



RIO DELL CITY COUNCIL AGENDA
REGULAR MEETING - 6:00 P.M.
TUESDAY, OCTOBER 15, 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 are 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. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. PUBLIC PRESENTATIONS

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

F. CONSENT CALENDAR

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

1. 2024/1015.01 - Approve Minutes of October 1, 2024 Regular Meeting **(ACTION)** - Pg. #4
2. 2024/1015.02 - Authorize the Service of Annual Preventative Maintenance on the Fulton fluid boiler by California Boiler for \$12,360.65 **(ACTION)** - Pg. #14
3. 2024/1015.03 - Receive and File Check Register for September **(ACTION)** - Pg. #18
4. 2024/1015.04 - Adopt Resolution No. 1623-2024 Amending the FY 2024-25 Approving Spray and Neuter Fund Budget Adjustment **(ACTION)** - Pg. #22
5. 2024/1015.05 - Adopt Resolution No. 1624-2024 Amending the FY 2024-25 Approving CDBG Budget Adjustment **(ACTION)** - Pg. #26

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. REPORTS/STAFF COMMUNICATIONS

1. 2024/1015.06 - City Manager/Staff Update **(RECEIVE & FILE)** - Pg. #30

I. SPECIAL PRESENTATIONS/STUDY SESSIONS

1. 2024/1015.07 - Presentation by Redwood Coast Energy Authority (RCEA) on Diablo Canyon Power Plant Nuclear Allocation **(RECEIVE & FILE)** - Pg. #33

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- [1.](#) 2024/1015.08 - Second reading (by title only) and Adoption of Ordinance No. 407-2024 Amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify the County Department of Environmental Health administers the City's water well-permitting process **(DISCUSSION/POSSIBLE ACTION)** - Pg. #50
- [2.](#) 2024/1015.09 - Introduction and first reading (by title only) of Ordinance 409-2024 Amending Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) Vacation Dwelling Unit Regulations Appeal Period to be Consistent with Section 17.35.060 of the RDMC **(DISCUSSION/POSSIBLE ACTION)** - Pg. #67

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, November 5, 2024 at 6:00 p.m.*

:

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
OCTOBER 1, 2024**

Mayor Garnes called the regular meeting of the Rio Dell City Council to order at 5:00 p.m.

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

Others Present: City Manager Knopp, Interim Police Chief Landry, Water/Roadways Superintendent Jensen, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Finance Director Sanborn, Community Development Director Caldwell, and Wastewater Superintendent Kelly (excused)

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Conference with Legal Counsel – Potential/Anticipated Litigation – significant Exposure to Litigation – Gov’t Code §54956.9(b): One Case

Conference with Labor Negotiator – Agency Negotiator City Manager – Employee Organizations: Rio Dell Employees Association and Rio Dell Police Officers Association Gov’t Code §54957.6

PUBLIC COMMENT REGARDING CLOSED SESSION

There was no public comment received.

RECESS INTO CLOSED SESSION

The Council recessed into closed session at 5:00 p.m.

RECONVENE INTO OPEN SESSION

The Council reconvened into open session at 6:13 p.m.

ORAL ANNOUNCEMENTS

Mayor Garnes announced that the City Council was in a Closed Session to discuss the above-listed items. She said there was nothing to report on the first closed session item. Concerning the second item, the City Council appointed Mayor Garnes and Mayor Pro Tem Carter to a temporary Labor Ad Hoc Committee.

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters.

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Danette Kellerman, Chairman for Recovery Humboldt and County Social Worker addressed the Council and presented a plaque to Interim Chief of Police Landry and the Rio Dell Police Department for going over and beyond to help a person who was having a mental health crisis.

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 Wilson removed Item 7.

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

- 1) Minutes of the September 17, 2024 Regular meeting;
- 2) Approving Award of Bid to NorCal Pipe for the Sanitary Sewer Evaluation Study (SSES) Project Close Circuit TV (CCTV) Pipeline Inspection Project;
- 3) Approving Award of Bid for the 2024-25 Road Improvement Project to S.T. Rhoades for \$96,962.25 and authorizing the City Manager to execute a Construction Agreement in coordination with the City Attorney including \$23,037.75 for contingencies not to exceed \$120,000;
- 4) Adoption of Resolution No. 1621-2024 amending the FY 2024-25 Adopted Budget to increase appropriations for the Asphalt Street Resurfacing Project;
- 5) Approving Award of Bid for the 2024-25 Earthquake Road Repair Project to Kernen Construction for \$85,375 and authorizing the City Manager to execute a Construction Agreement in coordination with the City Attorney including \$14,023 for contingencies not to exceed \$100,000; and
- 6) Adoption of Resolution No. 1622-2024 Amending the FY 2024-25 Adopted Budget to increase appropriations for the December 2022 Earthquake Disaster.

Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Authorize the City Manager to Sign an Agreement for Services with California Wood Recycling, Inc. DBA Agromin for SB 1383 Procurement

Councilmember Wilson asked for clarification on SB 1383 procurement and said that he thought that HWMA was going to be taking the lead on wood waste disposal.

City Manager Knopp explained that Rio Dell has an active waiver from most of the requirements associated with SB 1383 in terms of moving organics material to Dry Creek. He explained that Cal Recycle, under SB 1383, mandated that cities and counties annually procure a specific quantity of recovered organic waste products to meet their procurement targets. Since there is no organics processing facility locally, organic waste collection in

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Humboldt County is currently scheduled to be shipped south to a facility near Ukiah. Although Rio Dell is not currently subject to waste collection requirements, the procurement of organics is a requirement.

He further explained that it is cost-prohibitive to have a composted material trucked back to Humboldt County and Rio Dell for the procurement requirement and CalRecycle understands that and does not require that the material be redistributed back into the County or City. Staff is proposing to utilize the services of Agromin, Inc. to meet the new State requirements with the compost likely being distributed in the Central Valley farming communities.

City Manager Knopp said that the City is required to produce approximately 99 tons of compost by the end of the year and an additional 153 tons annually beginning next year until the State adjusts the procurement target. Under SB 1383, the City is required to purchase 100 tons of organics and have it distributed through a certification process through CalRecycle.

This opportunity with the vendor is what most other jurisdictions are doing to fulfill that requirement. One of the problems associated with bringing material back into Humboldt County is that we would need a partner to do that and would add another level of bureaucracy to try and distribute the compost. The other factor is the cost of trucking the material both ways.

Councilmember Wilson asked for clarification that nothing is being done with the City's existing organic material and asked how the material is identified as organic.

City Manager Knopp explained that under SB 1383, the City is not required to collect this material and regardless of where it comes from, the City is obligated to purchase it. This is the cheapest and most effective way of meeting the City's requirement under SB 1383. The vendor is required to procure the material and distribute it with certification to a qualified processing facility.

Councilmember Wilson asked how the amount of procurement is calculated.

City Manager Knopp said that it is based on population.

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

Wilson/Carter made a motion to authorize the City Manager to sign an agreement for services with California Wood Recycling, Inc. DBA Agromin for SB 1383 procurement. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

OCTOBER 1, 2024 MINUTES
Page 4City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and said that staff is working on the development of an application for the latest round of CDBG funding to complete the ADA access portion of the Eel River Trail.

He also reported that discussions are occurring on the development of some physical improvements to the Police Department including evidence storage, gun destruction, and safety improvements. Staff anticipates having the bid presented to the Council for consideration and approval at an upcoming Council meeting.

Councilmember Wilson asked if the gun destruction was the same guns the Council authorized to be destroyed a couple of years ago.

City Manager Knopp said that the guns in question were the same and the reason they were not destroyed before was because they wanted to make sure they were properly categorized.

SPECIAL PRESENTATIONS/STUDY SESSIONSPresentation by the County of Humboldt on the Draft Regional Climate Action Plan (RCAP) and Associated Environmental Impact Report (EIR)

John Ford and Megan Acevedo were present to provide a presentation on the Draft Climate Action Plan.

Ms. Acevedo began by providing the history of the Climate Action Plan (CAP) with the creation of a working group in 2019. A public draft was released in 2022 with a graph of the County-wide greenhouse gas emissions by jurisdiction. The CAP was not qualified at that time so the refocus was put on drafting a qualified CAP with achievable measures. The Environmental Impact Report (EIR) contract was modified to include the redrafting of the CAP in October 2023 with the completion in June 2024.

The redrafting of the CAP included a 2022 greenhouse emissions inventory and identified the need for urban versus rural goals.

Ms. Acevedo provided the forecast and targets to reduce greenhouse emissions and noted that emissions must be reduced by 218,088 metric tons by 2030. She then reviewed the structure of Regional Climate Action Plan (RCAP) strategies and overall approach including goals and actions. Key strategy areas included renewable energy, VMT reduction/EV's, sequestration, building electrification/decarbonization, and organic waste diversion.

The recommendation was to provide comments on the draft RCAP, accept the draft RCAP for the EIR project description, and direct staff to develop options for the establishment of a Climate Committee.

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Councilmember Wilson referred to the 2030 target in comparison to the 1990 levels related to greenhouse gas emissions and asked if the pulp mills were still in operation in 1990, pointing out that these mills had a huge impact on emissions.

Ms. Acevedo said that the pulp mills were in operation in 1990 and those emissions were not included in this inventory but the electrification for the industry was included.

John Ford explained that they don't have the authority to regulate what comes out of the stack in industrial plants so the RCAP only focuses on what the local jurisdiction has authority to regulate. Things from industrial stacks are regulated by the state. Anything that they can't regulate including agriculture is taken out of the inventory. What this has done is allow them to develop a much more realistic baseline by using the 2022 data.

He explained that the other thing that is a big struggle is that the County of Humboldt is not a big greenhouse gas emitter and absorbs much more carbon than it emits. Unfortunately, the problem is getting rid of it with no way of doing that. Part of the objective of the CAP is to start to study that and work with the state to develop criteria by which to evaluate and by 2045 achieve carbon neutrality.

Councilmember Wilson commented that the State continually imposes rules on rural communities that are beyond their control to fix and mandate to fix things that are not broken.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGSDiscussion on Eel River Trail Non-Infrastructure Art Component

City Manager Knopp provided a staff report and said in 2021, Governor Newsom launched the Clean California initiative for \$1.1 billion to revitalize California's streets and public spaces through litter abatement and local beautification projects. The City received two grants; one for the Gateway Beautification project and one for the Eel River Trail project which is currently under construction.

He said that part of the grant requirement includes a non-infrastructure component that incorporates art installation. The City is under an agreement with Redwood Community Action Agency (RCAA) to develop and implement this portion of the project. RCAA developed a proposal with a conceptual drawing combining the seating requirement with a seat wall and bench structure situated at the Edwards Dr. trailhead. The proposal included art tiles permanently affixed to the structure painted by individual Rio Dell school kids depicting an aspect of the local river environment/Scotia Bluffs. The center of the structure would contain art created by a professional local area artist following a community selection process as required through the grant.

Denise Newman, from RCAA was present via Zoom to answer any questions regarding the project.

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Councilmembers expressed approval for the centerpiece art and art tiles on each side painted by school kids as opposed to hand prints.

Mayor Pro Tem Carter said that she would like to see personal community engagement in the selection of the local artist.

Ms. Newman explained the procedure in moving forward with the project and said that they would narrow the art selection down to three artists and then engage the community in the final selection. She commented that the original art could be hung in City Hall with a high-resolution print produced for the outside structure.

Mayor Pro Tem Carter stressed the desire to have an in-person public forum for the artist selection.

Mayor Garnes asked if there would be a way to reach out to all kids that live in Rio Dell and not just those who attend Eagle Prairie Elementary School.

Ms. Newman explained that there are a limited number of tiles so space may be an issue with inviting more kids to participate. She said that one potential option would be to make the tiles smaller (2" x 2").

Interim Police Chief Landry noted that there are approximately 320 kids in Eagle Prairie Elementary and Monument Middle School and that bringing in Rio Dell kids who attend other schools would not increase the number by much.

City Manager Knopp explained that this project does not encompass grades K-8 and only a portion of the Eagle Prairie Elementary School.

Ms. Newman said that currently, RCAA is working with Ms. Kiser's class at Eagle Prairie Elementary in the development of "legacy tiles" with a theme yet to be determined.

Mayor Pro Tem Carter pointed out the potential for other art projects on Edwards Dr. including walls prone to graffiti.

Jonathan Brodeur, 521 View Ave. addressed the Council and asked how much money was available for art projects suggesting art projects on the green wall on Edwards Dr. and the wastewater treatment plant wall.

Mayor Garnes called for a point of order since the matter he was discussing was not on the agenda.

It was suggested the theme for the art tiles be focused on native plants and animals.

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The consensus of the Council was to move forward with the top conceptual drawing with the art in the center and art tiles on each side and to approve the *Draft Call for Artists and Application* submittal by RCAA.

Discussion on Potential 2025 Road Slurry Sealing Project

City Manager Knopp provided a staff report and said that periodically the cities and County conduct a regional slurry seal project. The City of Arcata is proposing to lead this year's project and to participate in the 2025 project, the City would need to submit a proposal by the end of October with the project being put out to bid in February 2025 and expected work to begin around July 2025.

He explained that slurry seal is a maintenance treatment that prolongs the life of asphalt at a fraction of the cost of full road reconstruction. He indicated that pavement markings (striping) would be included in the project which is also a cost-effective addition to the project.

