	81%
021 SB1 RMRA	70,257	24,179	34%
024 TDA	127,111	100,829	79%
026 RSTP	24,102	10,294	43%
TOTAL	323,881	218,432	67%



Enterprise Funds - Sewer

SEWER REVENUES	BUDGET	MID-YEAR ACTUAL	% RECEIVED
050 SEWER OPERATIONS	1,063,000	493,115	46%
052 SEWER CAPITAL	105,000	64,547	61%
054 SEWER DEBT SVC.	302,934	191,774	63%
TOTAL	1,470,934	749,436	51%

SEWER EXPENDITURES	BUDGET	MID-YEAR ACTUAL	% EXPENDED
050 SEWER OPERATIONS	1,249,643	637,661	51%
052 SEWER CAPITAL	265,000	99,863	38%
054 SEWER DEBT SVC.	302,934	151,467	50%
TOTAL	1,817,577	888,991	49%



Enterprise Funds- Water

WATER REVENUES	BUDGET	MID-YEAR ACTUAL	% RECEIVED
060 WATER OPERATIONS	840,500	416,678	50%
061 WATER DEBT SVC.	136,000	67,223	49%
062 WATER CAPITAL	281,375	133,473	47%
063 METRO WELLS	18,375	9,083	49%
064 DINSMORE ZONE	23,200	12,660	55%
TOTAL	1,299,450	639,117	49%

WATER EXPENDITURES	BUDGET	MID-YEAR ACTUAL	% EXPENDED
060 WATER OPERATIONS	960,626	439,755	46%
061 WATER DEBT SVC.	136,000	68,000	50%
062 WATER CAPITAL	138,000	199,449	145%
063 METRO WELLS	29,097	10,660	37%
064 DINSMORE ZONE	110,100	2,658	2%
TOTAL	1,373,823	720,522	52%



Budget Outlook

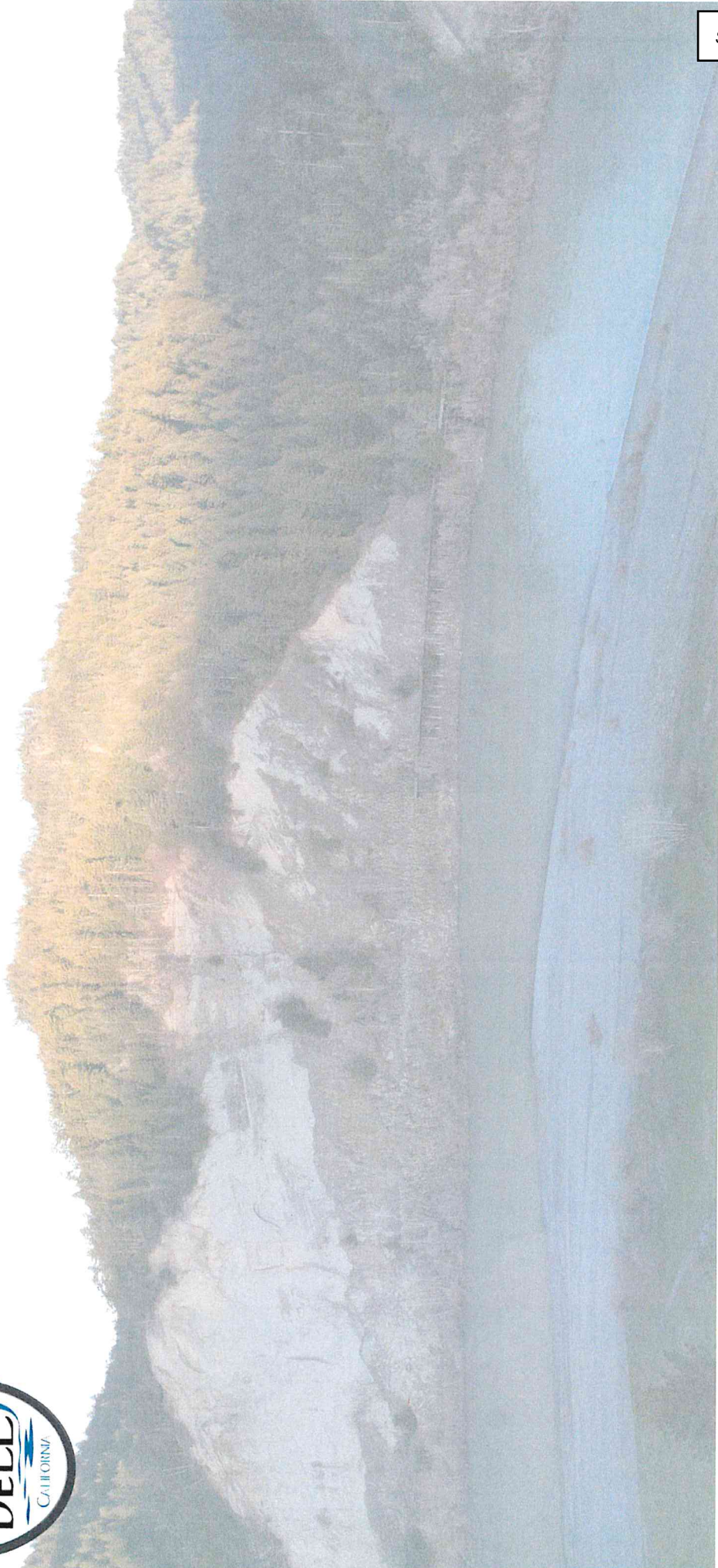
- Earthquake
- Cannabis
- TPGAA – Taxpayer Protection and Government Accountability Act
- Streets Funds

EARTHQUAKE LIST OF PROJECTS

PROJECT	COST ESTIMATE	25% CITY COST SHARE	FUND
DEBRIS REMOVAL	75,000	18,750	GENERAL
DISTRIBUTE AID / LAC	10,000	2,500	GENERAL
BUILDING INSPECTION	2,500	625	GENERAL
EMERGENCY SANITATION	130,000	32,500	WATER
EMERGENCY SEWER	10,000	2,500	SEWER
DONATED MATERIALS	25,000	6,250	GENERAL
METRO WELLS #1	1,000,000	250,000	WATER
EMERGENCY WATER REPAIR	300,000	75,000	WATER
PAINTER STREET TANK	1,600,000	400,000	WATER
PAINTER STREET SIDEWALK	50,000	12,500	GENERAL
HYPOCHLORITE GENERATOR	250,000	62,500	SEWER
CONTACT BASIN	6,000,000	1,500,000	SEWER
HWY101 SEWER PIPES	10,202,272	2,550,568	SEWER
FERN LIFT STATION	50,000	12,500	SEWER
HWY 101 WATER PIPES	5,835,364	1,458,841	WATER
DAMAGED COLLECTION SYSTEM	5,000,000	1,250,000	SEWER
DAMAGED DISTRIBUTION SYSTEM	5,000,000	1,250,000	WATER
DAMAGED ROAD REPAIR- PAINTER LIFT	15,750	3,938	GENERAL
DAMAGED ROAD REPAIR 1285 EELOA	6,000	1,500	GENERAL
DAMAGED ROAD REPAIR 1267 EELOA	13,500	3,375	GENERAL
DAMAGED ROAD REPAIR 1111 EELOA	9,750	2,438	GENERAL
INFILTRATION GALLERY	400,000	100,000	WATER
TOTAL	35,985,136	8,996,284	



Questions?



