



**AGENDA**  
RIO DELL CITY COUNCIL  
CLOSED SESSION – 5:30 P.M.  
REGULAR MEETING – 6:30 P.M.  
TUESDAY, JANUARY 20, 2015  
CITY COUNCIL CHAMBERS  
675 WILDWOOD AVENUE, RIO DELL

*WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. 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. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.*

**THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS**

A. CALL TO ORDER

B. ROLL CALL

C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

1) 2015/0120.01 - **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Consider initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Section 54956.9: (One potential case, facts and circumstances known to adverse parties): Access dispute, quiet title and prescriptive easement related to waterline maintenance and vehicular access along Old Ranch Road to City of Rio Dell Monument Springs Parcel (APN: 205-041-014). Potential adverse property owners along Old Ranch Road, include, without limitation, Cidoni, Coleman, Lewis and Humboldt Redwood Company.

1) 2015/0120.02 - **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager (Pursuant to Section 54957)

D. PUBLIC COMMENT REGARDING CLOSED SESSION

E. RECESS INTO CLOSED SESSION

F. RECONVENUE INTO OPEN SESSION – 6:30 P.M.

G. ORAL ANNOUNCEMENTS

H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

- 1) 2015/0120.03 - Police Service Award - Officer David Lungi
- 2) 2015/0120.04 - Police Service Award - Officer Kevin Harralson

J. PUBLIC PRESENTATIONS

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

K. CONSENT CALENDAR

*The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members 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 in the next section, "SPECIAL CALL ITEMS".*

- 1) 2015/0120.05 - Approve Minutes of the January 6, 2015 Regular Meeting (ACTION) 1
- 2) 2015/0120.06 - Approve Placement of Pedestal and Plaque at City Hall in Recognition of former City Manager Jim Stretch (ACTION) 5

L. SPECIAL PRESENTATIONS/STUDY SESSIONS

- 1) 2015/0120.07 - Study Session - 2015 City Manager Work Plan

M. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2015/0120.07 - Alternative Procedures for the Selection of Mayor and Mayor Pro Tem (RECEIVE & FILE/POSSIBLE ACTION) 7

## N. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2015/0120.08 - Adopt Resolution No. 1250-2015 Authorizing Signers on all US Bank **(ACTION)** 15
- 2) 2015/0120.09- Introduction and First Reading (by title only) of Ordinance No. 331-2015 Amending the Definition of Inoperative Vehicle, Section 8.15.020 of the Rio Dell Municipal Code (RDMC) **(ACTION)** 23
- 3) 2015/0120.10 - Introduction and First Reading (by title only) of Ordinance No. 332-2015 Amending Section 13.10.240 and Adding Section 1310.241 to the Rio Dell Municipal Code (RDMC) Related to Delinquent Sewer Accounts **(ACTION)** 27

## O. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director
4. Community Development Director

## P. COUNCIL REPORTS/COMMUNICATIONS

## Q. ADJOURNMENT

*The next regular meeting will be on February 3, 2015  
at 6:30 p.m. in City Hall Council Chambers*

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
JANUARY 6, 2015  
MINUTES**

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

**ROLL CALL:** Present: Mayor Thompson, Councilmembers Garnes, Johnson, Marks (Tim) and Wilson

Others Present: City Manager Knopp, Finance Director Woodcox, Water/Roadways Superintendent Jensen and Clerk Dunham

Absent: Chief of Police Hill, Community Development Director Caldwell and Wastewater Superintendent Chicora (excused)

### **CEREMONIAL MATTERS**

Seating of Newly Elected Councilmembers Gordon Johnson, Timothy Marks and Debra Garnes  
Mayor Thompson introduced the 3 newly elected Councilmembers and noted that they were sworn into office at the conclusion of the last regular meeting on December 16, 2014.

#### Election of Mayor and Mayor Pro Tem

City Clerk Dunham reviewed the procedures for selecting the Mayor and Mayor Pro Tem as set forth in Resolution No. 1127-2011 and pointed out that all councilmembers are considered to be nominated unless a councilmember chooses to decline nomination for (1) one or both positions. There were no members who declined. She stated that each term will be for two (2) years ending with the 2016 General Election.

Beginning with the position of Mayor, followed by the position of Mayor Pro Tem, each Councilmember was presented with a written ballot and asked to vote for the candidate of their choice. The ballots were passed to the City Clerk who announced the results. With Councilmember Wilson receiving 3 votes and Councilmember Thompson receiving 2 for the position of Mayor, Councilmember Wilson was selected a Mayor. Councilmember Johnson received 5 votes and selected as Mayor Pro Tem.

Mayor Thompson then turned the gavel over to incoming Mayor Wilson.