City Manager Knopp reviewed three (3) potential areas for slurry sealing which included the following:

- 1) Center Street from Wildwood to Ireland (in front of the school facilities) at an initial cost estimate of \$45,000. Work may need to include minor patch repairs prior to work.
- 2) City Hall parking lot (east side) at an initial estimated cost of \$13,000. Work will need to include some minor patch and pothole repair.
- 3) Wildwood Avenue travel lanes (excludes center divider and parking lanes) at initial estimated cost of \$80,000. Crack sealing work prior to this sealing is recommended with an additional cost of \$20,000 to \$30,000.

City Manager Knopp said that staff recommends hiring someone to do crack sealing prior to the slurry seal work and although aesthetically it would not be perfect in some areas, overall it would save the City money.

Water/Roadways Superintendent Jensen stated that all three options are needed but aesthetically, slurry sealing Wildwood Ave. would not be perfect.

Interim Police Chief Landry asked if striping would only be done in those three areas.

City Manager Knopp explained that the idea is to look at other areas for potential markings under this project.

Councilmember Orr noted that all three options are needed but definitely needed in front of the school.

Mayor Pro Tem Carter agreed on the importance of including Center St. for safety purposes.

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Interim Police Chief Landry expressed the need for bike lanes on Ireland Ave.

Councilmember Woodall asked if the previous work to Center St. was a slurry seal.

Water/Roadways Superintendent Jensen responded that Center St. was repaved previously.

Councilmember Wilson commented that the City Hall parking lot was not a big deal but acknowledged that the repairs were needed and supported all three options.

Mayor Garnes supported all three options as presented.

Interim Police Chief Landry reiterated the need to have bike lanes on Ireland Ave. for the safety of kids riding bikes to school.

City Manager Knopp explained that the entire roadway on Ireland Ave. needs to be reconstructed with engineering to determine bike lanes and other markings.

Jonathan Brodeur commented that he is a licensed contractor and experienced in applying Thermoplastic striping.

Mayor Garnes noted that the Council would need to make a commitment to get the project in the queue for next year and asked if this will become a budget item for next fiscal year or if it will come out of the current budget.

City Manager Knopp said that the City will have to commit to the project now for a specific dollar amount down the road which would have to be incorporated into the budget. For the current budget the Council has committed approximately \$100,00 for paving but the expenditures will exceed that amount so a budget amendment would be necessary. If the Council makes this project a priority, the amount will exceed the current budget by approximately \$50,000.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Second reading (by title only) and adoption of Ordinance No. 407-2024 Amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify the County Department of Environmental Health administers the City's water well permitting process
 City Manager Knopp asked that this item be continued to the next regular meeting to allow the Community Development Director to present it.

Introduction and first reading (by title only) of Ordinance No. 409-2024 amending Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) Vacation Dwelling Unit Regulations appeal period to be consistent with Section 17.35.060 of the RDMC
 City Manager Knopp asked that this item also be continued to the October 15, 2024 regular meeting.

OCTOBER 1, 2024 MINUTES
Page 9**COUNCIL REPORTS/COMMUNICATIONS**

Mayor Pro Tem Carter reported on recent meetings and events and said that she attended a COAD (Community Organizations Active in Disaster) board meeting with Nick Bown-Crawford and that they are doing some reorganization with disaster victims still trying to get assistance. Also, some of the organizations involved in the Earthquake Disaster Recovery efforts have left creating the need for reorganization of the group. She recommended anyone interested to attend the quarterly meeting with the next meeting scheduled for October 16 at 3:00 p.m. which is available via Zoom.

She announced that she would be attending the Rio Dell-Scotia Chamber of Commerce meeting on Friday at noon in Scotia and a School Board meeting and Fire Directors meeting on Thursday.

She also reported that the Park Survey period is now closed with the required 10% participation received to make the survey statistically valid. The next step is to move on to the analysis of the responses.

She said that the Eel River Cleanup Event on Saturday was a success with 26 volunteers showing up to help. 4,000 lbs. of trash were collected along with some positive press coverage.

She also reported that spay and neuter vouchers are available at the Community Resource Center. She said that she would be seeking additional funding for the program and was on the phone with the McLean Foundation today regarding potential grant funding.

Councilmember Orr reported on his attendance at an HCAOG meeting and said that the board received a presentation on the Last Chance Grade Project opting for the 6,000 foot tunnel option. He said that they connected with the local native people regarding the trees and fill that have to be removed.

Councilmember Wilson reported on his attendance at the Redwood Coast Energy Authority (RCEA) meeting and announced that PG&E received a \$1.3 billion loan to upgrade Diablo Canyon that was scheduled to be shut down this year. The plan now is to continue its operation until 2030. The reason is that they do not have enough electricity for the State of California. He noted that customers won't see the rate increase on their power bill identified as the Diablo Canyon upgrade but the increase will be included in the bundled rate. He said there was a lot of public opposition because part of RCEA's mission statement is to not include any nuclear power in their mix.

He said that it would come up again next year and that he would like to invite RCEA to come and provide a presentation to the City Council. He added that rather than putting him in charge of voting on the issue he would like a consensus of the Council.

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Councilmember Woodall thanked Jonathan Brodeur for helping to put together the Eel River Cleanup Event and said that it was nice to see so many members of the community helping.

Mayor Garnes agreed that it was a great event and fantastic to see so many volunteers show up to help.

She said that she was appointed as an Alternate board member to LAFco and participated as a board member at the last meeting which she found to be very interesting.

She announced that she attended her first meeting as a board member of the Great Redwood Trail on September 18 and that it was nice to have Rio Dell at the table.

She said that she would be attending a Seismic Safety Committee meeting on October 10th and the Annual League of California Cities Annual Conference in Long Beach on October 15-18th.

She then announced that there would be another Eel River Cleanup Event on October 19, 2024, and invited anyone interested in volunteering to meet at City Hall at 9:00 a.m.

ADJOURNMENT

A motion was made by Carter/Orr to adjourn the meeting at 7:39 p.m. to the October 15, 2024 regular meeting. Motion carried 5-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk



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

October 15, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

THROUGH: Sunshine Kelly, Wastewater Superintendent

SUBJECT: Authorize the service of Annual Preventative Maintenance on the Fulton fluid boiler model FT-0160CU 6584C by California Boiler, a Total Amount of \$12,360.65

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to proceed with the quote for service of annual preventative maintenance to be performed on the Fulton boiler by California Boiler.

BACKGROUND AND DISCUSSION

The Wastewater treatment plants Fulton boiler requires services by professionals in conducting the annual preventative maintenance for the Fulton boiler. Regular maintenance has not been performed on the Fulton boiler and at the last service call for emergency services California Boiler recognized the need for the Fulton to be fully serviced. The Fulton boiler provides the heat necessary for the Sludge Dryer to work correctly, which in turn creates the City of Rio Dell's Bio Solids A. Total estimated costs for service of an annual preventative maintenance are \$12,360.65

The amount exceeds the City Manager's authority to approve, and it is requested that the City Council authorize said service.

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CALIFORNIA BOILER

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From California Boiler Section F, Item 2.
1361 North E
Modesto CA 95351
(209) 549-1889
www.californiaboiler.com

Quote No. 0012004
Type Preventative Maintenance
Prepared By Tom Waggerman
Created On 09/30/2024
Valid Until 10/31/2024

Quote For CITY OF RIO DELL
475 HILLTOP DRIVE
RIO DEL CA 95562

Description of Work

This quote is for performing an annual inspection on the Fulton fluid boiler Model: FT-01600U Serial: 7811.

This quote includes the pricing for the Annual PM kit plus 8hrs of labor for 1 Boilermaker and 1 Controls Technician. This pricing also includes Travel time to and from the facility and will be charged at Prevailing Wage rates.

Services to be completed

[Commercial Hot Water] Boiler - fulton FT-0160CU 6584C
Perform annual PM on Fulton fluid boiler model: FT-01600U Serial: 7811

- [Commercial Hot Water] Boiler - fulton FT-0160CU 6584C
Travel to site.
Gain access to the facility.
Speak with costumer before proceeding.
Review job plan.
Fill out JSA.
Perform LOTO procedures.
Perform work: Perform full Annual PM on Futon fluid boiler.
Remove LOTO.
Test equipment for proper operation.
Clean up job site and remove all debris created from job.
Upon completion, document thoroughly on work order complete with pictures if needed.
Please give full report to customer before leaving.

Table with 5 columns: Code, Parts, Labor, and Items, Quantity, Unit Price, Total. Includes rows for MTL, Prevailing Wage Regular, PER DIEM, MOD-18, and GRAND TOTAL \$12,360.65.

Terms and Conditions

It constitutes the general agreement between California Boiler Inc. ("California Boiler Inc.", the "Company" or "we") and you, its customer, under which products, service and parts are sold, credit is extended and payments are expected.

This policy supersedes all previous sales and credit, payment terms and conditions, and finance policies issued by California Boiler Inc. and shall remain in effect until further notice. The company reserves the right to change this policy and agreement at any time.

EXTENSION OF CREDIT

Credit is one of the most important services California Boiler Inc. offers to you as a customer.

An open line of credit is established for you based upon your needs, financial strength, and history of meeting your credit obligations.

In order to insure you the best possible prices and service, we must enforce a credit and collections policy based upon sound business principals and good judgment.

INVOICING AND PAYMENT TERMS

Payment Terms are 25% down payment or as specified~ (This is not refundable on equipment sales in process) balance Net 30 (upon approval of credit) on all invoices unless other arrangements are made in advance of shipment. **UNLESS OTHERWISE SPECIFIED DIFFERENTLY ON THE ATTACHED PROPOSAL.** When opening a new account with an order, the Company may require a deposit with the initial order so as not to delay shipments while credit references and financial information are being reviewed. We reserve the right to suspend or terminate any further performance under this agreement or otherwise in the event payment is not made when due. Quotes are valid for 30 days. Equipment will not be started up unless 90% of the purchase price has been paid. Invoices paid via credit card will be charged an additional 2.5% service fee.

Shipment Terms Unless otherwise specified in writing signed by an authorized representative of the Company, all shipments are F.O.B. the manufacturers factory or California Boiler Inc. warehouse as applicable. Title to the merchandise shall pass to the buyer upon delivery to the carrier at the F.O.B. point and thereafter all risk of loss or damage shall be the buyers.

Service Charges We reserve the right to take action to collect any invoice that is not paid when due. We also assess a late payment **SERVICE CHARGE** on the day following the due date and monthly thereafter against all amounts remaining unpaid on each such date. Subject to any limitations that may be imposed by applicable law, the amount of this charge is 1 % of the amount remaining unpaid on each such date.

This policy applied to customers who permit their account to become delinquent. It is your responsibility to notify California Boiler Inc. of any extenuating circumstances that may affect your payment and work out a solution. Please know that our interest lies, not in collecting a service charge, but receiving timely payments of your invoice.

IN WARRANTY MATERIALS AND DISCLAIMER OF WARRANTIES

You will rely solely on the warranty provided by the manufacturer. Your sole and exclusive remedy for breach of warranty shall be as provided in the manufacturers standard warranty unless otherwise specifically expressed in writing. (Standard Manufacturers Warranty is twelve (12) months from start-up, California Boiler Inc. labor warranty is ninety (90) days from start-up).

You will be invoiced in the regular manner for all materials and parts even though it may be an In-warranty transactions. Credits will be issued after factory credits are accepted. Please note that withholding payment of any invoice in anticipation of an In-warranty credit is not consistent with our terms of sale.

California Boiler Inc. makes no warranty expressed or implied of any kind. We make no claim of fitness or merchantability or any other warranty, expressed or implied. Nor is anyone else, whether employed by California Boiler Inc. or not, authorized to do so, on our behalf. We specifically disclaim the warranty of merchantability and the warranty of fitness.

For any items or components proposed as a substitute to specified items, it is understood that seller makes no guarantee that the approving authority will accept the products submitted.

In no event shall California Boiler Inc. be liable to you or any person, corporation or other type of legal entity for any special, direct, indirect, incidental, liquidated or consequential damage of any kind. Including but not limited to, loss of products, loss of time, loss of use, loss of production, loss of savings or revenues, cost of replacement goods, labor costs or other charges in connection with product use or malfunction. The repair or replacement of defective parts whether such claims are alleged in strict liability, negligence, tort, contract or otherwise, and even if California Boiler Inc. is informed in advance of the possibility of such damages.

CLAIMS

You are responsible for inspecting merchandise on receipt and for filing claims with the carriers for damage or loss. All claims for shortages and damages must be made in writing to the carriers within ten (10) days of receipt. We suggest you call the carrier immediately upon noticing any possible freight related damage and arrange for inspection before proceeding while unpacking. Photographs taken while the delivery truck is still on sight are recommended if possible.

Under no circumstances may you withhold payment or charge the Company for freight or warranty related claims.

No claim for the expenses incurred for corrective work done on merchandise provided by the Company will be considered or accepted unless specifically agreed to in writing, in advance of the work being done, by an authorized manager of the Company.

INFORMATION AND ASSISTANCE

If it becomes necessary, at California Boiler Inc.'s discretion, to take legal action in order to collect your account, California Boiler Inc. shall, in addition to any other recovery, its court costs, reasonable attorneys fees and all other collection expenses.