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



DATE: February 20, 2024
TO: Mayor and Members of the City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Resolution No. 1598-2023 Temporarily Waiving Sewer Fees for Customers Whose Residences Have Been 'Red-Tagged' By A Declared Natural Disaster.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- Approve the Resolution as drafted; or
- Amend the Resolution and approve; or
- Take no action on the Resolution

BACKGROUND AND DISCUSSION

Following the December 20, 2022, earthquake and subsequent tremors in January 2023, the Rio Dell City Council recognized the significant hardship faced by residents whose homes sustained damage and were deemed uninhabitable ("Red-Tagged"). In response, Resolution 1578-2023 was passed, waiving sewer fees for these residences for a period of 6 months.

Resolution 1578-2023, approved by the Rio Dell City Council, waived sewer fees for "Red-Tagged" residences from December 20, 2022, to June 30, 2023. A total of \$6,321 in customer sewer fees were waived during this period. Subsequent to June 30, 2023, customers were billed at the pre-earthquake rate per Resolution 1578-2023.

At the February 6, 2024, City Council meeting, concerns were raised regarding sewer bill charges for unoccupied, "Red-Tagged" residences. To address these concerns, City staff was directed to revisit Resolution 1578-2023. City staff developed a revised Sewer Bill Adjustment Claim Form allowing ratepayers with "Red-Tagged" residences to apply for a sewer fee waiver from the date of the Declared Local or State Disaster until the residences "Red-Tag" designation is removed.

The eligibility criteria are as follows:

- The residence must have been officially "Red-Tagged" following a declared natural disaster.
- The applicant must be the designated ratepayer for the affected residence.
- The applicant must demonstrate active efforts towards removing the "Red-Tag" designation.
- All completed claim forms will undergo review by the Finance Director and require approval by the City Manager.

ATTACHMENTS

-Resolution No. 1598-2024

- City of Rio Dell Sewer Bill Adjustment Claim Form



RESOLUTION NO. 1598-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
TO APPROVE TEMPORARILY WAIVING SEWER FEES FOR CUSTOMERS WHOSE
RESIDENCES HAVE BEEN ‘RED-TAGGED’ BY A DECLARED NATURAL DISASTER**

WHEREAS, the City of Rio Dell (the “City”) is a municipality located in Humboldt County, California; and

WHEREAS, the City is located in a geographical area prone to natural disasters that can cause extensive damage to public and private infrastructure resulting in the City and/or State of California to declare a Natural Disaster; and

WHEREAS, the City Council of the City of Rio Dell has a policy of adjusting utility bills of ratepayers under certain limited circumstances; and

WHEREAS, the City of Rio Dell City Council approves temporarily waiving sewer fees, immediately following the declared disaster to customers whose homes are uninhabitable and ‘Red-Tagged’ by the declared Natural Disaster; and

WHEREAS, the impacted customer must apply for relief through the Sewer Bill Adjustment Claim Form; and

WHEREAS, the impacted customer must be actively working to repair the residence; and

WHEREAS, as soon as the ‘Red-Tag’ designation is removed, customers will return to being billed the sewer rate last registered with the City of Rio Dell prior to the earthquake disaster, and the temporary fee waiver will end for that customer; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell approve temporarily waiving sewer fees for customers whose residences have been ‘Red-Tagged’ by a declared Natural Disaster.

PASSED AND ADOPTED by the City Council of the Rio Dell on this 20th day of February, 2024 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

EXHIBIT TO RESOLUTION NO. 1598-2024

CITY OF RIO DELL

SEWER BILL ADJUSTMENT CLAIM FORM

Instructions

- 1. Only claims for customers whose residents were 'Red-Tagged' by inspectors are eligible for adjustment.

NAME OF CLAIMANT: _____

PHONE NUMBER OF CLAIMANT: _____

MAILING ADDRESS OF CLAIMANT: _____

ADDRESS OF SERVICE: _____

I, _____ (Print name), declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was signed on _____, 20____, at Rio Dell, CA.

Finance Director, City of Rio Dell - Witness

Signature of Claimant

THIS SIDE IS TO BE COMPLETED BY CITY STAFF ONLY

Was the claimant's residence deemed 'Red-Tagged' by inspectors? _____

Dates residence was 'Red-Tagged': _____

What is the amount of the disputed bill? _____

What is the claimant's historical sewer base? _____

Is the claim related to a Declared Local or State Disaster event? If yes, 100% of the credit is to be applied: _____

Is the claimant actively working to remove the 'Red-Tagged' designation?

Explain:

CITY MANAGER'S DISPOSITION:

APPROVE CLAIM _____ DENY CLAIM _____

CITY MANAGER SIGNATURE _____



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

For Meeting of: February 20, 2024
□ Consent Item; ■ Public Hearing Item

To: Mayor and Members of the City Council
From: Mary Clark; Community Service Officer
Through: Greg Allen, Chief of Police
Date: February 14, 2024
Subject: Public Hearing on the Cost Recovery for the Abatement of 289 Berkeley Street,
Rio Dell, California 95562 APN# 053-163-002

Recommendation:

1. Open the Public Hearing
2. Receive any testimony/evidence concerning the cost recovery for the abatement conducted at 289 Berkeley Street
3. Close the Public Meeting
4. Discuss the matter
5. Approve the Findings and Order Confirming Accounts and Assessment for the abatement of 289 Berkeley Street

Background and Discussion

On April 6, 2021, a Notice of Violation was served on the owner of the parcel that includes both addresses of 267 and 289 Berkeley Street. No significant progress was made on clearing the violations and a Notice of Nuisance and Order to Abate was served to the owner on June 1, 2021. This document was recorded at the Humboldt County Recorder’s Office. Most of the original violations were located in proximity to the residence addressed 289 Berkeley and were cleared however, additional trash and solid waste began to accumulate at 267 Berkeley.

In September of 2023, City staff confirmed with the owner that this residence had been abandoned by the former occupants and there were excessive amounts of solid waste, household garbage, and other debris both inside and outside of the structure. In addition, the residence was unsecured and was an attractive nuisance. The Notice of Nuisance and Order to Abate was amended to include

violations of City Code dealing with substandard housing and this was served to the owner on October 25, 2023. The owner was unable to conduct the cleanup of the parcel and did not contest the abatement process. On November 13, 2023, an abatement warrant was obtained from the Humboldt Superior Court to remove the solid waste, a violation listed on the original Notice of Nuisance and Order to Abate. On November 14, 2023, the abatement was commenced. Due to the large amount of solid waste and unexpected debris, two additional days were required by the contractor to remove all of the solid waste and the abatement was completed on November 17, 2023. In all, 98 yards of solid waste, mattresses, tires, appliances, green waste, hazardous materials and e-waste were removed from the Property. The City's costs for the abatement were determined to be \$10,650.70. The cost recovery assessment was provided to the property owner in person on November 21, 2024 and sent via mail on November 27, 2024. The property owner has not made any attempt to pay or make a plan with the City for this debt.