### **PUBLIC PRESENTATIONS**

Melissa Marks addressed the Council regarding a recent article published in the North Coast Journal titled "The Federal Reserve Bank's Snapshot of Humboldt" and pointed out some interesting data related to the various subsets of the community. She noted that compared to other parts of the State, Humboldt County residents are twice as likely to live in a mobile home, there is a higher percentage of military veterans and disabled people, a larger percentage of

City Manager Knopp reviewed 3 options for action and said the question of engineering services came to him back in August and he put off bringing the matter before the Council in order to gain more knowledge about GHD and to determine what the best course is for the City. He commented that GHD has some very positive points including long term knowledge of the City's infrastructure. He said his recommendation is to authorize the City Manager to sign the amended Scope of Services for City engineering services as presented.

He stated that an RFP for engineering services went out in 2010 and the Council may want to go back out in 2015; not necessarily to change engineers but to simply take a look at what services are available.

Mayor Pro Tem Johnson referred to GHD's Fee Schedule (Exhibit B) as presented and said that he has worked as a registered civil engineer for approximately 20 years and worked with firms anywhere from a one-man firm to a firm of 20,000 employees and with that as background thinks when the City decides to go out and look for a contract city engineer, they may want to include some things that may not be in the current agreement such as the City's right to audit the consultants hourly rates and if there is going to be a change in hourly rates so the City Council can have some input. He also noted that generally home office overhead is recouped in the first 40 hours of a workweek so with that being said, with any overtime there is generally no home office overhead but would simply reflect personnel costs and said that is certainly not the case in the current agreement. As such, he thinks the City would want to take a good hard look at that and in the future may not want to designate a particular person as the City's engineer. He also stated that profit is generally related to risk and there is not much risk in this case since the consultant is going to get paid and going to get paid timely. He noted that when he worked for a firm with 20,000 employees the job he worked on was limited to a 3 percent profit and that the economy was better at that time than it is today.

Mayor Wilson questioned the termination clause under the Professional Services Agreement.

City Manager Knopp explained there is an early termination clause that says the City may terminate the agreement for convenience by giving 14 calendar days written notice to the engineer. Also, if either party breaches the agreement by failing to timely or satisfactorily perform any of the obligations or violates the terms of the agreement the other party may terminate by giving 7 days written notice.

Motion was made by Johnson/Garnes to authorize the City Manager to sign the amended Scope of Services as presented. Motion carried 5-0.

## REPORTS/STAFF COMMUNICATIONS

City Manager Knopp reported on recent activities and events and said he was working on issues related to Humboldt Waste Management Authority (HWMA) including attending a meeting

**JANUARY 6, 2015 MINUTES**  
**Page 5**

related to recycling and is exploring what the best action is for the City with regard to the upcoming contract renewal next year. He also reported that during the recent power outage, City Hall basically shut down because staff was unable to communicate without telephones or computers and there was also a lighting issue. He reported that 90% of the issues have been resolved since then with installation of 3 new emergency telephones that will work when the electricity is off and repair of the exit lighting. He said there may be the need to expand the battery backup for the system if the copper lines don't work and staff will be making some additional purchases for emergency lights and first aid kits.

Mayor Wilson commented that Costco sells a 17 KW unit for around \$3,300 that is roughly a 200 AMP system that automatically transfers and provides backup power when the electricity goes out. He said there would be some additional cost for a contractor to come in and determine what circuits it should be connected to; suggesting perhaps the police department and front desk at City Hall. He suggested staff explore the cost and report back to Council.

City Manager Knopp said ultimately the ideal solution would be to have a backup system for emergencies and since the front desk staff plays a huge role in disseminating information to the public so the backup power supply should apply to the entire building. He noted that staff has also been exploring the possibility of purchasing a portable generator for public works which could also be utilized at City Hall and said he will follow up with options for an emergency power supply.

He also reported that public works has been doing a lot of physical work since the last meeting because of winter weather conditions including filling potholes. He noted that staff submitted a claim to the State for the repair of potholes that occurred during the recent storm and hopefully some of those activities will qualify for reimbursement. He advised the Council that the repairs to the building at the Douglas Street booster station that was damaged by the storm were underway but not yet completed.

City Manager Knopp further reported on the drought status and said the City cannot unilaterally drop to Stage 1 so must remain at Stage 2 for the time being with limited outdoor water usage. He said although the City is not specifically at a water crisis point it is unknown how much rain will occur over the next few months. He said the City will be going into the riverbed sometime during late summer to do some excavation work to remove materials from the top of the infiltration gallery and once that is done, staff is confident the water situation will remain stable throughout the summer.

He also reported that he should have some information soon on the status of the Arts Place America Grant application that was submitted for funding of the Avenue of the Sculptures concept; and reported on the upcoming dinner and training for City Council members and City Managers on Friday evening and Saturday at the Sequoia Zoo.

Finance Director Woodcox reported on recent activities in the finance department and said staff was working on implementation of a purchase order system; closing of yearly payroll reports and the annual sales tax report.