Section F, Item 2.

If you have any questions regarding this policy, please contact our office.

We appreciate your business and look forward to providing you with reliable equipment, parts and service.

Please acknowledge below your receipt and agreement to the provisions of this policy statement.

Return the original to:

California Boiler Inc.

1800 Newport Circle

Santa Ana, CA 92705

Phone: (714) 891-0701

Fax: (714) 891-4320

www.CaliforniaBoiler.com

APPLICABLE LAW: This agreement shall be governed by; the substantive laws of the State of California

By my signature below, I authorize work to begin and agree to pay the Grand Total according to the terms and conditions of this agreement.

Name: _____ Date: _____

Signature: _____

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

Ref#	Date	Vendor	Description	Amount
13464	9/04/2024	[6038] ACCURATE TERMITE & PEST SOLUTIONS	Rodent Snap Trap Services, BI-MONTHLY PEST & RODENT CONTROL @ 675 WILDWOOD AVE	627.00
13465	9/04/2024	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR AUGUST 2024 - City Hall & COPIER CHARGES FOR AUGUST 2024 - PD	953.30
13466	9/04/2024	[3975] AT&T - 5709	FAX LINE EXPENSES FOR AUGUST 2024 - PD, FAX LINE EXPENSES FOR AUGUST 2024 - City Hall	71.23
13467	9/04/2024	[7277] BOWERS, MARY ANN	CUSTOMER DEPOSIT REFUND	173.23
13468	9/04/2024	[6577] EVERBRIDGE, INC.	Nixle Engage - Quote #Q-188681	3,090.00
13469	9/04/2024	[5052] GHD, INC	Professional Services Rendered Through 8/24/2024: PW- Rio Dell Pedestrian Connectivity Improvements, Professional Services Rendered Through 8/24/2024: Rio Dell City - Engineer Services	964.24
13470	9/04/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	Coupling	15.65
13471	9/04/2024	[6998] MAD RIVER COMMUNITY HOSPITAL	Health Insurance Claim Form: 1 Service	1,557.54
13472	9/04/2024	[2551] MIRANDA'S ANIMAL RESCUE	Animal Control for August 2024	1,900.00
13473	9/04/2024	[3006] MISSION LINEN SUPPLY, INC	Maintenance & Cleaning of PW Shirts, Clean Mop Head, Toilet Paper. Clean Mop Head, Maintenance & Cleaning of PW Shirts, Clean Mop Head, Maintenance & Cleaning of PW Shirts, Clean Mop Head, Clean Mop Head, Towels, Maintenance & Cleaning of PW Shirts, Clean Mop Head	285.29
13474	9/04/2024	[7635] NAPA AUTO PARTS FORTUNA	Light Bulbs	8.13
13475	9/04/2024	[6920] OCCUPATIONAL HEALTH CENTERS OF CA	Health Insurance Claim Form: 3 Services	343.75
13476	9/04/2024	[6943] PACE SUPPLY CORP	Paint	55.66
13477	9/04/2024	[6349] RECOLOGY EEL RIVER	August Trash Bags	416.42
13478	9/04/2024	[7716] RESTORATION FIRST RESPONDER NETWORK	Monthly Contracted Rate - for Therapy	315.38
13479	9/04/2024	[2659] RIO DELL PETTY CASH	Mouse Hunting Supplies	12.19
13480	9/04/2024	[5376] SCOTTY'S CUTTERS EDGE	Equipment Maintenance	43.38
13481	9/04/2024	[7585] SWEAT PANDA FORTUNA, LLC	Unlimited Month to Month Membership w/Auto Renew, Unlimited Month to Month Membership w/Auto Renew	318.00
13482	9/04/2024	[2787] WYCKOFF'S	Glue, Primer, Conduiter	70.26
13483	9/11/2024	[0576] 101 AUTO PARTS	Springs	18.18
13484	9/11/2024	[4063] CITY OF FERNDALE	Police Services	888.90
13485	9/11/2024	[2293] CITY OF FORTUNA	Police Dispatch for September 2024	8,483.33
13486	9/11/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 9/6/2024	60
13487	9/11/2024	[2304] COLLEGE OF THE REDWOODS	134th Academy Enrollment Fees, 2024 Fall, Module 1	786
13488	9/11/2024	[2386] EUREKA RUBBER STAMP CO.	Name Plate	20
13489	9/11/2024	[5052] GHD, INC	Professional Services Rendered Through 8/24/2024 - PW Rio Dell Eel River Trail	16,392
13490	9/11/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	Rake	23
13491	9/11/2024	[2437] HACH	Reagent Set, Chlorine Free CL17	265

Section F, Item 3.

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

Ref#	Date	Vendor	Description	Amount
13492	9/11/2024	[2457] HUMBOLDT COUNTY CLERK-RECORDER	Copies	12.00
13493	9/11/2024	[2301] MARK A. CLEMENTI, Ph.D.	Pre-Employment Psychological Evaluations x2	1,688.00
13494	9/11/2024	[2569] MICROBAC LABORATORIES, INC.	Aqueous Sample Digestion, BOD/NFR, ELAP Certification Fee, Haloacetic Acids, ICP-OES Metals, Nitrate and/or Nitrite, Organochlorine Pesticides and PCBs, THM by EPA 624, Total Dissolved Solids, Total Nitrogen Coliform Presence/Absence, ELAP Certification Fee, ELAP Certification Fee, Total Coliform Bacteria 3x5	1,527.00
13495	9/11/2024	[7635] NAPA AUTO PARTS FORTUNA	Shocks	386.22
13496	9/11/2024	[5934] NORTH COAST JOURNAL, INC	Employment Ad - Water Treatment Operator, Employment Ad - Water Treatment Operator, Employment Ad - Water Treatment Operator	255.00
13497	9/11/2024	[5730] O & M INDUSTRIES	Replace Leaky Seals on Sludge Dryer Gear Drives	18,019.00
13498	9/11/2024	[6943] PACE SUPPLY CORP	Pex Ring w/ Stop	142.43
13499	9/11/2024	[2601] PETERSON	Replace V-Belts, Perform 1 Year Maintenance on Generator	1,564.91
13500	9/11/2024	[2652] REDWOOD EMPIRE DIVISION - LOCC	Dinner @ LoCC Meeting for Mayor and Mayor Pro Tem	120.00
13501	9/11/2024	[2693] SHELTON'S AUTO LUBE	Oil Change on '21 Ford F-150	105.40
13502	9/11/2024	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR SEPTEMBER 2024	150.00
13503	9/11/2024	[4570] SHRED AWARE	Shredding	76.48
13504	9/11/2024	[2715] STEWART TELECOMMUNICATION	Phone Lines PD - October 2024, Phone Lines City Hall - October 2024	557.95
13505	9/11/2024	[3829] TELSTAR INSTRUMENTS, INC	Ball Valve, Switch, Solenoid	1,113.75
13506	9/11/2024	[6373] THATCHER COMPANY, INC.	Sierra Sani-Chlor 330 G Tote	5,094.46
13507	9/11/2024	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR AUGUST 2024, LEGAL SERVICES FOR AUGUST 2024, LEGAL SERVICES FOR AUGUST 2024, LEGAL SERVICES FOR AUGUST 2024	3,730.46
13508	9/11/2024	[7737] TODD, JOSLIN	CUSTOMER DEPOSIT REFUND	300.00
13509	9/11/2024	[2750] USA BLUEBOOK	Tube Assembly, Replacement Cap, Safety Sweatshirt, Safety Sweatshirt	543.78
13510	9/18/2024	[0576] 101 AUTO PARTS	Coil	2.45
13511	9/18/2024	[5052] GHD, INC	Professional Services Rendered Through 1/27/2024 - PW Rio Dell Water Distribution System Improvement Project, Professional Services Rendered Through 2/24/2024 - PW Rio Dell Water Distribution System Improvement Project, Professional Services Rendered Through 3/30/2024 - PW Rio Dell Water Distribution System Improvement Project, Professional Services Rendered Through 7/27/2024; Rio Dell City - Engineer Services Professional Services Rendered Through 8/24/2024; Rio Dell City - Engineer Services	352,424.18
13512	9/18/2024	[7351] HAMLIN, JUSTIN	DEPOSIT REFUND	39
13513	9/18/2024	[7475] LEAF CAPITAL FUNDING LLC	Lease of Kyocera TA 308ci Copier System	204
13514	9/18/2024	[7635] NAPA AUTO PARTS FORTUNA	Lucas Fuel Treatment	132
13515	9/18/2024	[5934] NORTH COAST JOURNAL, INC	Employment Ad - Water Treatment Operator, Employment Ad - Water Treatment Operator, Employment Ad - Water Treatment Operator	255

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

Ref#	Date	Vendor	Description	Amount
13516	9/18/2024	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR OCTOBER 2024	3,260.00
13517	9/18/2024	[2601] PETERSON	Performed 1 year Maintenance on Generator, Performed 1 year Maintenance on Generator	5,427.72
13518	9/18/2024	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserves on 9/12/2024	400.00
13519	9/25/2024	[2102] JOHN D BEAUCHAINE	Travel Reimbursement: Napa Drop Off, Woodland Collect Gear, Reimbursement: Costco Tote for Evidence & Autozone Car Plug for Computer	431.43
13520	9/25/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 9/20/2024	60.00
13521	9/25/2024	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	Fingerprint APPS; Child Abuse Index Check; Peace Officer-Billed;	132.00
13522	9/25/2024	[4855] FRESHWATER ENVIRONMENTAL SERVICES	Staff Scientist, Database, and Inventory	1,463.00
13523	9/25/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	DL Whole 24"x100', Spill Absorber	418.49
13524	9/25/2024	[4214] HUMBOLDT CO OFFICE OF EDUCATION	Search Warrant Inventory Form	26.38
13525	9/25/2024	[7792] LOZIER OIL COMPANY	Paranf-55 Drum	1,907.18
13526	9/25/2024	[2569] MICROBAC LABORATORIES, INC.	Ammonia Nitrogen w/o Distillation, Aqueous Sample Digestion, Drinking Water Digestion, ELAP Certification Fee, ICP-OES Metals, ICP-OES Metals	375.00
13527	9/25/2024	[6364] MUNIQUIP, LLC	Grundfos Kit	1,883.77
13528	9/25/2024	[5934] NORTH COAST JOURNAL, INC	Employment Ad - Water Treatment Operator, Employment Ad - Water Treatment Operator	255.00
13529	9/25/2024	[2693] SHELTON'S AUTO LUBE	Oil Change '21 Ford Explorer	116.00
13530	9/25/2024	[2772] WENDT CONSTRUCTION, INC	Mowing, Northwestern Ave, Mowing, including Blueslide Rd	1,837.50
Total Checks/Deposits				444,597.82

Ref#	Date	Vendor	Description	Amount
455-184	9/03/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 08/23/2024	-5,159.65
340299	9/03/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 08/23/2024	-24,452.34
6118545	9/03/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 08/23/2024	-12,531.47
1328415	9/04/2024	ELECTRONIC FUNDS TRANSFER	EFT ONLINE FIBER OPTIMUM BILL FOR SEPT 2024. SPLIT /W P.D & ADMIN.	-900.00
NSF-ACH	9/13/2024	WITHDRAWAL	DEPOSITED ITEM RETURNED	-251.50
9837370	9/24/2024	WITHDRAWAL	ANALYSIS SERVICE CHARGE FOR SEPTEMBER 2024.	-247.82
766811	9/11/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC DENTAL INSURANCE FOR SEPTEMBER. FY2024-2025	-232.44
581249	9/26/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR SEPT 2024.	-1,100.72
9837363	9/10/2024	ELECTRONIC FUNDS TRANSFER	EFT ALLIED ADMIN-DELTA DENTAL PAYMENT FOR OCTOBER 2024.	-2,099.49
6737811	9/10/2024	ELECTRONIC FUNDS TRANSFER	EFT- MISSIONSQUARE RETIREMENT PAYMENT FOR PPE 09/06/2024	-11,107
9567326	9/10/2024	ELECTRONIC FUNDS TRANSFER	EFT: WEXBANK/SHELL FUEL CO. PAYMENT FOR AUG/SEPT FY2024-2025.	-3,209
9837362	9/10/2024	ELECTRONIC FUNDS TRANSFER	EFT ONLINE OPTIMUM PUBLIC WORKS PAYMENT FOR SEPTEMBER 2024.	-208
248-784	9/16/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 09/06/2024	-3,409
2002207	9/16/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 09/06/2024	-18,056
866	9/17/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR SEPTEMBER 2024. FY2024-2025	-23,686

Section F, Item 3.