On November 20, 2023, City staff received a Notice of Trustee Sale for the parcel. This document informed staff that the mortgage holder intended to auction the property on December 18, 2023. The owner was contacted and agreed to waive the thirty-day period that Rio Dell City Code allows to pay the cost of the abatement as he does not have the resources 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.

Attachments:

- Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Recovery
- Findings and Order Confirming Account and Assessment



**FINDINGS AND ORDER
CONFIRMING ACCOUNT AND ASSESSMENT**

In Re: Cost Recovery Hearing
City of Rio Dell vs Edison Petranoff
289 Berkeley Street, Rio Dell, California
AP# 053-163-002

February 20, 2024

On February 20, 2024, the Rio Dell City Council convened a hearing under Rio Dell Municipal Code Section 8.10.320 for the assessment of costs related to nuisance abatement activities at the subject premises recited above. At said hearing the Council considered the evidence presented to it concerning the subject premises, including relevant documents, writings, codes, ordinances, as well as oral testimony at the hearing, and now, therefore, it makes the following:

FINDINGS:

1. The property addresses located at 267 and 289 Berkeley Street, Rio Dell, California are located in an Urban Residential zone within the City of Rio Dell, Humboldt County, California and are referred to as Assessor’s Parcel Number 053-163-002; and
2. The Rio Dell Police Department received a complaint concerning the existence of violations on the property, to wit: Property use in violation of Rio Dell Municipal Code Section 8.10.020(a)(1), solid waste; and Section 8.10.030(7), nuisances; and
3. The property owner was served with a Notice of Violation dated April 13, 2021, pursuant to Rio Dell Municipal Code Section 8.10.230, describing the violations and ordering abatement of those conditions; and
4. Due to violations not being corrected, the property owner was served with a Notice of Nuisance and Order to Abate dated June 1, 2021, pursuant to Rio Dell Municipal Code Section 8.10.260, giving the property owner additional, significant, and reasonable amount of time to correct the violations; and
5. The majority of violations at 289 Berkeley were cleared however, in September of 2023 an excessive amount of solid waste started accumulating in front of 267 Berkeley; and
6. On October 25, 2023, the Notice of Nuisance and Order to Abate was amended to reflect the current violations present on the property and served to the property owner; and
7. The property owner did not contest the imposition of the amended Notice of Nuisance and Order to Abate; and
8. The property owner refused and/or failed to meet the deadlines imposed by the amended Notice of Nuisance and Order to Abate; and
9. On November 13, 2023, an abatement warrant was obtained from Humboldt Superior Court; and
10. On November 14-17, 2023, the City of Rio Dell did, in fact, abate said nuisances; and
11. The City of Rio Dell maintained an accurate and itemized account of the cost of the abatement, pursuant to Rio Dell Municipal Code Section 8.10.310; and
12. The property owner was served with a Cost Recovery Assessment outlining the costs incurred by the City and the amount of the assessment proposed to be levied against the property; and

- 13. The property owner provided signed documentation stating he waived his right to have thirty days to pay the cost of the abatement and allowing the City to move forward with the establishment of a lien on the property in a timely manner; and
- 14. The costs of the abatement as set forth in the Cost Recovery Assessment were necessarily incurred and are reasonable.

Following the said meeting and hearing, the City Council for the City of Rio Dell does hereby ordain and declare as follows:

ORDER:

- 1. That the account and proposed assessment of \$10,650.70 be, and is hereby, confirmed in full; and
- 2. That the Rio Dell Police Department shall cause to be prepared and recorded in the Office of the County Recorder, a Notice of Lien, which shall contain the identity of the property, a description of the proceedings under which the assessment was made (including this Order Confirming Assessment), the amount of the assessment, and a claim of lien on the described premises.

The City Council votes are tabulated as follows:

- Mayor Debra Garnes: Yes ; No
- Councilmember Amanda Carter: Yes ; No
- Councilmember Frank Wilson: Yes ; No
- Councilmember Robert Orr: Yes ; No
- Councilmember Julie Woodall: Yes ; No

DATED: _____

Mayor of the City of Rio Dell

DATED: _____

Clerk of the City of Rio Dell



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

**Notice of Public Meeting and Hearing Regarding Nuisance Abatement
Cost Assessment**

December 21, 2023

Via Certified Mail

To: Edison Petranoff
289 Berkeley Street
Rio Dell, California 95562

Location: AP# 053-163-002
289 Berkeley Street
Rio Dell, California

This Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment follows the Notice of Violation, served on April 13, 2021; the Amended Notice of Nuisance and Order to Abate, served on October 25, 2023; and the Notice of Abatement Cost issued on November 21, 2023. Notice is hereby given that the City of Rio Dell (“City”) has completed the abatement of the nuisance conditions on the Property located at 289 Berkeley Street, Rio Dell, California, known as Assessor’s Parcel Number 053-163-002, under the authority of the Section 8.10.290 of the Rio Dell Municipal Code. The total amount of the assessment to be levied against the property, to wit, \$10,650.70. Pursuant to Rio Dell Municipal Code Section 8.10.320, you have already been provided over thirty (30) days to pay this sum to the City.

Notice is further given that, on January 2, 2024 at its regular public meeting scheduled for 6:00 PM or as soon thereafter as the matter can be heard, the Rio Dell City Council, located at 675 Wildwood Avenue, Rio Dell, California, will schedule a public hearing on whether to impose a lien on your property in an amount equal to the City’s nuisance abatement costs. The public hearing will be scheduled for February 20, 2024. If the costs of abatement are imposed by the City Council following the February 20, 2024, public hearing, the City will impose the costs of abatement as a special assessment against your real property; and the special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary County taxes; and shall be subject to the same penalties, interest, under the same procedure for foreclosure and the sale in the case of delinquency as is provided for in ordinary County taxes.

Notice is further given that at public hearing on February 20, 2024 the City Council will hear and consider any objections and protests to the assessment. You may appear with an attorney or other representative, call and cross-examine witnesses, and present evidence on your behalf. Should the assessment be levied, the property may be sold after three years by the tax collector for unpaid delinquent assessments in accord with Rio Dell Municipal Code Section 8.10.330 and California Government Code Section 38773.5.

Mary Clark
Community Service Officer
Rio Dell Police Department.