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

Ref#	Date	Vendor	Description	Amount
9837365	9/17/2024	ELECTRONIC FUNDS TRANSFER	EFT: BANK OF AMERICA CREDIT CARD PAYMENTS FOR AUG & SEPT 2024.	-7,167.28
9837364	9/17/2024	ELECTRONIC FUNDS TRANSFER	EFT: BENEFIT BRIDGE/PUBLIC AGENCY PAYMENT FOR OCT. 2024.	-29,705.04
9837367	9/20/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR VSP INSURANCE ONLINE PAYMENT FOR OCTOBER 2024	-399.85
NSF CHECK	9/20/2024	WITHDRAWAL	DEPOSITED ITEM RETURNED	-175.00
9837368	9/20/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR DEARBORN LIFE INSURANCE ONLINE PAYMENT FOR OCTOBER 2024.	-388.75
178-064	9/23/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 0920/2024	-3,063.24
1322058	9/23/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 09/20/2024	-16,620.62
6243791	9/23/2024	ELECTRONIC FUNDS TRANSFER	EFT: MISSIONSQUARE RETIREMENT PAYMENT FOR PPE 09/20/2024	-10,503.18
9837369	9/23/2024	ELECTRONIC FUNDS TRANSFER	EFT: PG&E PAYMENT FOR SEPT. 2024 for Northwestern Street Lights	-50.26
Total EFT's/Bank Withdrawals				-174,725.67

Ref#	Date	Vendor	Description	Amount
TRX TO PR	9/12/2024	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 09/06/2024	-46,356.83
TRX TO PR	9/23/2024	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 09/20/2024	-43,363.31
Total Transfer Between Accounts				-89,720.14

Ref#	Date	Vendor	Description	Amount
9837371	9/30/2024	WITHDRAWAL	POSTAGE TO MAIL U/B BILLS FOR SEPTEMBER 2023	-552.29
Total Debit Card Withdrawals				-552.29

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



DATE: October 15, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Resolution 1623-2024 - Spay and Neuter Fund Budget Adjustment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Review the presented information and either approve Resolution 1623-2024 – Spay and Neuter Fund Budget Adjustment as proposed or suggest modifications for staff to incorporate.

BACKGROUND AND DISCUSSION:

This staff report provides a detailed overview of the Spay and Neuter Voucher Program, which the City Council approved at its meeting on August 20, 2024. The program aims to reduce the pet population in Rio Dell by providing financial assistance to residents to sterilize their animals.

Program Overview

- **Purpose:** To reduce the pet population in Rio Dell and address related issues.
- **Funding:** The program will be funded primarily through Animal License and Control fees, with an initial funding of \$3,275 from the balance in Fund 093.
- **Partnerships:** The City will partner with the Rio Dell Community Resource Center and Critters Without Litters to distribute and redeem vouchers.
- **Voucher Redemption:** Vouchers can be redeemed at Critters Without Litters at 307A Fernbridge Drive.
- **Voucher Values:** Vary by animal type and size, ranging from \$75 for male cats to \$350 for female dogs (under 65 pounds).

Budget Considerations

The following budget considerations should be considered for the upcoming fiscal year:

- **Annual Revenue:** Based on historical averages, the program is expected to generate approximately \$2,500 in annual revenue from Animal License and Control fees.
- **Expenditures:** The primary expenditure will be the reimbursement of voucher redemptions to Critters Without Litters.

Implementing the Spay and Neuter Voucher Program is a significant step towards improving animal welfare in Rio Dell. By providing financial assistance to residents for sterilizing their animals, the program will help reduce unwanted pets and address related issues. This staff report provides the necessary information for incorporating the program into the City's budget.

Attachments:

-Resolution 1623-2024



**RESOLUTION NO. 1623-2024
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL
AMENDING THE ADOPTED BUDGET
FOR FISCAL YEAR 2024-25 SPAY & NEUTER FUND**

WHEREAS, the City of Rio Dell, California (“City”), seeks to reduce the pet population within its jurisdiction and promote animal welfare; and

WHEREAS, the City adopted Resolution 1608-2024 establishing the City’s Operating and Capital Budget for Fiscal Year (FY) 2024-25, and any adjustment that increases appropriations in a fund must be approved by the City Council; and

WHEREAS, the City staff has developed a proposal to utilize funds from Fund 093, the Spay and Neuter Fund, to implement a spay and neuter voucher program for Rio Dell residents; and

WHEREAS, the proposed program aims to provide financial assistance to residents for sterilizing their animals, thereby reducing the number of unwanted pets and addressing related issues; and

WHEREAS, the program will be coordinated with the Rio Dell Community Resource Center to distribute vouchers to eligible residents; and

WHEREAS, the program will partner with Critters Without Litters, a low-cost sterilization service provider, to offer spay and neuter procedures; and

WHEREAS, the program will be funded primarily through Animal License and Control fees, with an anticipated annual revenue of approximately \$2,500; and

WHEREAS, the City staff recommends that the City Council approve the implementation of the spay and neuter voucher program as outlined in the accompanying staff report;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell, California, as follows:

- 1. Approval of Program:** The City Council hereby approves the implementation of a spay and neuter voucher program as described in the staff report.

- 2. **Funding:** The program shall be funded primarily through Animal License and Control fees, with the initial funding of approximately \$3,275 coming from the balance in Fund 093.
- 3. **Partnerships:** The City shall partner with the Rio Dell Community Resource Center and Critters Without Litters to distribute and redeem vouchers, respectively.
- 4. **Voucher Redemption:** Vouchers shall be redeemed at Critters Without Litters, located at 307A Fernbridge Drive.
- 5. **Voucher Values:** Voucher values shall vary by animal type and size, as specified in the staff report.
- 6. **Program Implementation:** The City staff shall implement the program in accordance with the guidelines set forth in the staff report.

NOW THEREFORE BE IT FURTHER RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell FY 2024-25 Operating and Capital Budget to increase appropriations for the Spay and Neuter Fund as follows:

<u>\$3,275</u>	<u>5115-06-093-0000-0000</u>
\$3,275	TOTAL INCREASED APPROPRIATIONS

PASSED AND ADOPTED by the City Council of the Rio Dell on this 15th day of October, 2024 by the following vote:

- Ayes:
- Noes:
- Abstain:
- Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

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



DATE: October 15, 2024
TO: Honorable Mayor and Members of the City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Resolution 1624-2024 - CDBG Fund Budget Adjustment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Review the presented information and either approve Resolution 1624-2024 – CDBG Fund Budget Adjustment as proposed or suggest modifications for staff to incorporate.

BACKGROUND AND DISCUSSION:

This staff report proposes a budget adjustment for CDBG Fund 039 to accommodate additional projects approved by the Housing and Community Development (HCD) department and the City Council. These projects were not known during the original budget creation process. Additionally, the report addresses the requirement to utilize the City's Program Income (PI) funds, which this adjustment effectively accomplishes.

Resolution No. 1571-2023, previously approved by the City Council on February 7, 2023, authorized the use of CDBG Program Income for the rehabilitation of earthquake-damaged homes in Rio Dell. This resolution reallocated the PI funds to the Owner-Occupied Rehabilitation (OOR) program.

The proposed budget adjustment will increase the allocation for CDBG Fund 039 to accommodate the additional approved projects. The increased funding will ensure that these projects can be implemented as planned and that the City can meet its obligations to the community. Three projects are currently being budgeted for a total of \$550,000. The Fund Balance for the City's CDBG Fund is approximately 652,000.

This budget adjustment aligns with the City's requirement to utilize Program Income funds. By reallocating the PI funds to the OOR program, the City is effectively using these funds for eligible CDBG activities. This ensures compliance with federal regulations and maximizes the impact of the CDBG program.

The proposed budget adjustment must accommodate additional approved projects and comply with Program Income utilization requirements. By implementing this adjustment, the City can effectively utilize CDBG funds to support rehabilitating earthquake-damaged homes and improve residents' quality of life.

Attachments:

-Resolution 1624-2024



**RESOLUTION NO. 1624-2024
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL
AMENDING THE ADOPTED BUDGET
FOR FISCAL YEAR 2024-25 CDBG FUND BUDGET ADJUSTMENT**

WHEREAS, the City of Rio Dell has received approval for additional projects under the Community Development Block Grant (CDBG) program; and

WHEREAS, these additional projects were not anticipated during the original budget creation process; and

WHEREAS, the City is required to utilize its Program Income (PI) funds for eligible CDBG activities; and

WHEREAS, Resolution No. 1571-2023 authorized the use of CDBG PI funds for the rehabilitation of earthquake-damaged homes; and

WHEREAS, the proposed budget adjustment will increase the allocation for CDBG Fund 039 by \$550,000 to accommodate the additional approved projects; and

WHEREAS, this budget adjustment aligns with the City's requirement to utilize Program Income funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIO DELL:

SECTION 1. The City Council hereby approves the budget adjustment for CDBG Fund 039 to increase the allocation by \$550,000 to accommodate additional approved projects.

SECTION 2. The City Council hereby directs the implementation of the budget adjustment and allocates the increased funds of \$550,000 to the appropriate projects.

SECTION 3. The City Council hereby acknowledges that this budget adjustment complies with the City's Program Income utilization requirements and ensures compliance with federal regulations.

SECTION 4. This resolution shall take effect immediately upon its passage.

NOW THEREFORE BE IT FURTHER RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell FY 2024-25 Operating and Capital Budget to increase appropriations for the CDBG Fund as follows:

<u>\$550,000</u>	<u>5115-06-039-0000-0000</u>
\$550,000	TOTAL INCREASED APPROPRIATIONS

PASSED AND ADOPTED by the City Council of the Rio Dell on this 15th day of October, 2024 by the following vote:

- Ayes:
- Noes:
- Abstain:
- Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk



Staff Highlights – 2024-10-15

City Council

City Manager

Attended Humboldt County Drought Task Force Meeting to receive a presentation on initial areas of prioritization for drought resiliency projects. Since the Eel River Valley is under the State mandated Humboldt County Groundwater Sustainability Agency, it will not be prioritized at this point in time. The City redeveloped the Metropolitan Well site as a backup source of water in 2018 in response to drought conditions. The basin will be monitored for unsustainable aquifer drawdown, however such a drawdown is extremely unlikely even in drought conditions due to the size of the aquifer, annual rainfall levels even during droughts and the relative low level of water extraction.

Met with representatives of Regional Government Services (RGS) about partnering with the group for future updates to the Human Resource manuals, procedures and policies for the City. RGS is working on a proposal for the City. RGS is a Joint Powers Authority that provides various services to municipal and county governments in California.

I was interviewed by a group working on developing a disaster procedure manual for Arcata House Partnership, Changing Tides and the Humboldt Community Organizations Active in Disasters (COAD). These three organizations were deeply involved in the earthquake response and recovery for Rio Dell.

The Rio Dell compensation study is underway. A draft report is expected by mid-January of 2025.

City Clerk

Processed Six (6) Building Permit Applications:

98-100 Painter St. – (2) 100p Service Panel Upgrades
 222 Willow Lane – Re-Roof Residence
 220 Willow Lane – Re-Roof and Siding
 4 Painter St. – Perimeter Foundation (Earthquake Repair)
 560 Rigby Ave. – 100 Amp Service Panel Upgrade
 135 S. Fern St. – Siding, Windows, Service Panel, Insulation, Re-Roof

Processed Two (2) Business License Applications:

Smart Home Pros – Non-Resident Contractor
 Richter Construction – Non-Resident Contractor



Processed One (1) Encroachment Permit Application:

Wendt Construction – 175 Davis St. – Widening Driveway

Misc:

Submitted Quarterly Seismic Fee Report

Submitted Quarterly SB 1186 Disability Access & Education Fee Report

Submitted Quarterly AB 1473 Building Standards Administration Fee Report

Submitted Quarterly Building Permit to County Assessor

City Attorney

Human Resources, Risk & Training

Finance Department

Completed McLean Foundation Grant request to assist with funding of newly formed Spay and Neuter Voucher program.

Compensation Study: We had a kickoff meeting with Gallagher (formerly Koff & Associates) to discuss details about the department's comprehensive compensation study.

Set up Budget and drafted Resolution 1623-2024 for the spay/neuter program.

Set up Budget and drafted Resolution 1624-2024 for CDBG PI projects

Worked with Wastewater Superintendent to issue DIR number to the contractor for Boiler work.

Working with RCAC to process initial invoice for construction component of CIP Water Project.

Received confirmation that the close-out report of the Per Capita Park Development Grant (Dog Park) was approved.

Received reimbursement the Clean California Gateway Beautification Grant

Received reimbursement Claim #3 for the Rio Dell Neighborhood Connectivity project

Working with State Waterboards gathering financial information and required documentation for Water Infrastructure Improvement project



CDBG Optimization: Collaborated with the California Department of Housing and Community Development to maximize CDBG fund utilization through effective program income reporting and strategic planning.

Earthquake Recovery Support: Actively coordinated with the California Office of Emergency Services to expedite the processing of earthquake-related claims and projects.

Assist cannabis business' with tax related questions.

Meet with contract engineers GHD discussing options on funding earthquake damaged Fern Street lift station and exploring use of SSES funds to offset costs.

Traffic Study Planning: Discussed potential funding options, such as Caltrans Sustainable Transportation Planning Grants and Local Highway Safety Improvement Program (HSIP), to support future roadway projects.

Public Works Water

Public Works Wastewater

Public Works Streets, Buildings and Grounds

Public Works City Engineer

Public Works Capital Projects

Police Department

Community Development Department

Intergovernmental

Humboldt-Rio Dell Business Park



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

October 15, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on Diablo Canyon Power Plant Nuclear Allocation and Redwood Coast Energy Authority (RCEA)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide comment.