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

For Meeting of: February 20, 2024
□ Consent Item; ■ Public Hearing Item

To: Mayor and Members of the City Council
From: Mary Clark; Community Service Officer
Through: Greg Allen, Chief of Police
Date: February 14, 2024
Subject: Public Hearing on the Cost Recovery for the Abatement of 601 Gunnerson Lane, Rio Dell, California 95562 APN# 053-021-048

Recommendation:

1. Open the Public Hearing
2. Receive any testimony/evidence concerning the cost recovery for the abatement conducted at 601 Gunnerson Lane
3. Close the Public Meeting
4. Discuss the matter
5. Approve the Findings and Order Confirming Accounts and Assessment for the abatement of 601 Gunnerson Lane

Background and Discussion

On May 11, 2021, a Notice of Violation was posted to 601 Gunnerson Lane in the City of Rio Dell for violations of the Rio Dell Municipal Code which included the presence of solid waste and excessive vegetation. Violations were becoming excessive and new violations were appearing which consequently led to the service of a Notice of Nuisance and Order to Abate on March 29, 2022. Due to continuing to receive multiple complaints and the condition of the property becoming progressively worse, an abatement warrant was sought from the Humboldt County Superior Court on July 24, 2023. The abatement warrant was served to the property owner at the property on July 26, 2023. On July 28, 2023, a crew from Redwood Adult and Teen Challenge and myself conducted an abatement at the property. 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 recovery was provided to the property owner in person at 601 Gunnerson Lane 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 Sections 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.

Attachments:

- Findings and Order Confirming Account and Assessment
- Notice of Public Meeting and Hearing Regarding Nuisance Abatement



**FINDINGS AND ORDER
CONFIRMING ACCOUNT AND ASSESSMENT**

In Re: Cost Recovery Hearing
City of Rio Dell vs Janine Busald
601 Gunnerson Lane, Rio Dell, California
AP# 053-021-048

February 20, 2024

On February 20, 2024, the Rio Dell City Council convened a hearing under Rio Dell Municipal Code Section 8.10.320 for the assessment of costs related to nuisance abatement activities at the subject premises recited above. At said hearing the Council considered the evidence presented to it concerning the subject premises, including relevant documents, writings, codes, ordinances, as well as oral testimony at the hearing, and now, therefore, it makes the following:

FINDINGS:

1. The property located at 601 Gunnerson Lane Rio Dell, California is located in an Urban Residential zone within the City of Rio Dell, Humboldt County, California and is referred to as Assessor’s Parcel Number 053-021-048; and
2. The Rio Dell Police Department received a complaint concerning the existence of violations on the property, to wit: Property use in violation of Rio Dell Municipal Code Section 8.10.020(a)(1), improper disposal of solid waste; and Section 8.10.030(7), nuisances; and
3. The property owner, Janine Busald, was served with a Notice of Violation dated May 11, 2021, pursuant to Rio Dell Municipal Code Section 8.10.230, describing the violations and ordering abatement of those conditions; and
4. Due to the violations not being corrected, the property owner was served with a Notice of Nuisance and Order to Abate dated March 29, 2022, pursuant to Rio Dell Municipal Code Section 8.10.260, giving the property owner additional, significant and reasonable amount of time to correct the violations; and
5. The property owner did not contest the imposition of the Notice of Nuisance and Order to Abate; and
6. The property owner refused and/or failed to meet the deadlines imposed by the Notice of Nuisance and Order to Abate; and

- 7. On July 24, 2023, an abatement warrant was obtained from the Humboldt Superior Court; and
- 8. On July 28, 2023, the City of Rio Dell did, in fact, abate said nuisances; and
- 9. The City of Rio Dell maintained an accurate and itemized account of the cost of the abatement, pursuant to Rio Dell Municipal Code Section 8.10.310; and
- 10. The property owner was served with a Cost Recovery Assessment outlining the costs incurred by the City and the amount of the assessment proposed to be levied against the property; and
- 11. The costs of the abatement as set forth in the Cost Recovery Assessment were necessarily incurred and are reasonable.

Following the said meeting and hearing, the City Council for the City of Rio Dell does hereby ordain and declare as follows:

ORDER:

- 1. That the account and proposed assessment of \$2,037.12 be, and is hereby, confirmed in full; and
- 2. That the Rio Dell Police Department shall cause to be prepared and recorded in the Office of the County Recorder, a Notice of Lien, which shall contain the identity of the property, a description of the proceedings under which the assessment was made (including this Order Confirming Assessment), the amount of the assessment, and a claim of lien on the described premises.

The City Council votes are tabulated as follows:

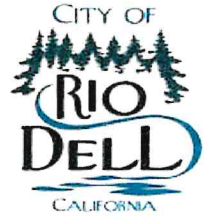
Mayor Debra Garnes:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Amanda Carter:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Frank Wilson:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Gordon Johnson:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Julie Woodall:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>

DATED: _____

Mayor of the City of Rio Dell

DATED: _____

Clerk of the City of Rio Dell



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

Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment

December 21, 2023

Via Certified Mail

To: Janine Busald
601 Gunnerson Lane
Rio Dell, California 95562

Location: AP# 053-021-048
601 Gunnerson Lane
Rio Dell, California

This Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment follows the Notice of Violation, served on May 11, 2021; the Notice of Nuisance and Order to Abate, served on March 29, 2022; and the Notice of Abatement Cost issued on November 16, 2023. Notice is hereby given that the City of Rio Dell (“City”) has completed the abatement of the nuisance conditions on the Property located at 601 Gunnerson Lane, Rio Dell, California, known as Assessor’s Parcel Number 053-021-048, under the authority of the Section 8.10.290 of the Rio Dell Municipal Code. The total amount of the assessment to be levied against the property, to wit, \$2,037.12. Pursuant to Rio Dell Municipal Code Section 8.10.320, you have already been provided over thirty (30) days to pay this sum to the City.

Notice is further given that, on January 2, 2024 at its regular public meeting scheduled for 6:00 PM or as soon thereafter as the matter can be heard, the Rio Dell City Council, located at 675 Wildwood Avenue, Rio Dell, California, will schedule a public hearing on whether to impose a lien on your property in an amount equal to the City’s nuisance abatement costs. The public hearing will be scheduled for February 20, 2024. If the costs of abatement are imposed by the City Council following the February 20, 2024, public hearing, the City will impose the costs of abatement as a special assessment against your real property; and the special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary County taxes; and shall be subject to the same penalties, interest, under the same procedure for foreclosure and the sale in the case of delinquency as is provided for in ordinary County taxes.

Notice is further given that at public hearing on February 20, 2024 the City Council will hear and consider any objections and protests to the assessment. You may appear with an attorney or other representative, call and cross-examine witnesses, and present evidence on your behalf. Should the assessment be levied, the property may be sold after three years by the tax collector for unpaid delinquent assessments in accord with Rio Dell Municipal Code Section 8.10.330 and California Government Code Section 38773.5.

Mary Clark
Community Service Officer
Rio Dell Police Department.