BACKGROUND AND DISCUSSION

The City of Rio Dell's representative on the Redwood Coast Energy Authority Board of Directors is Councilmember Frank Wilson. The Councilmember and City Council has requested that RCEA provide a presentation to the Council related to the acceptance of nuclear power allocations, which has shown to be a controversial/political subject matter. The purpose of this meeting item is for the Council to become more aware of this issue and to provide comment to your RCEA representative so that he better understand the position of the Council and other public speakers on this matter which may inform his vote. At this point, the issue may be raised again at the RCEA Board level before the end of 2024 for another vote.

Attached are materials from RCEA on this subject.

///



REDWOOD COAST Energy Authority

STAFF REPORT

AGENDA DATE:	October 15, 2024
TO:	Rio Dell City Council
PREPARED BY:	Faith Carlson, Regulatory and Legislative Policy Manager Richard Engel, Director of Power Resources Eileen Verbeck, Interim Executive Director
SUBJECT:	Diablo Canyon Power Plant Nuclear Allocations

BACKGROUND

At its September 26, 2024, meeting the RCEA Board of Directors opted not to accept an allocation of nuclear power from the Diablo Canyon power plant. However, staff discovered a process error when the Board was discussing the nuclear allocation. The Board was mistakenly told that all 5 Community Choice Energy voting members present would need to vote affirmative for an action to pass. This information was in error, and this mistaken information could have influenced the vote. The Board will be given an opportunity to evaluate whether a correct understanding of the voting process would have changed the outcome of the Board’s vote at the October 24, 2024, meeting. The Board will have an option to make and pass a motion to reconsider based on the updated understanding of the voting process. If the motion to reconsider passes, the Board will have a second opportunity to vote on the nuclear allocation.

The following is adapted from the staff report that was presented to the Board at its September 26 meeting.

Diablo Canyon Nuclear Power Plant Extension

Diablo Canyon Nuclear Power Plant (DCPP), located in Morro Bay, was opened in 1985 and provides 10% of energy in the California grid.¹ In 2016, PG&E applied to retire the plant in 2025, citing increasing costs of operation. The California Public Utilities Commission (CPUC) approved this application in September of 2020.²

In August of 2020, one month prior to the approval of the retirement, a heat wave led to load spikes, and the state saw rolling outages due to insufficient reliability resources.³

In September of 2022, during another heat wave, policymakers became concerned that with DCPD replacement resources not yet online, the state could see an increase in future outages. As a result, the California state legislature passed SB 846 (Dodd, 2022). SB 846 invalidates the CPUC’s approval to retire the plant and requires PG&E and state agencies “to take all actions necessary and prudent to

¹ See PG&E [Nuclear Power \(pge.com\)](https://www.pge.com)

² CPUC Decision Approving Retirement of Diablo Canyon Nuclear Power Plant [205090240.PDF \(ca.gov\)](https://www.cpuc.ca.gov)

³ [CAISO, CPUC, CEC Issue Final Report on Causes of August 2020 Rotating Outages](https://www.caiso.com)

extend Diablo Canyon powerplant operations." As a result, the CPUC issued a decision in December of 2023 to extend operation of DCP's two generating units to 10/31/2029 and 10/31/2030.⁴

Load Serving Entity (LSE) Allocation of Power

Redwood Coast Energy Authority, along with most other California electricity providers, automatically receives an allocation of the reliability benefits (a.k.a. resource adequacy or RA) from Diablo Canyon. Now that Diablo Canyon operation has been extended because clean replacement resources were not added to the state's grid as early as anticipated, there is an additional option to receive an allocation of the clean energy attributes alongside those already received reliability benefits associated with the plant. Once the CPUC announces final allocation amounts, each LSE will have 30 days to accept or reject their allocation. The CPUC allocation is now expected to occur in early November 2024.

RCEA's customers, like all other electricity users served by providers subject to California Public Utilities Commission regulation, are required to pay a portion of the costs of operating this nuclear plant, which is deemed by the CPUC an important resource for grid reliability in California over the next several years. The funds will be collected through future electric bills. These ratepayers may receive a share of this carbon-free energy that they have funded.

Each electricity provider can choose whether or not to accept their proportional allocation of the clean energy attribute. Some providers choose to accept the allocation since their customers are already paying for it and accepting it does not result in additional nuclear power generation or development. In addition, the costs of other carbon-free resources such as large hydropower or renewable energy certificates from sources such as wind, solar, and geothermal power have increased sharply in the past couple of years, making the nuclear allocation more attractive financially as a means of reducing the greenhouse gas emissions associated with a provider's power portfolio.

In prior years, RCEA has been offered separate allocations of nuclear and hydropower carbon-free energy from PG&E's portfolio paid for by RCEA's customers through the power charge indifference adjustment (PCIA) line item on their bills. To date, RCEA has rejected this annual nuclear allocation, given our policy of not procuring nuclear power,⁵ and because we had other cost-effective means of meeting our renewable and carbon-free energy targets. RCEA accepts the hydropower allocation as it is not in conflict with our Energy Risk Management Policy.

The extension of Diablo Canyon and increased cost of other emissions-free resources cited above has caused RCEA and other electricity providers to revisit their decisions to reject the nuclear allocation. To accept RCEA's nuclear allocation for 2025 only, the Board would need to authorize a short-term exception to the nuclear power prohibition in RCEA's Energy Risk Management Policy. The Policy itself does explicitly allow for such short-term exceptions. In that case, the nuclear power would have appeared as part of RCEA's portfolio on our power content label, which is mailed annually to all RCEA customers. Specific allocation amounts have not yet been published, but if accepted, staff expect the allocation in the coming year to meet about 2% of RCEA's total electricity load.

The Board will be able to revisit this in future years and decide year by year from 2026-2030 whether to accept or decline the nuclear power allocation.

⁴ Decision Implementing Senate Bill 846 [499622197.PDF \(ca.gov\)](#)

⁵ Documented in RCEA's Energy Risk Management Policy: <https://redwoodenergy.org/wp-content/uploads/2022/12/RCEA-Energy-Risk-Management-Policy-2022-Update-with-Addendum-A.pdf>

Actions of Other CCAs

As of 10/2/2024, these CCAs have chosen to accept their allocation: Ava Community Energy, Desert Community Energy, MCE, Peninsula Clean Energy, Pioneer Community Energy, San Jose Clean Energy, Sonoma Clean Power, and Silicon Valley Clean Energy.

The Diablo Canyon Nuclear Power Plant is located in Central Coast Community Energy’s (3CE) service territory. Like RCEA, 3CE currently has a no nuclear policy. They have yet to bring a request for a decision to their Board, but in previous conversations with the Board related to allocations, there has not yet been a directive to reconsider the no nuclear policy.

SUMMARY OF SCENARIOS

RCEA staff and The Energy Authority presented preliminary information on this potential nuclear allocation to the Board in August as part of our quarterly energy risk update. The following is an updated analysis that the Board considered at their September meeting, consisting of three scenarios.

- Scenario 1 was a “business as usual” one where RCEA does not accept its nuclear allocation.
- Scenario 2 has RCEA accepting the nuclear allocation and using it as a means to reduce procurement costs by substituting the nuclear power for other carbon-free resources.
- In Scenario 3, RCEA uses the allocation as a means to reduce overall GHG emissions without incurring additional costs.

Table 1 compares these scenarios in terms of net revenue impacts, power portfolio makeup, and expected greenhouse gas (GHG) intensity of the portfolio.

Table 1. Comparison of nuclear allocation scenarios

	Scenario 1: No nuclear RPS allocation (business as usual)	Scenario 2: Accept nuclear RPS allocation, use to cut costs while keeping GHGs constant (by selling more expensive hydropower)	Scenario 3: Accept nuclear allocation, use to reduce GHGs while keeping costs constant
2025 Net Revenue	\$(9.4M)	\$(8.9M)	\$(9.4M) same as Scenario 1
2025 Expected Carbon Free Nuclear in MWh	-	16,483	16,483
2025 % Nuclear in Power Content Label (REpower Portfolio)	0%	2%	2%
2025 % Renewable + Carbon Free (Repower Portfolio)	88%	88% same as Scenario 1	91%
2025 GHG emission factor (lbs CO2e/MWh) (REpower portfolio)	308	308 same as Scenario 1	285

Scenario 2 would result in an improvement of RCEA's 2025 net revenue position of approximately \$505,000. This is about a 5.4% reduction in currently projected net losses for the year. Scenario 3 would result in about a 7.5% reduction in GHG emissions for the year by replacing generic system power with emissions-free nuclear power.

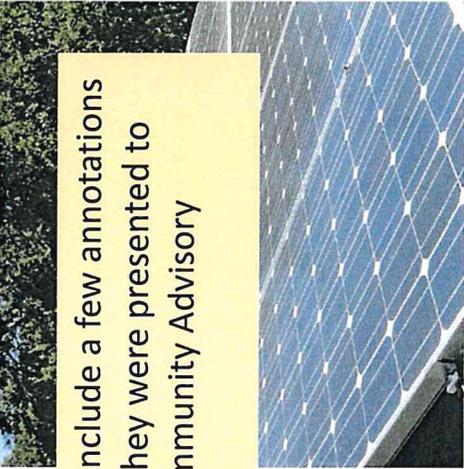
The nuclear allocation if accepted would appear only in RCEA's REpower base portfolio. Because nuclear power is not deemed renewable, it would not be included in RCEA's REpower+ 100% renewable opt-up portfolio. REpower+ would continue to contain only carbon-free and renewable solar, wind, and small hydro resources.

Whether or not RCEA rejects the nuclear clean energy allocation, due to the automatic allocation of the reliability benefits (RA) of the Diablo Canyon Resource, RCEA will still receive the RA associated with nuclear power as in previous years.

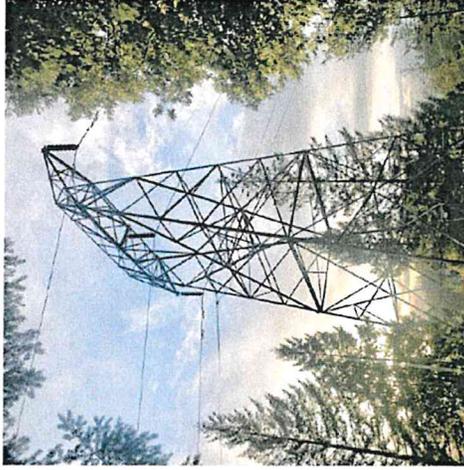
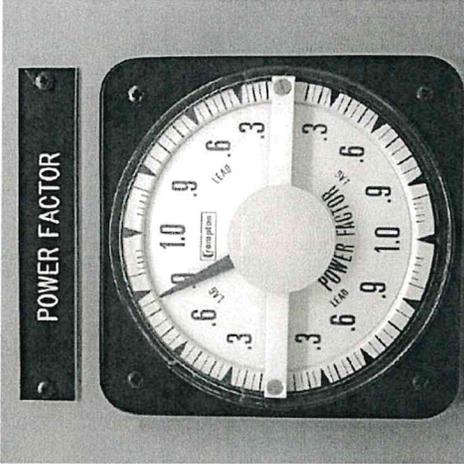
Apart from the allocation decision before the Board, RCEA has the opportunity to reinforce and clarify the anti-nuclear stance in its Energy Risk Management Policy by including a position on nuclear power in its Policy Platform. As directed by the Board in September, staff will bring forth a proposal for such an addition to the Platform at a future Board meeting.

FINANCIAL IMPACT

Scenarios 1 and 3 would have no financial impact on RCEA. Under Scenario 2, RCEA is projected to achieve an estimated \$505,000 in cost savings for 2025 by selling an equivalent amount of alternative carbon-free resources expected to be allocated to RCEA in 2025.



These slides include a few annotations added after they were presented to the RCEA Community Advisory Committee



Diablo Canyon Power Plant Nuclear Allocation

Presentation to Community Advisory Committee
October 8, 2024

Faith Carlson, Regulatory & Legislative Policy Manager
Richard Engel, Director of Power Resources

Introduction

- At its September 26, 2024, meeting the RCEA Board of Directors did not take action on a decision to accept an allocation of nuclear power. The result of not taking action is RCEA not accepting the allocation.
- However, staff discovered a process error was made during Board discussion that may have had bearing on the Board vote.
- The Board will be given an opportunity to evaluate whether a correct understanding of the voting process would have changed the outcome of the Board’s vote at their October 24, 2024, meeting.
- The Board will have an option to make and pass a motion to reconsider based on the updated understanding of the voting process. If the motion to reconsider passes, the Board will have a second opportunity to vote on the nuclear allocation.
- If the decision is reconsidered, the CAC will have an opportunity to provide the Board with input. Today’s item allows the CAC to discuss the matter and provide that input for staff to pass on to the Board.