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

For Meeting of: February 20, 2024
 Consent Item; Public Hearing Item

To: City Council
From: Mary Clark; Community Service Officer
Through: Greg Allen; Chief of Police
Date: February 14, 2024
Subject: Public Hearing on the Cost Recovery for the Abatement of 483 Fourth Avenue,
Rio Dell, California 95562 AP# 053-075-007

Recommendation:

1. Open the Public Hearing
2. Receive any testimony/evidence concerning the cost recovery for the abatement conducted at 483 Fourth Avenue
3. Close the Public Meeting
4. Discuss the matter
5. Approve the Findings and Order Confirming Accounts and Assessment for the abatement of 483 Fourth Avenue

Background and Discussion

During the time between September 2020 and December 2021, the City has conducted three (3) abatements at 483 Fourth 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 that property and trash continued to accumulate.

On September 19, 2023, a fourth abatement warrant was sought from the Humboldt 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. 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.

Attachments:

- Findings and Order Confirming Account and Assessment
- Notice of Public Meeting and Public Hearing Regarding Nuisance Abatement Cost Recovery



**FINDINGS AND ORDER
CONFIRMING ACCOUNT AND ASSESSMENT**

In Re: Cost Recovery Hearing
City of Rio Dell vs Jeanie Spier
483 Fourth Avenue, Rio Dell, California
AP# 053-075-007

February 20, 2024

On February 20, 2024, the Rio Dell City Council convened a hearing under Rio Dell Municipal Code Section 8.10.320 for the assessment of costs related to nuisance abatement activities at the subject premises recited above.

At said hearing the Council considered the evidence presented to it concerning the subject premises, including relevant documents, writings, codes, ordinances, as well as oral testimony at the hearing, and now, therefore, it makes the following:

FINDINGS:

1. The property located at 483 Fourth Avenue, Rio Dell, California is located in an Urban Residential zone within the City of Rio Dell, Humboldt County, California and is referred to as Assessor's Parcel Number 053-075-007; and
2. The Rio Dell Police Department received a complaint concerning the existence of violations on the property, to wit: Property use in violation of Rio Dell Municipal Code Section 8.10.020(a)(1), improper disposal of solid waste; and
3. The property owner, Jeanie Spier, was served with a Notice of Violation dated February 19, 2019, pursuant to Rio Dell Municipal Code Section 8.10.230, describing the violations and ordering abatement of those conditions; and
4. The property owner had significant and reasonable time to correct all violations and refused and/or failed to meet the deadlines prescribed by the Notice of Violation; and
5. The property owner was served with a Notice of Nuisance and Order to Abate dated July 6, 2020 pursuant to Rio Dell Municipal Code Section 8.10.260, giving the property owner additional, significant, and reasonable amount of time to correct the violations; and
6. The property owner did not contest the imposition of the Notice of Violation and Order to Abate; and
7. The property owner refused and/or failed to meet the deadlines imposed by the Notice of Violation and Order to Abate; and

- 8. On September 22, 2023, the City of Rio Dell did, in fact, abate said nuisance; and
- 9. The City of Rio Dell maintained an accurate and itemized account of the cost of the abatement, pursuant to Rio Dell Municipal Code Section 8.10.310; and
- 10. The property owner was served with a Cost Recovery Assessment outlining the costs incurred by the City and requesting that payment be made within thirty days; and
- 11. The property owner has refused and/or failed to make payment to the City for the cost of the abatement within the time allotted; and
- 12. The costs of the abatement as set forth in the Notice of Assessment were necessarily incurred and are reasonable.

Following the said meeting and hearing, the City Council for the City of Rio Dell does hereby ordain and declare as follows:

ORDER:

- 1. That the account and proposed assessment of \$2,995.51 be, and is hereby, confirmed in full; and
- 2. That the Rio Dell Police Department shall cause to be prepared and recorded in the Office of the County Recorder, a Notice of Lien, which shall contain the identity of the property, a description of the proceedings under which the assessment was made (including this Order Confirming Assessment), the amount of the assessment, and a claim of lien on the described premises.

The City Council votes are tabulated as follows:

Mayor Debra Garnes:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Amanda Carter:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Frank Wilson:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Gordon Johnson:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>
Councilmember Julie Woodall:	Yes <input type="checkbox"/> ; No <input type="checkbox"/>

DATED: _____

Mayor of the City of Rio Dell

DATED: _____

Clerk of the City of Rio Dell



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

**Notice of Public Meeting and Hearing Regarding Nuisance Abatement
Cost Assessment**

December 21, 2023

Via Certified Mail

To: Jeanie Spier
 483 Fourth Avenue
 Rio Dell, California 95562

Location: AP# 053-075-007
 483 Fourth Avenue
 Rio Dell, California

This Notice of Public Meeting and Hearing Regarding Nuisance Abatement Cost Assessment follows the Notice of Violation, served on February 19, 2019; the Notice of Nuisance and Order to Abate, served on July 6, 2020; and the Notice of Abatement Cost issued on October 11, 2023. Notice is hereby given that the City of Rio Dell (“City”) has completed the abatement of the nuisance conditions on the property located at 483 Fourth Avenue, Rio Dell, California, known as Assessor’s Parcel Number 053-075-007, under the authority of the Section 8.10.290 of the Rio Dell Municipal Code. The total amount of the assessment to be levied against the property, to wit, \$2,995.51. Pursuant to Rio Dell Municipal Code Section 8.10.320, you have already been provided over thirty (30) days to pay this sum to the City.

Notice is further given that, on January 2, 2024 at its regular public meeting scheduled for 6:00 PM or as soon thereafter as the matter can be heard, the Rio Dell City Council, located at 675 Wildwood Avenue, Rio Dell, California, will schedule a public hearing on whether to impose a lien on your property in an amount equal to the City’s nuisance abatement costs. The public hearing will be scheduled for February 20, 2024. If the costs of abatement are imposed by the City Council following the February 20, 2024, public hearing, the City will impose the costs of abatement as a special assessment against your real property; and the special assessment may be collected at the same time and in the same manner as is provided for the collection of ordinary County taxes; and shall be subject to the same penalties, interest, under the same procedure for foreclosure and the sale in the case of delinquency as is provided for in ordinary County taxes.

Notice is further given that at public hearing on **February 20, 2024**, the City Council will hear and consider any objections and protests to the assessment. You may appear with an attorney or other representative, call and cross-examine witnesses, and present evidence on your behalf. Should the assessment be levied, the property may be sold after three years by the tax collector for unpaid delinquent assessments in accord with Rio Dell Municipal Code Section 8.10.330 and California Government Code Section 38773.5.

Mary Clark
Community Service Officer
Rio Dell Police Department



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

February 20, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Award of Clean California Gateway Landscape Improvement Project to Jagimo Corporation Inc. DBA J+G Lawn + Garden in the Amount of \$148,984.00 with Further Authorization for the City Manager to Execute an Agreement in Coordination with the City Attorney

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Award the Gateway Landscape Improvement Project to Jagimo Corporation Inc. DBA J+G Lawn + Garden in the Amount of \$148,984.00 and further Authorize the City Manager to Execute an Agreement in Coordination with the City Attorney.