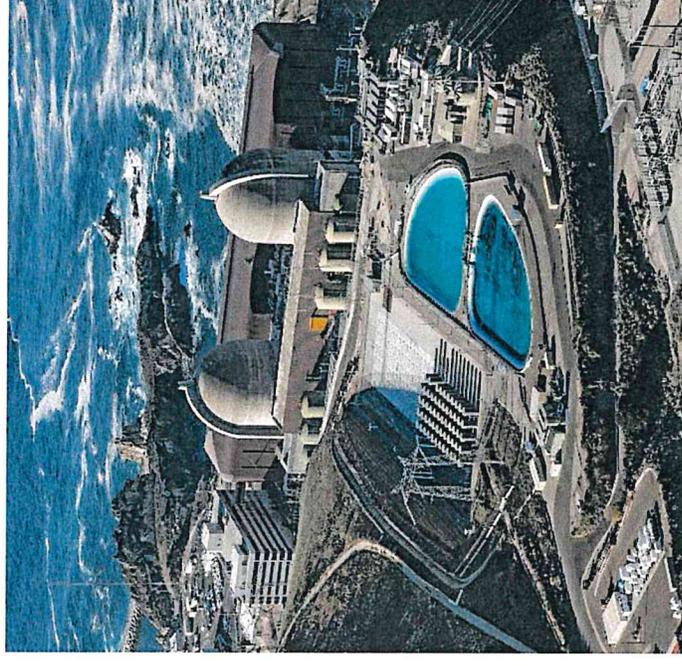
Background – Diablo Canyon Power Plant

Diablo Canyon Nuclear Power Plant

- Located in Morro Bay, CA
- Opened in 1985.
- Provides 10% of energy in the California grid.

Plant Retirement

- In 2016, PG&E applied to retire the plant in 2025.
- California Public Utilities Commission (CPUC) approved this application in 2020.



Policy Changes

Heat Waves and Outages:

- August 2020 heat wave led to rolling outages.
- Delays in replacement resources and a September 2022 heat wave led to fear of more outages.

SB 846 (Dodd, 2022) passed to prevent outages:

- Invalidates the CPUC's approval to retire the plant
- Requires PG&E and state agencies "to take all actions necessary and prudent to extend Diablo Canyon powerplant operations."
- To comply, the CPUC issued a decision in December of 2023 to extend operation of Diablo Canyon through 2030.

Allocation of Reliability and Clean Energy Benefits:

- Most California power providers automatically receive an allocation of the reliability benefits (Resource Adequacy) from Diablo Canyon.
- Acceptance of clean energy attributes allocation is optional.
- RCEA had 30 days from CPUC allocation announcement (still pending) to accept or reject their allocation.

Now expected to occur in early November

- If accepted, power would have appeared in Power Content Label.
- CPUC has ordered that CA state ratepayers are required to pay the costs of Diablo Canyon operations.

Allocation of Reliability and Clean Energy Benefits:

- If RCEA had accepted the allocation:
 - Would have received Clean Energy benefit customers are already paying for.
 - No additional nuclear power generation or development.
 - Would have shown on our Power Content Label.
- By rejecting allocation:
 - Will not receive Clean Energy benefit customers are paying for.
 - No additional nuclear power generation or development.
 - Will retain RA benefits without disclosure on our Power Content Label.

Why was this taken to the Board?

- RCEA has prohibited procurement of nuclear power since its 2016 Energy Risk Management Policy (details on next slide)
- To align with the Risk Policy, RCEA has declined the carbon-free allocations of nuclear offered annually by PG&E while accepting carbon-free allocations of large hydro power
- The nuclear allocation for 2025 onward is new, specifically due to the extension of Diablo Canyon nuclear plant out to 2030
- Recently increased costs of procuring carbon-free power from alternative sources such as large hydro or renewables has motivated RCEA and other CCAs to bring this matter to their Boards for consideration

Several CCA Boards have voted to accept the allocations: MCE, Sonoma Clean Power, Peninsula Clean Energy, Ava (East Bay), Desert Community Energy, Pioneer Community Energy, and Silicon Valley Clean Energy. Others have yet to decide. We have not yet heard of any other CCA declining the allocations.

Energy Risk Management Policy language

Prohibited Generation Sources

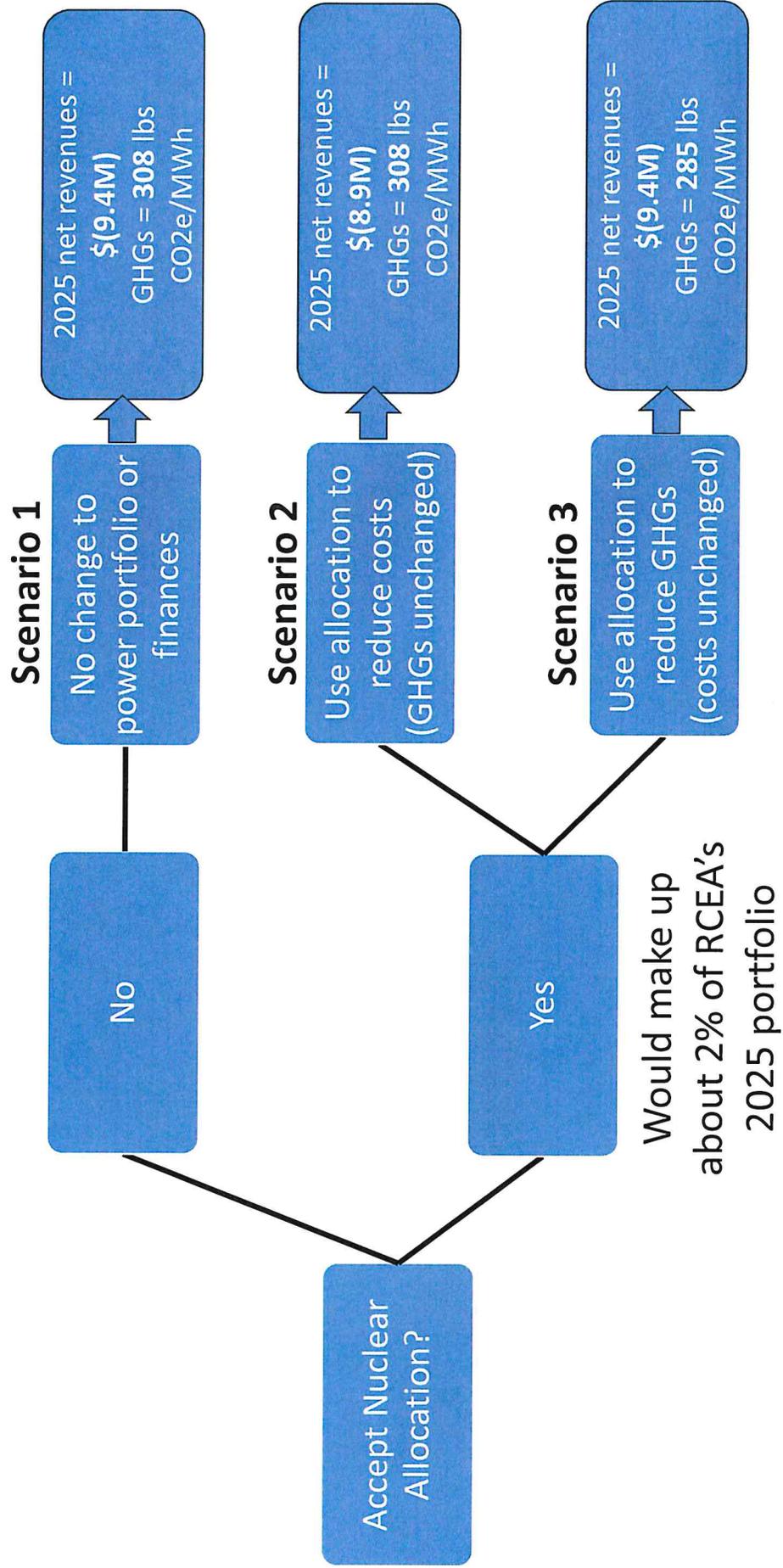
In keeping with community values identified by RCEA in developing its CCE program, neither energy nor resource adequacy (RA) will be procured from the following generation sources:

- Nuclear generation
- Coal generation
- Hydroelectric generation from existing dams on the mainstem Klamath River

Exceptions to this prohibition may be needed for occasional short-term transactions, such as procurement of replacement RA.

<https://redwoodenergy.org/wp-content/uploads/2022/12/RCEA-Energy-Risk-Management-Policy-2022-Update-with-Addendum-A.pdf>

Alternatives



How might a nuclear allocation have changed our 2025 Power Content Label sent out to customers in 2026?

Resource	% without nuclear	% with nuclear
Solar	40%	40%
Wind	2%	2%
Biomass & Biowaste	15%	15%
Small Hydro	2%	2%
Geothermal	0%	0%
Large Hydro	11%	11%
Nuclear	0%	2% 
Natural Gas	0%	0%
Coal & Other Fossil Fuels	0%	0%
Unspecified Power	31%	28% 

Note: The numbers shown here are **speculative and very preliminary** – RCEA’s reportable 2025 procurement numbers will not be finalized until mid-2026

Additional considerations

- In Scenario 2: Allocation would have been used as a tool for improving RCEA's financial position
 - Could have sold off an equivalent amount of other carbon-free resources.
 - Could have achieved about \$505,000 savings in 2025 (5.4% reduction in net losses for year)
- In Scenario 3: Allocation would have been used as a tool for reducing RCEA's greenhouse gases (GHGs) by replacing system power
 - The emissions reduction would have been about 7.5%
- Nuclear would have appeared only in RCEA's standard Repower portfolio.
 - The premium REpower+ opt-up portfolio would remain 100% carbon-free renewable resources
- Assuming the State's allocation of Diablo Canyon energy continues until plant closure, staff will revisit this decision with the Board annually.

At its Oct 8, 2024 meeting the RCEA Community Advisory Committee voted in favor of recommending that the RCEA Board of Directors accept the nuclear allocation under Scenario 2, achieving cost savings by selling off an equivalent amount of carbon-free large hydro power. There were 8 votes in favor, 3 opposed, and 1 abstention.

CAC members echoed support the Board expressed in their September 26 meeting for staff to bring forth policy platform recommendations regarding opposition to further extension of the Diablo Canyon plant's operation or development of new nuclear power in CA.



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

For the Meeting of October 15, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 24, 2024

Subject: Second reading and approval of Ordinance No. 407-2024 amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City's water well-permitting process.

Recommendation:

That the City Council:

1. Allow staff to briefly discuss Ordinance No. 407- 2024 amending Chapter 13.20 "Water Wells" of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City's water well permitting process; and
2. Open public comment and receive comments from the public; and
3. Close public comment and deliberate; and

4. Approve and adopt Ordinance No. 407-2024 amending Chapter 13.20 “Water Wells” of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City’s water well-permitting process

Discussion:

As was discussed at the Council meeting of September 17, 2024 the City was recently contacted by the Humboldt County Department of Environmental Health (DEH) in response to a well application. Please note it is very rare that the City/County receives an application for a well. DEH has administered the City’s well-permitting process for decades. The City’s current regulations, Chapter 13.20 “Water Wells”, are not clear that the County administers the City’s well-permitting process. The proposed changes clearly identify the County as the permitting jurisdiction.

The changes also include some additional definitions for “Agricultural wells” and the “County”. As indicated at the previous Council meeting there are other recommended changes including the following additional provisions:

● *Connection to Public Water Supply Required. Connection to the public water supply shall be required if the property is within 300 feet of an existing public water main.*

● *Agricultural Wells. Wells used exclusively for agricultural or irrigation purposes may be allowed subject to the provisions of this chapter.*

● *Setback. No well, except for monitoring wells or cathodic protection wells, shall be constructed within fifty feet from the property line of the property owner to whom a permit is issued for construction of the well, or within a five-hundred-foot radial distance from any existing well.*

As the Council may remember staff was going to reach out to the County regarding the recommended setback requirements. The recommended setbacks are from Santa Cruz County. The City’s Water Superintendent reports that the recommended 50-foot setback from property lines is consistent with the State requirement. The County does not currently have

setback requirements from property lines, but they do plan to amend their regulations to establish minimum setbacks. The one issue the County did raise was in the case where sewer service is not available. They indicated that placing a well within 90 feet of a property line may eliminate the potential development of a vacant parcel that is dependent on an On-Site Wastewater Treat System (OWTS), a septic system on smaller parcels.

There are three areas within the City that rely on OWTS's or septic systems, the Dinsmore Plateau, the former Eel River Sawmill site and those parcels west of Wally and Sandra Close's property on Belleview Avenue. Public water is available to every parcel in the City.

Based on existing State regulations and those areas dependent upon OWTS's staff recommends the following:

- ❖ A 50-foot setback on those parcels provided public sewer service; and
- ❖ A 100-foot setback on those parcels that are dependent on OWTS's or adjacent to parcels that are dependent on OWTS's; and
- ❖ A 500-foot radial distance from any existing well.

The Council also has the option of prohibiting new wells on all parcels within 300 feet of an existing public water main.

● Connection to Public Water Supply Prohibited. No pipe or other connection shall be made or permitted between water well sources and the public water supply provided by the city water department to assure that the use of well water shall remain independent from any other water supply. Any property with a water well, except monitoring wells or cathodic protection wells, which is also served from the city water system shall install an appropriate backflow prevention device in accordance with the chapter.

● Sale or Export. No person shall be permitted to sell, transport or export water from the overlying property to which the permit was issued for water well construction to assure that the use of well water shall only reasonably benefit the overlying land.

Again, staff has shared the recommended changes with the County Department of Environmental Health and with the City Water and Wastewater Superintendents. Neither the County nor the City Water and Wastewater Superintendents have expressed any concerns with the recommended text amendments.

Based on Council’s decision, staff will amend the draft Ordinance accordingly.

CEQA:

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), in that there is no evidence that the proposed changes will have a significant adverse effect to the environment.