BACKGROUND AND DISCUSSION

On November 7, 2023 the City Council authorized staff to rebid the Gateway Landscape Improvement project after initial bids on the first proposal came in too high. Staff worked with the State Clean California Program to dial the project down to the specific grant requirements for the project. Staff received bids back on January 8, 2024 and there was one bidder, J&G Landscaping who has worked for the city before on other projects. The bid came in near the budgeted figure at \$148,984. At this time staff recommends awarding the project to the lone bidder and executing an agreement.

Previous direction from the Council included preserving the existing Cherry trees on Wildwood Avenue. However, Clean California staff made clear that that change was not allowable under the grant. The Gateway Ad Hoc Committee’s recommendation was to work with the contractor on a change order to remove the trees and their root balls to give away to the public, instead of simply cutting down the trees entirely. Staff is working with the contractor to develop a proposal for the Council’s consideration, however this change order will not be covered by the Clean California Grant and will need to be paid for through City funds. Staff hopes to bring such a potential change order back at the next meeting for Council consideration.

Funds available for the overall Gateway Project total \$240,870 when including a \$5,000 donation from PG&E and the reassignment of a \$38,000 budget allocation of beatification funds towards the project. Based upon all bids received, the current estimated cost of the Gateway project, including landscaping and exercise station are at \$208,929. ///



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

February 20, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the City Manager to Approve Change Orders up to \$31,941 for the Clean California Gateway Project including up to \$10,941 for Cherry Tree Removal

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to approve change orders up to \$31,941 for the Clean California Gateway Project; or

Approve the contingency without Cherry Tree Removal for a total of \$21,000.

BACKGROUND AND DISCUSSION

On January 16, 2024 the Rio Dell City Council approved Resolution 1596-2024 allocating \$38,000 in budgeted City Beautification funds (General Fund) and a \$5,000 donation from Pacific Gas & Electric towards the Clean California Gateway Project. When combined with the \$197,870 grant, the total available balance for this project is \$240,870.

This agenda item includes authorization for construction contingencies and change orders up to \$31,941 for the project. This includes a 10% contingency (\$21,000) on each component of the project. This authorization also includes funding for the excavation and removal of approximately 13 Cherry Trees at an estimated cost of \$546 per tree.

At this time, the contractor does not have specific tree/rootball removal equipment. The change order estimate is based on a time and materials basis of \$110/hr. for hand digging trees and \$375/hr. for the use of excavator equipment which will only need to be used for approximately 5 of the larger diameter trees. The estimate on the total cost of removal is \$7,103 however this amount will vary greatly depending upon experience in the field. This amount does not include costs associated with the rehoming of the trees. Currently, the trees are planned to be donated to any interested party at the time of extraction. Due to the current state of the trees, the contractor also will not provide a guarantee of successful establishment or survival of the trees during the uprooting process or a subsequent transplant.

A project budget summary is provided on the next page.

Proposal:

Total Available Project Funding:	(\$240,870)
Exercise Contract (Hooven):	\$34,945
Exercise Equipment:	\$25,000
Landscape Contract (J&G):	\$148,984
<i>Contingencies:</i>	\$21,000
<hr/>	
TOTAL	\$229,929

Cherry Tree Option:

Available Balance:	(\$10,941)
13 Trees Removed @\$546/Tree*:	\$7,103
*estimated	
<i>Contingency for trees:</i>	\$3,838
<hr/>	
TOTAL BALANCE w/ Trees:	\$0

Attachments:
J&G Landscaping Estimate for Cherry Tree Removal.

///

JAGIMO CORPORATION INC.
 PO Box 362
 Fortuna, CA 95540
 707-725-2731
 jake@jglawngarden.com

Estimate



(707) 725-2731

ADDRESS
Kyle Knopp City of Rio Dell-client EMAIL

SHIP TO
Kyle Knopp City of Rio Dell-client 210 Center St Rio Dell, CA 95562

ESTIMATE #	DATE	
4403	02/05/2024	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	3-Construction Renovation	Gateway Project-Construction Renovation-Add Service- Per City request salvage trees determined for new locations in residents gardens as specified by the City. Hourly rates- Manual Dig rate 110.00 per man hr (Est-3 man hrs per tree sm caliper) Equipment- Rate for medium caliper tree 375 per hr with operator (est 1-1.5 hrs per tree) No guarantee can be made of successful tree establishment at any new location No guarantee of any tree surviving the uprooting and transplant process	1	1.00	0.00
	5-Materials	Materials-- Pink & White	1	0.00	0.00

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
		Trees varieties to be installed 15 gal size Akebono Cherry-- 69 ea Kwanzan Cherry-- 45 ea			
TOTAL					\$0.00

Accepted By

Accepted Date

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



For the Meeting of February 20, 2024
 Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: February 8, 2024

Subject: Text Amendments 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.



Recommendation:

That the City Council:

1. Allow staff to briefly discuss the proposed text amendments to the City's Zoning Regulations; and
2. Receive comments from the public; and

3. If there are no recommended changes to the Ordinance, approve and adopt Ordinance No. 403-2024 codifying the recommended changes.

Discussion:

As discussed at the City Council meeting of February 6, 2024, State law and the City’s approved Housing Element require that the City identify the City’s housing goals, policies, and implementation programs for the planning period 2019 through 2027. The proposed text amendments fulfill some minor implementation measures. Below are the Zoning Amendments Implementation Programs in B-2 of the Housing Element.

Programs	Completed	Outstanding
<p>(B-2) ZONING AMENDMENTS</p> <p>Amend the Zoning Ordinance to address the following:</p> <ul style="list-style-type: none"> – Residential Care Homes. Amend the Zoning Ordinance to 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. – Definition of Family. Update the definition of family to state the following. Family -- “one or more persons living together in a dwelling unit.” – Employee Housing. Comply with the State Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6. 		<p>×</p> <p>×</p> <p>×</p>

The recommended text amendments satisfy State law and the City’s approved Housing Element as required. Please refer to Ordinance No. 403-2024, Attachment 1.

In addition, the proposed Ordinance clarifies that residential uses that are not related to agricultural uses are allowed on lands within the Rural designation.

Attachment 1: Ordinance No. 403-2024

ORDINANCE NO. 403-2024



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
APPROVING AMENDMENTS TO THE RIO DELL MUNICIPAL CODE 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.**

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

WHEREAS State law and the City’s approved Housing Element require that the City identify the City’s housing goals, policies, and implementation programs for the planning period 2019 through 2027; and

WHEREAS some of the implementation programs are minor in nature and others are more complicated; and

WHEREAS the proposed text amendments fulfill some minor implementation measures; and

WHEREAS the Housing Element and State law requires the City to amend the Zoning Ordinance to 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; and

WHEREAS the Urban Residential (UR), Suburban Residential (SR), Suburban Medium (SM) and Residential Multifamily (RM) zones are the City residential zoning districts that need to be amended to principally permit Residential Care Facilities; and

WHEREAS the Housing Element and State law requires the City to amend the Zoning Ordinance to update the definition of family to mean one or more persons living together in a dwelling unit; and

WHEREAS the Housing Element and State law requires the City to amend the Zoning Ordinance to comply with Health and Safety Code Sections 17021.5 and 17021.6 regarding farm employee housing; and

WHEREAS notices were posted on November 20, 2023 in conspicuous locations including City Hall and the City website, specifying the availability of the proposal, and the date, time, and location of the public hearing for this Code amendment.