ATTACHMENT 1: Ordinance No. 407-2024 amending Chapter 13.20 “Water Wells” of the Rio Dell Municipal Code (RDMC) to clarify that the County Department of Environmental Health administers the City’s water well permitting process.

ORDINANCE NO. 407-2024



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING CHAPTER 13.20 “WATER WELLS” OF THE RIO DELL MUNICIPAL CODE (RDMC) TO CLARIFY THAT THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH ADMINISTERS THE CITY’S WATER WELL PERMITTING PROCESS.

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

WHEREAS the City has relied upon the Humboldt County Department of Environmental Health to administer the City’s Water Well permitting regulations for decades; and

WHEREAS the Humboldt County Department of Environmental Health recently contacted the City in response to a well application; and

WHEREAS the Humboldt County Department of Environmental Health reviewed the City’s well regulations and suggested they be amended to clearly reflect that the County is responsible for administering the City’s Water Well permitting regulations; and

WHEREAS the proposed changes identify the County as the permitting jurisdiction; and

WHEREAS other changes include establishing definitions for “Agricultural wells” and “County” in addition to new provisions regarding agricultural wells, setbacks, backflow prevention devices and the sale and export of water; 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). No further environmental review is necessary.

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

Section 1.

Chapter 13.20 of the Rio Dell Municipal Code is hereby amended as follows:

Chapter 13.20 WATER WELLS

Sections:

13.20.010 Intent of chapter.

13.20.020 Definitions and interpretations.

13.20.030 Permit applications.

13.20.040 Application procedure.

13.20.050 Filing fees.

13.20.060 Permit conditions.

13.20.070 Permit – Denial.

13.20.080 Permit – Expiration.

13.20.090 Permit – Suspension and revocation.

13.20.100 Well standards.

13.20.110 Variances.

13.20.120 Special ground water protection.

13.20.130 Inspections generally.

13.20.140 Initial inspection.

13.20.150 Inspection of well seal.

13.20.160 Final inspection.

13.20.170 Waiver of inspections.

13.20.180 Completion reports.

13.20.190 Appeals.

13.20.200 Right of entry and inspection.

13.20.210 Abatement of abandoned wells.

13.20.220 Violation a misdemeanor.

13.20.230 Civil enforcement – Notice of violation.

13.20.240 Civil enforcement – Nuisance.

13.20.250 Remedies cumulative.

13.20.260 Reports to regional board.

13.20.010 Intent of chapter.

It is the purpose of this chapter to protect the health, safety, and general welfare of the people of the State of California by ensuring that the ground waters of this State will not be polluted or contaminated. To this end, minimum requirements are contained in this chapter for construction, reconstruction, repair, and destruction of water wells, cathodic protection wells, and monitoring wells. [Ord. 208 § 1.01, 1991.]

13.20.020 Definitions and interpretations.

(1) As Defined in Other Documents. Except as otherwise required by the context of this chapter, the terms used in this chapter shall have the same meaning as in Chapter 10 of Division 7 of the California Water Code and the Department of Water

Resources Bulletin 74-81 and subsequent supplements or revisions.

“Agricultural wells” means water wells used to supply water for irrigation or other agricultural purposes, including so-called “stock wells.”

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

“County” shall mean the Humboldt County Department of Health and Human Services Public Health Branch

“Enforcement officer” shall mean the City Manager, who is designated by the City Council to administer and enforce this chapter. The City Manager may delegate any of the powers and duties to any other officer or employee of the City, or may recommend to the City Council that such powers and duties be performed under contract with any qualified person or public or private agency for any or all of the responsibilities and duties imposed by this chapter.

“Person” shall mean any person, firm, corporation or governmental agency, to the extent authorized by law.

Well or Water Well. The California Water Code, Section [13710](#), defines well or water well to mean “any artificial excavation constructed by any method for the purpose of extracting water from or injecting water into, the underground.” The State Water Resources Control Board does not intend that potholes, drainage trenches or canals, waste water ponds, shallow root zone piezometers, stock ponds, or similar excavations be included within the definition of wells.

(2) Tense or Gender. Words used in the present tense include the future as well as the present. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural, and the plural the singular.

(3) Section headings, when contained in this chapter, shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any section. [Ord. 208 § 1.02, 1991.]

13.20.030 Permit applications.

(1) When Permit Is Required. No person shall dig, bore, drill, deepen, modify, repair, or destroy a water well, cathodic protection well, observation well, monitoring well or any other excavation that may intersect ground water without first applying for and receiving a permit as provided in this chapter, unless exempted by law.

(2) Penalty for Failure to Obtain Permit. Any person who shall commence any work for which a permit is required by this chapter without having obtained a permit shall be required, if subsequently granted a permit for this work, to pay double the standard permit fee.

(3) Emergency Work. The above provisions shall not apply to emergency work required on short notice to maintain drinking water or agricultural supply systems. In such cases, the person responsible for the emergency work shall:

(a) Urgency. Satisfy the ~~enforcement officer~~ **County** that such work was urgently necessary.

(b) Conformance with Standards. Demonstrate that all work performed was in conformance with the technical standards as designated in RDMC [13.20.100](#). [Ord. 208 § 2.01, 1991.]

13.20.040 Application procedure.

Applications for permits shall be made to the ~~enforcement officer~~ **County** on forms approved by the agency and shall contain all such information the ~~enforcement officer~~ **County** requires to accomplish the purposes of this chapter.

The application shall be accompanied by the required filing fee. If the ~~enforcement officer~~ **County** finds the application contains all necessary information, it shall issue to the applicant a comprehensive permit containing such conditions as are necessary to fulfill the purposes of this chapter. [Ord. 208 § 2.02, 1991.]

13.20.050 Filing fees.

Filing fees ~~may be set by the City Council~~ are established by the Board of Supervisors from time to time by resolution. [Ord. 208 § 2.03, 1991.]

13.20.060 Permit conditions.

(1) Limitations. When the ~~enforcement officer~~ County issues a permit pursuant to this chapter, ~~he or she may~~ the County condition the permit in any manner necessary to carry out the purposes of this chapter. Conditions may include, but are not limited to such quantity and quality testing methods as the ~~enforcement officer~~ County finds necessary.

(2) Performance Bond. The ~~enforcement officer~~ County may require a performance bond as a condition to the permit.

(3) Persons Permitted to Work on Wells. All construction, reconstruction, or destruction work on wells shall be performed by a person who possesses an active C-57 contractor's license in accordance with the provisions of the California Business and Professions Code Section 7000 et seq. and Water Code Section 13750.5.

(4) Proper Disposal of Drilling Fluids. The permit shall contain a clause requiring the safe and appropriate handling and disposal of drilling fluids and other drilling materials used in connection with the permitted work.

(5) Abandoned Wells. As a condition of a construction or reconstruction permit, any abandoned wells on the property shall be destroyed in accordance with standards provided in this chapter.

(6) Posting of Permit. It shall be the responsibility of the permittee to maintain a copy of ~~this~~ the permit on the drilling site during stages of construction or destruction. [Ord. 208 § 2.04, 1991.]

13.20.070 Permit – Denial.

The ~~enforcement officer~~ County shall deny an application for a permit if, in his or her judgment, issuance of a permit is not in the public interest. [Ord. 208 § 2.05, 1991.]

13.20.080 Permit – Expiration.

The permittee shall complete the work authorized by the permit within the time and before the date set out in the permit. If there have been exceptional circumstances, the ~~enforcement officer~~ County may grant the applicant an extension. Upon the expiration of the permit, no further work shall be done unless and until the applicant has received an extension or a new permit. [Ord. 208 § 2.06, 1991.]

13.20.090 Permit – Suspension and revocation.

(1) Circumstances for Such Action. The ~~enforcement officer~~ County may suspend or revoke any permit issued pursuant to this chapter, whenever he or she finds that the permittee has violated any of the provisions of this chapter, or has misrepresented any material fact in his application, or any supporting documents, for such a permit. Prior to ordering any such suspension or revocation, the ~~enforcement officer~~ County shall give the permittee an opportunity for a hearing thereon, after reasonable notice. The hearing shall be before the enforcement officer or his or her designated representative. An appeal may be made as set forth below.

(2) Consequences. No person whose permit has been suspended or revoked shall continue to perform the work for which the permit was granted until, in the case of suspension, such permit has been reinstated by the enforcement officer.

(3) Ordered Additional Work. Upon suspending or revoking any permit, the ~~enforcement officer~~ County may order the permittee to perform any work reasonably necessary to protect the underground waters from pollution or contamination, if any work already done by the permittee has left a well in such condition as to constitute a hazard to the quality of the underground waters. No permittee or person who has held any permit issued pursuant to this chapter shall fail to comply with any such order. [Ord. 208 § 2.07, 1991.]

13.20.100 Well standards.

Except as otherwise specified, the standards for the construction, repair, reconstruction, or destruction of wells shall be as set forth in:

(1) Department of Water Resources Bulletin 74-81. The California Department of Water Resources Bulletin 74-81, Water Well Standards, State of California, except as modified by subsequent revisions.

(2) All Subsequent Supplements and Revisions. All subsequent Bulletin 74-81 supplements or revisions issued by the Department of Water Resources, once the revised standards have been reviewed at an appropriate public hearing. [Ord. 208 § 3, 1991.]

(3) Connection to Public Water Supply Required. Connection to the public water supply shall be required if the property is within 300 feet of an existing public water main.

(4) Agricultural Wells. Wells used exclusively for agricultural or irrigation purposes may be allowed subject to the provisions of this chapter.

(5) Setback. No well, except for monitoring wells or cathodic protection wells, shall be constructed within fifty feet from the property line of the property owner to whom a permit

is issued for construction of the well, or within a five-hundred-foot radial distance from any existing well.

(6) **Connection to Public Water Supply Prohibited.** No pipe or other connection shall be made or permitted between water well sources and the public water supply provided by the city water department to assure that the use of well water shall remain independent from any other water supply. Any property with a water well, except monitoring wells or cathodic protection wells, which is also served from the city water system shall install an appropriate backflow prevention device in accordance with the chapter.

(7) **Sale or Export.** No person shall be permitted to sell, transport or export water from the overlying property to which the permit was issued for water well construction to assure that the use of well water shall only reasonably benefit the overlying land.

13.20.110 Variances.

The ~~enforcement officer~~ **County** shall have the power under the following specified conditions to grant a variance from any provision of the standard referenced above and to prescribe alternative requirements in their place.

(1) **Special Circumstances.** There must be, in a specific case, a special circumstance where practical difficulties or unnecessary hardship would result from the strict interpretation and enforcement of any standard.

(2) **Intent of Chapter Not Compromised.** The granting of such a variance is consistent with the purpose of this chapter. [Ord. 208 § 4, 1991.]

13.20.120 Special ground water protection.

The ~~enforcement officer~~ **County** may designate areas where ground water quality problems are known to exist and where a well will penetrate more than one aquifer. The ~~enforcement officer~~ **County** may require in these designated areas special well seal(s) to prevent mixing of water from several aquifers. Where an applicant proposes well construction, reconstruction, or destruction work in such an area, the ~~enforcement officer~~ **County** may require the applicant to provide a report prepared by a registered geologist or registered civil engineer (California Business and Professions Code Sections [7850](#) and [6762](#) respectively) that identifies all strata containing poor-quality water and recommends the location and specifications of the seal or seals needed to prevent the entrance of poor-quality water or its migration into other aquifers. [Ord. 208 § 5, 1991.]

13.20.130 Inspections generally.

The ~~enforcement officer~~ **County** shall make an inspection of the annular seal construction work. It may make an initial inspection of each proposed drilling site, an inspection at the completion

of the work, and inspections at such other times as it deems appropriate. [Ord. 208 § 6.01, 1991.]

13.20.140 Initial inspection.

Upon receipt of an application, the ~~enforcement officer~~ **County** may make an inspection of the drilling site prior to the issuance of a well permit. The purpose of this inspection is to determine whether there are any site conditions such that the ~~enforcement officer~~ **County** shall do the following:

- (1) Relocation of Drilling Site. Require relocation of the drilling site should the location shown on the permit application be too close to potential sources of pollution.
- (2) Additional Conditions. Set additional conditions if needed to remedy any previously unknown ground water quality protection problems. [Ord. 208 § 6.02, 1991.]

13.20.150 Inspection of well seal.

The ~~enforcement officer~~ **County** shall inspect the annular space grout depth prior to the sealing.

- (1) Required Notice. The ~~enforcement officer~~ **County** shall be notified by the well driller a minimum of 24 hours prior to sealing the annular space. Drillers who anticipate completing a well in less than one day shall notify the enforcement officer 24 hours prior to commencement of drilling and provide the anticipated time to commence the sealing of the annular space.
- (2) Should ~~enforcement officer~~ **County** Fail to Be Present. If the enforcement officer wishes to allow a seal to be tremied or placed without inspection, the driller shall seal the well in accordance with the standards of this chapter, and any permit conditions. No seal shall be tremied or placed until permission to proceed is given. [Ord. 208 § 6.03, 1991.]

13.20.160 Final inspection.

If requested by the ~~enforcement officer~~ **County**, the driller shall notify the ~~enforcement officer~~ **County** within seven days of the completion of their work at each drilling site. The ~~enforcement officer~~ **County** may make a final inspection after completion of the work to determine whether the well was completed in accordance with this chapter. [Ord. 208 § 6.04, 1991.]