WHEREAS the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment under Title 14 of the California Code of Regulations, Section 15061(b)(3).

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

Section 1.

Title 17 of the Rio Dell Municipal Code is hereby amended to read in as follows:

Definitions – Section 17.10.010

“Agricultural employee housing” means housing occupied by agricultural employees regulated by the California Department of Housing and Community Development under the Employee Housing Act (California Health and Safety Code 17000 – 17062.5).

~~“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.~~

“Family” means one or more persons living together in a dwelling unit.

17.20.020 Suburban residential or SR zone.

The purpose of the suburban residential or SR zone is to provide land for low-density residential uses. The following regulations shall apply in all suburban residential or SR zones:

- (1) Principal Permitted Uses.
 - (a) Single-family dwellings.
 - (b) Residential Care Facilities with six or fewer persons.

17.20.030 Urban residential or UR zone.

The purpose of the urban residential or UR zone is to provide neighborhood residential areas with varying densities for single-family dwellings. The following regulations shall apply in all urban residential or UR zones:

- (1) Principal Permitted Uses.
 - (a) Detached single-family dwellings.
 - (b) Residential Care Facilities with six or fewer persons.

17.20.035 Residential multifamily or RM zone.

The purpose of the residential multifamily or RM zone is to provide land suitable for higher density residential uses. The following regulations shall apply in all residential multifamily or RM zones:

- (1) Principal Permitted Uses.
 - (a) Detached single-family dwellings, multiple dwellings and dwelling groups;
 - (b) Community care facility for six or fewer individuals;
 - (c) Family day care home for 12 or fewer children, including children who reside at the residence;
 - (d) Emergency shelters/transitional housing subject to the operational standards in RDMC

[17.30.120](#);

- (e) Low barrier navigation centers.
- (f) Residential Care Facilities with six or fewer persons.

Section 17.20.070 Rural or R zone.

The Rural or R zone is intended to provide for agricultural and very low-density residential uses. The following regulations shall apply in all rural or R zones:

- (1) Principal Permitted Uses.
 - (a) General agricultural uses, including crop production and animal grazing;
 - (b) Detached single-family dwellings, including farm dwellings, ~~including detached residential dwelling units.~~
 - (c) Agricultural employee housing with no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household, or that is approved pursuant to Section 17021.8 of the Health and Safety Code.

17.20.130 Suburban medium or SM zone.

The suburban medium zone provides for low-density residential areas. The following regulations shall apply in all suburban medium zones:

- (1) Principal Permitted Uses.
 - (a) Residential uses, including detached residential units.
 - (b) Residential Care Facilities with six or fewer persons.

17.30.045 Agricultural Employee Housing.

Agricultural employee housing shall comply with the following:

1. Location. Agricultural employee housing may, but is not required to, be developed or provided by the employer, or located on the same lot where the qualifying agricultural work is being performed.
2. Evidence of Valid Permit. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate the agricultural employee housing, and thereafter on an annual basis, the

applicant shall submit evidence that the HCD permit for the agricultural employee housing is current and valid.

3. Deed Restriction.

a. Within 30 days after receiving approval for permanent or seasonal employee housing from the Community Development Department, and before issuance of the final Zoning Clearance Certificate, the applicant shall record with the County Recorder, a deed restriction in a form approved by the City that runs with the land on which the agricultural employee housing is located declaring that:

i. The agricultural employee housing will continuously be maintained in compliance with this section and all other applicable sections of the Zoning Code; and

ii. The applicant will obtain and maintain, for as long as the agricultural employee housing is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.

b. The deed restriction shall not be amended, released, terminated, or removed from the property without the prior written consent of the City. In the event the agricultural employee housing use is terminated and/or structures are removed in accordance with the Zoning Code and other applicable law as confirmed in writing by the Community Development Director, the deed restriction that accompanies the development shall be released and removed from the property.

4. Signed Affidavit for Temporary Employee Housing. Within 30 days after receiving approval for temporary employee housing from the Community Development Department, the applicant shall submit a signed affidavit, in a form approved by the City, affirming that:

a. The agricultural employee housing will only be used as temporary employee housing; and

b. The applicant will obtain and maintain, for as long as the temporary employee housing is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.

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 February 6, 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 February 20, 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 and foregoing to be a full, true and correct copy of Ordinance No. 403-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 20, 2024.

Karen Dunham, City Clerk, City of Rio Dell

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



For the Meeting of February 20, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: February 12, 2024, 2024

Subject: Text Amendments to the Rio Dell Municipal Code (RDMC) to establish a Cannabis Cultivation Tax Guarantee.

Recommendation:

That the City Council:

1. Allow staff to introduce Ordinance No. 404-2024 amending the Rio Dell Municipal Code (RDMC) to establish a Cannabis Cultivation Tax Guarantee; 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 March 5, 2024 meeting for approval and adoption of Ordinance No. 404-2024.

Discussion:

Proposition 64, the Adult Use of Marijuana Act, was approved by California voters in November of 2016. It legalized the recreational use of marijuana in the state of California. In 2017 the City of Rio Dell was considering establishing commercial cannabis regulations to allow for cultivation and value-added (e.g., manufacturing, processing, distribution, and retail sales) businesses. At that time, the City Council was only interested in allowing cannabis activities if those activities provided some financial benefit to the City and its residents.

In November 2017 the City placed Measure X on the ballot. Measure X was designed to allow the City of Rio Dell to tax cannabis businesses at either a percentage of their gross revenue or by the square footage of their operations for cultivation. The intent was if Measure X was approved by the residents, the City would allow for commercial cannabis activities. Almost 81% of those who voted on the Measure, voted to tax cannabis activities. As such, the City developed and adopted the Commercial Cannabis Land Use Ordinance (CCLUO).

As the Council is aware the City currently taxes cultivators at \$2.00 per square foot. For the most part, the City's cultivators have paid their taxes except for Dinsmore Plateau Farms for the 2022 growing season. The City worked with the owners to reduce the tax amount by 50% to \$71,600 and waive the late fees resulting in a total reduction of \$89,500. Dinsmore Plateau Farms leased the operations to a new operator, New Earth Farms, for the 2023 growing season. Before the City would allow cultivation on the site, the City required that the outstanding tax amount of \$71,600 be paid in full, which it was.

Staff recently reached out to the new operator and was told that the 2023 crop had mold and fungus issues that impacted the overall production and he would not be farming in the 2024 season. Staff reminded the operator that he is still responsible for the taxes and requested that he provide the City with details surrounding the issues and challenges faced with the 2023 operation, including images and any supporting documentation he can provide, including crop loss figures. Once received, the City will review the information and provide an updated tax liability if deemed appropriate.

This situation highlighted the need to ensure that the City gets paid its cannabis taxes. A significant concern is the real possibility that a farmer can "grow and go" without paying

their cultivation taxes. Due to this concern and the instability of the outdoor cannabis market, staff is recommending that the City amend the City's Cannabis Tax regulations to establish a tax guarantee.

Attachment 1 includes a draft Ordinance which if approved and adopted 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 authorized to do such business in the state.

Attachment 1: Ordinance No. 404-2024

ORDINANCE NO. 404-2024



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
APPROVING AMENDMENTS TO THE RIO DELL MUNICIPAL CODE TO ESTABLISH A
CANNABIS CULTIVATION TAX GUARANTEE.**

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

WHEREAS the City established commercial cannabis regulations, Section 17.30.090 of the Rio Dell Municipal Code (RDMC); and

WHEREAS in 2017 approximately 81% of the voters of Rio Dell approved Measure X which requires the City to tax cannabis operators at either a percentage of their gross revenue or by the square footage of their operation; and

WHEREAS the City currently taxes cultivators at \$2.00 per square foot; and

WHEREAS for the most part, the City's cultivators have paid their taxes; and

WHEREAS Dinsmore Plateau Farms did not pay their cultivation taxes and late charges for the 2022 growing season; and

WHEREAS the City worked with the owners to reduce the tax amount by 50% to \$71,600 and waive the late fees resulting in a total reduction of \$89,500; and

WHEREAS Dinsmore Plateau Farms leased the operations to a new operator for the 2023 growing season; and

WHEREAS the new operator paid the outstanding balance of \$71,600 before the 2023 growing season; and

WHEREAS the new operator reported that they intended to cultivate 21,000 square feet; and

WHEREAS the 2023 operator recently informed the City that they are no longer involved with the Dinsmore Plateau Farms property; and

WHEREAS the City inquired about the taxes for the 2023 growing season and the operator reported that the crop had mold and fungus issues that impacted overall production; and

WHEREAS at this point the City hopes to work with the operator but is not expecting to receive the entire \$42,000 in taxes for the 2023 growing season; and

WHEREAS the City currently does not require security to ensure the payment of taxes; and

WHEREAS staff recommends to ensure that a cultivator performs its fiduciary responsibility to timely remit taxes, the cultivator shall provide a guarantee by one or more of the methods specified in this section in the amount of \$2.00 per square foot of cultivation as identified in the annual cultivation declaration. The requirement for a guarantee shall remain in force at the sole discretion of the City; and

WHEREAS staff recommends that the cultivators either provide a surety bond, a deposit in escrow, or a letter of credit from a bank or other responsible financial institution authorized to do such business in the state, a letter of credit in a form acceptable to the City attorney; and

WHEREAS the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project that has the potential to cause a significant effect on the environment under Title 14 of the California Code of Regulations, Section 15061(b)(3).

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

Section 1.

Article II of Title 5 of the Rio Dell Municipal Code is hereby amended to read in as follows:

5.40.260 Security for fiduciary performance.

(1) Surety Bond for Cultivation Activity

(a) The City at its sole discretion may require a surety bond for the payment of cultivation taxes, based on the annual cultivation declaration.

(b) Guarantee required. To ensure that a cultivator performs its fiduciary responsibility to timely remit taxes levied by this chapter, the cultivator shall provide a guarantee by one or more of the methods specified in this section in the amount of \$2.00 per square foot of cultivation as identified in the annual cultivation declaration. The requirement for a guarantee shall remain in force at the sole discretion of the City.

(c) Persons to provide guarantee. The guarantee required under this section shall be provided before March 1st of each year by the cultivator or by a personal guarantee from an owner(s), partner(s), member(s), officer(s), director(s), or responsible party(ies) of the cultivator, or any combination thereof.

(d) Methods. The cultivator shall include one or more of the following methods to guarantee the performance of its fiduciary responsibilities at the time of application for a certificate of registration:

(i) Surety bond. The cultivator may elect to provide a surety bond, as defined by section 995.120 of the Code of Civil Procedure, in an amount defined in subsection (a) of this section, from a company authorized to do such business in the state. The bond shall be in a form acceptable to the City attorney. The bond shall be payable to the City and shall be conditioned upon payment in full of the tax, including penalties and interest due and to become due and owing to the City by said cultivator during the effective period of the bond under the provisions of this chapter. The surety may terminate this bond, except as to any liability already incurred or accrued, and may do so upon giving the cultivator and the Finance Director written notice to that

effect. The surety shall provide written notice to the chief fiscal officer not less than 30 days before the expiration, non-renewal, lapse, termination, or other similar event affecting such surety bond. Thirty days after receipt by the Finance Director of such notice or upon a later date specified in the notice, or upon the filing and acceptance of a new bond, the existing bond shall terminate and be of no more force and effect, except as to any liabilities or indebtedness incurred or accrued thereunder as of the date of termination.

(ii) Deposit in escrow. The cultivator may elect to deposit a cash sum, in an amount defined in subsection (a) of this section, either with the City or in escrow with a responsible financial institution authorized to do such business in the state. In the case of an escrow account, the cultivator shall file with the City an escrow agreement, which includes the following terms:

Funds of the escrow account shall be held in trust until released by the City and may not be used or pledged by the cultivator as security in any matter during that period other than payment of the tax, penalties, and interest due and to become due and owing to the City under this chapter; and

In the case of a failure on the part of the cultivator to remit taxes due under this chapter by the required due date, the institution shall immediately make all funds in such account available to the City for use in satisfying those taxes due, along with any related penalties and interest as provided for in this chapter.

(iii) Letter of credit. The cultivator may elect to provide, from a bank or other responsible financial institution authorized to do such business in the state, a letter of credit in a form acceptable to the City attorney. Such letter shall be filed with the City and shall certify the following:

a. The financial institution irrevocably guarantees funds in an amount defined in subsection (a) of this section; and

b. In the case of failure on the part of the cultivator to remit taxes due under this chapter by the required due date, the financial institution shall pay to the City immediately and without further action such funds as are necessary to satisfy those taxes due, along with any related penalties and interest as provided for in this chapter, up to the limit of credit stated in the letter.

Section 2.

To accommodate the proposed amendments, changes to the RDMC section numbers shall be amended as follows:

5.40.260 ~~Payment – Time limits.~~ Security for fiduciary performance.

5.40.270 Payment – Time limits.

~~5.40.270~~ 5.40.280 Payment – When taxes deemed delinquent.

5.40.280 5.40.290 Notice not required by City.

~~5.40.290~~ 5.40.300 Payment – Penalty for delinquency.

~~5.40.300~~ 5.40.310 Waiver of penalties.

~~5.40.310~~ 5.40.320 Refunds – Credits.

~~5.40.320~~ 5.40.330 Refunds and procedures.

Section 3. Severability

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

Section 4. Limitation of Actions

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

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after 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 February 20, 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 March 5, 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 and foregoing to be a full, true and correct copy of Ordinance No. 404-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on March 5, 2024.

Karen Dunham, City Clerk, City of Rio Dell