13.20.170 Waiver of inspections.

The ~~enforcement officer~~ **County** may waive inspections should any of the following conditions exist:

(1) Well Inspected by Other Agencies. Inspections may be waived where the work will be inspected by the staff of the California Regional Water Quality Control Board or the California Department of Health Services if these designated agencies will inspect and report to the enforcement officer on all drilling features required by the standards.

(2) Monitoring Wells under Specified Conditions. Inspections may be waived for monitoring wells that will penetrate only aquifers containing degraded waters or will penetrate only formations that normally contain no water.

(3) Drilling Sites Known to Have No Threats to Ground Water Quality. Initial inspections may be waived when the drilling site is well known to the ~~enforcement officer~~ County and it is known that no significant threats to ground water quality exist in the area. [Ord. 208 § 6.05, 1991.]

13.20.180 Completion reports.

(1) The driller shall provide the ~~enforcement officer~~ County a completion report within 30 days of the completion of any well construction, reconstruction, or destruction job.

(2) Submittal of State Report of Completion. A copy of the report of completion (Water Well Driller's Report, Department of Water Resources Form 188) required by California Water Code Section [13751](#) shall be submitted by the permittee to the ~~enforcement officer~~ County within 30 days of construction, alteration, or destruction of any well. This report shall document that the work was completed in accordance with the standards and all additional permit conditions. This section shall not be deemed to release any person from the requirement to file said report with the State Department of Water Resources.

(3) Confidentiality of Report. In accordance with California Water Code Section [13752](#), reports shall not be made available for inspection by the public but shall be made available for inspection by governmental agencies for use in making studies. Reports shall be made available to any person who obtains written authorization from the owner of the well.

(4) Other Agencies' Requirements. Nothing in this chapter shall be deemed to excuse any person from compliance with the provisions of California Water Code Sections [13750](#) through [13755](#) relating to notices and reports of completion or any other Federal, State, or local reporting regulations. [Ord. 208 § 7, 1991.]

13.20.190 Appeals.

(1) Right of Hearing. Any person whose application for a permit has been denied, or granted conditionally, or whose permit has been suspended or revoked, or whose variance request has been denied, may appeal to the City Council, in writing, within 10 days after any such denial, conditional granting, suspension, or revocation. Such appeal shall specify the grounds upon which it is taken, and shall be accompanied by a filing fee as set forth by resolution. The City Clerk shall set such appeal for hearing at the earliest practicable time, and shall notify the

appellant and the enforcement officer, in writing, of the time so set at least five days prior to the hearing.

(2) Action by the City Council. After such hearing, the City Council may reverse or affirm, wholly or partly, or may modify the order or determination appealed from. Such action shall be final. [Ord. 208 § 8, 1991.]

13.20.200 Right of entry and inspection.

The ~~enforcement officer~~ **County** or representatives of the ~~enforcement officer~~ **City** shall have the right to enter upon any premises at all reasonable times to make inspections and tests for the purpose of such enforcement and administration. If any such premises are occupied, he or she shall first present proper credentials and demand entry. If the same is unoccupied, he or she shall first make a reasonable effort to locate the owner or other person having charge or control of same and demand entry. If such entry is refused, he or she shall have recourse to such remedies as are provided by law to secure entry. [Ord. 208 § 9, 1991.]

13.20.210 Abatement of abandoned wells.

All persons owning an abandoned well as defined in the well standards shall destroy it before December 31, 1991, except those excluded by California Health and Safety Code Section [24440](#). [Ord. 208 § 10, 1991.]

13.20.220 Violation a misdemeanor.

Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction thereof is punishable by a fine of not more than \$500.00 or by imprisonment for a period of not more than six months, or by both such fine and imprisonment. [Ord. 208 § 11.01, 1991.]

13.20.230 Civil enforcement – Notice of violation.

(1) Notice of Violation Recordation. Whenever the ~~enforcement officer~~ **County or City** determines that a well (a) has not been completed in accordance with a well permit or the plans and specifications relating thereto; (b) has been constructed without the required permit; or (c) an abandoned well has not been destroyed in accordance with the standards, the ~~enforcement officer~~ **County or City** may record a notice of violation with the office of the County Recorder. The owner(s) of the property, as revealed by the assessment roll, on which the violation is situated and any other person responsible for the violation shall be notified of the recordation, if their address is available.

If the property owner(s) or authorized agent disagrees with the determination, he or she may submit evidence to the enforcement officer indicating that there is no violation and then shall

have a right to appeal an adverse decision of the ~~enforcement officer~~ County to the City Council in accordance with the provisions of subsection (2) of this section.

(2) Appeal – Action by the City Council.

(a) Date of Hearing. Upon receipt of the notice of appeal, the City Council shall within 15 days following the filing of the appeal set a date for public hearing thereon.

(b) Evidence. The evidence before the City Council shall consist of the records in the ~~enforcement officer's~~ County files and any other relevant evidence which in the judgment of the City Council should be considered to effectuate and implement the policies of this chapter.

(c) Decision by City Council. The City Council may reverse or affirm, wholly or in part, or modify the decision or the notice of violation and may make such order as should be made. Such action shall be final.

(3) Removal of Violation Notice. The ~~enforcement officer~~ County or City shall submit a removal of notice of violation to the County Recorder when (a) it is determined by the enforcement officer or the City Council, after review, that no violation of this chapter exists; or (b) all required and corrective work has been completed and approved by the ~~enforcement officer~~ County. [Ord. 208 § 11.02, 1991.]

13.20.240 Civil enforcement – Nuisance.

Violations of this chapter may also be redressed in the manner hereinafter set forth by civil action. In addition to being subject to prosecution, any person who violates any of the provisions of this chapter may be made the subject of a civil action. Appropriate civil action includes, but is not limited to, injunctive relief and cost recovery. [Ord. 208 § 11.03, 1991.]

13.20.250 Remedies cumulative.

The remedies available to the City Council to enforce this chapter are in addition to any other remedies available under ordinance or statute, and do not replace or supplant any other remedy but are cumulative thereto. [Ord. 208 § 11.04, 1991.]

13.20.260 Reports to regional board.

Pursuant to California Water Code Section 13225(c), the ~~enforcement officer~~ County shall submit a report, not less than annually, to the California Regional Water Quality Control Board(s) having jurisdiction in their area. This report shall contain the following data, unless the regional board determines a lesser amount of information is necessary:

(1) Wells Constructed or Destroyed. The number of wells constructed or destroyed.

(2) Abatement Actions. Descriptions of all well destructions undertaken by the enforcement officer using its regulatory authority under nuisance abatement powers.

(3) Variances Granted. A description of each specific case where variances were granted and the circumstances that made a variance necessary.

(4) Inspection Waivers Granted. A description of each specific case where an inspection was waived and the circumstances that made the waiver necessary. [Ord. 208 § 12, 1991.]

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 September 17, 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 October 15, 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. 407-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on October 15, 2024.

Karen Dunham, City Clerk, City of Rio Dell



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

For the Meeting of October 15, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 26, 2024

Subject: Vacation Dwelling Unit Regulations – Appeals. Ordinance No. 409-2024 amending Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) Vacation Dwelling Unit Regulations appeal period to be consistent with the appeal provisions identified in Section 17.35.060 of the RDMC.



Recommendation:

That the City Council:

1. Allow staff to introduce Ordinance No. 409-2024 amending Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) Vacation Dwelling Unit Regulations appeal period to be consistent with the appeal provisions identified in Section 17.35.060 of the RDMC; and
2. Open public comment and receive comments from the public; and
3. Close public comment; and

4. Direct staff to make any changes to the draft ordinance if necessary; and
5. Continue the second reading and adoption of the Ordinance to the October 15, 2024 meeting.

Discussion

Staff recently discovered what we believe to be an error in the Vacation Dwelling Unit regulations regarding appeals. The codified language, Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) states that appeals may be filed within 30 days following approval. When the Ordinance was crafted, staff intended that the appeal period be 10 days, which is consistent with Section 17.35.060 of the Rio Dell Municipal Code. Copies of both provisions are below.

17.30.360(4) Appeals.

(a) Except as provided in subsection (4)(b) of this section, within **30 days** following the decision of the Director on a vacation dwelling unit permit application, the decision may be appealed to the Planning Commission by the applicant or any property owner located within 100 feet of the vacation dwelling unit property. An appeal shall be filed with the City Clerk and state specifically wherein it is claimed there was an error or abuse of discretion by the Director. Notice of the date, time and place of an appeal to the Planning Commission shall be provided to all property owners located within 100 feet of the vacation dwelling unit property at least 10 days prior to the appeal meeting.

(b) The decision of the Director to deny the annual permit renewal may be appealed to the Planning Commission solely by the applicant. **The appeal must be filed within 10 days of the date of denial.**

17.35.060 Appeals.

(1) The City Manager or any person aggrieved by an action of the Planning Commission may take an appeal to the City Council by filing a notice of appeal with the City Clerk and with the Planning Commission within **10 days** of the action of the Planning Commission.

The City Manager is authorized to submit appeals without any further pre-submittal action by the City Council. The notice of appeal filed with the City Clerk shall be accompanied by a filing fee adopted by resolution of the City Council. No filing fee shall be required for any appeal filed by the City Manager. Upon receipt of the notice of appeal, the Planning Commission shall transmit to the City Council all the papers constituting the record upon which the action appealed from was taken.

Staff is recommending that the Vacation Dwelling Unit regulations appeal period be amended to be consistent with the appeal provisions identified in Section 17.35.060 of the RDMC.

CEQA:

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the minor text amendment may have a significant adverse effect to the environment.

Attachments:

Attachment 1: Ordinance No. 409-2024 amending Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) Vacation Dwelling Unit Regulations appeal period to be consistent with the appeal provisions identified in Section 17.35.060 of the RDMC.

Attachment 2: Resolution No. PC 178-2024 recommending that the City Council amend Section 17.30.360(4) of the RDMC be consistent with the appeal provisions identified in Section 17.35.060 of the RDMC.

ORDINANCE NO. 409-2024



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING SECTION 17.30.360(4) OF THE RIO DELL MUNICIPAL CADE (RDMC)
VACATION DWELLING UNIT REGULATIONS APPEAL PERIOD TO BE CONSISTENT
WITH THE APPEAL PROVISIONS IDENTIFIED IN SECTION 17.35.060 OF THE RDMC.**

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

WHEREAS staff recently discovered what is believed to be an error in the Vacation Dwelling Unit regulations regarding appeals; and

WHEREAS the codified language, Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) states that appeals may be filed within 30 days following approval; and

WHEREAS when the Vacation Dwelling Unit Ordinance was crafted, staff intended that the appeal period be 10 days, which is consistent with the appeal provisions of Section 17.35.060 of the Rio Dell Municipal Code; and

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). No further environmental review is necessary.

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

Section 1.

Section 17.30.360(4) of the Rio Dell Municipal Code is hereby amended as follows:

(4) Appeals.

(a) Except as provided in subsection (4)(b) of this section, within ~~30~~ 10 days following the decision of the Director on a vacation dwelling unit permit application, the decision may be appealed to the Planning Commission by the applicant or any property owner located within 100 feet of the vacation dwelling unit property. An appeal shall be filed with the City Clerk and state specifically wherein it is claimed there was an error or abuse of discretion by the Director. Notice of the date, time and place of an appeal to the Planning Commission shall be provided to all property owners located within 100 feet of the vacation dwelling unit property at least 10 days prior to the appeal meeting.

(b) The decision of the Director to deny the annual permit renewal may be appealed to the Planning Commission solely by the applicant. The appeal must be filed within 10 days of the date of denial.

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 October 15, 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 November 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. 409-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on November 5, 2024.

Karen Dunham, City Clerk, City of Rio Dell

RESOLUTION NO. 178-2024



A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL RECOMMENDING THAT THE CITY COUNCIL AMEND THE APPEAL PROVISIONS OF SECTION 17.30.360(4) OF THE RIO DELL MUNICIPAL CODE (RDMC) TO BE CONSISTENT WITH THE APPEAL PROVISIONS IDENTIFIED IN SECTION 17.35.060 OF THE RDMC

WHEREAS staff recently discovered what we believe to be an error in the Vacation Dwelling Unit regulations regarding appeals; and

WHEREAS the codified language, Section 17.30.360(4) of the Rio Dell Municipal Code (RDMC) states that appeals may be filed within 30 days following approval; and

WHEREAS when the Vacation Dwelling Unit Ordinance was crafted, staff intended that the appeal period be 10 days, which is consistent with the appeal provisions of Section 17.35.060 of the Rio Dell Municipal Code; and

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). No further environmental review is necessary.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell recommends that the City Council amend the appeal provisions in the Vacation Dwelling Unit regulations, Section 17.30.360(4) of the Rio Dell Municipal Code to be consistent with the appeal provisions found in Section 17.35.060 of the Rio Dell Municipal Code

APPROVED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of September 24, 2024 by the following vote:

- AYES: Knight, Arsenault, Millington
- NOES: None
- ABSENT: Angeloff, Gurney
- ABSTAIN: None

Patrick Knight, Acting Chair

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 Resolution No. PC 178-2024 adopted by the Planning Commission of the City of Rio Dell on September 24, 2024.

Karen Dunham, City Clerk, City of Rio Dell