City Manager Knopp commented that he did submit the paperwork to the State Board of Equalization for implementation of the local sales tax which becomes effective April 1, 2015.

**COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Johnson reported that he attended the December LAFCo meeting and enjoyed it very much. He said the Commission has great representatives and said the executive director laid out a road map for the year and it looks like Arcata, Eureka and Fortuna all want to increase their City boundaries so it will be very interesting serving as the City's representative on the Board.

Mayor Wilson reported the December meeting of Redwood Region Economic Development Commission (RREDC) was cancelled due to the holidays.

Councilmember Marks questioned an item on the check register paid to Cal-Trans for signals and lighting and asked for clarification since there are no signals in the City.

Finance Director Woodcox explained the expenditure is for street lights.

Councilmember Marks also announced that Jim Rich will be stepping down from the Chamber of Commerce Board of Directors and said he did a great job reviving the Chamber and suggested the City give recognition for his contribution to the community.

Dave Griffith once again presented a bag of cigarette butts; this time to Councilmember Marks.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:19 p.m. to the January 20, 2015 regular meeting.

\_\_\_\_\_  
Frank Wilson, Mayor

Attest:

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

---

*Rio Dell City Hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
riodellcity.com*



January 20, 2015

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Jim Stretch Recognition

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

Approve of the placement of a small concrete pedestal and plaque at the base of the Rio Dell planter box in recognition of former City Manager Jim Stretch.

**BACKGROUND AND DISCUSSION**

Last year the council expressed its desire to recognize former City Manager Jim Stretch for his service to the City of Rio Dell. Mr. Stretch served in the position of City Manager on three separate occasions, from November 2001 to April 2002, November 2009 to May 2010, and April 2012 to July 2014. When consulted on the project, Mr. Stretch indicated that a sign on or adjacent to the planter box located in front of City Hall would be appropriate. Mr. Stretch also indicated that he would prefer that nothing be done on his behalf.

Staff estimates the cost of the project at \$400.00 plus staff time. Attached is a proposed design for the plaque.



IN APPRECIATION TO  
JIM STRETCH  
CITY MANAGER

NOVEMBER 2001 – APRIL 2002

NOVEMBER 2009 – MAY 2010

APRIL 2012 – JULY 2014

MR. STRETCH SERVED AS INTERIM CITY MANAGER ON THREE DIFFERENT OCCASIONS. MR. STRETCH SUCCESSFULLY GUIDED THE CITY WITH DEDICATION, ACCOUNTABILITY, RESPONSIBILITY AND TRANSPARENCY. HE HAD A GENUINE CARE FOR THE COMMUNITY, ITS RESIDENTS AND HIS EMPLOYEES. THE CITY IS FOREVER GRATEFUL FOR HIS YEARS OF SERVICE TO THE COMMUNITY.

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



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
January 20, 2015**

**TO:** Mayor and Members of the City Council  
**FROM:** Karen Dunham, City Clerk  
**THROUGH:** Kyle Knopp, City Manager  
**DATE:** January 20, 2015  
**SUBJECT:** Alternative Procedures for the Selection of Mayor and Mayor Pro Tem

**RECOMMENDATION**

Receive and File the information and/or provide staff direction on how to proceed.

**BACKGROUND AND DISCUSSION**

At the December 16, 2014 Council meeting, Councilmember Marks asked that the procedures for selecting the Mayor and Mayor Pro Tem be revisited and that the matter be put on a subsequent agenda for further discussion. She indicated that the Council discussed the concept of establishing a policy for the rotation of Mayor at the August 16, 2011 meeting and the consensus of the Council at that time was to move in that direction with the term of Mayor to be changed from 2 years to 1 year.

At that same meeting, City Manager, Ron Henrickson presented the Council with a draft *Alternative Method for Appointing Vacant Council and Commission Positions* which basically eliminated voting by written ballot and simplified the method whereby the City Clerk would call for a motion and second for the appointment of Mayor and the motion would be voted on. The same process would be followed for Mayor Pro Tem. The majority of the Council felt the current method of voting was fair but the final consensus of the Council was that the proposed alternative method would be acceptable with the revision to allow for 3 tie votes before declaring a deadlock vote and also to change the term of Mayor and Mayor Pro Tem from 2 years to 1 year.

The revised policy was brought back to the Council at the September 6, 2011 meeting with amended language to say that after 3 tie votes, the item be continued to the next meeting in

which the City Council votes up to 2 more times before declaring a deadlock and re-opening the process. Although the Council concurred to change the terms of Mayor and Mayor Pro Tem from 2 years to 1 year it was determined by legal opinion of the City Attorney that the Mayor and Mayor Pro Tem be chosen by the Council following the declaration of the election results and installation of elected officials every 2 years pursuant to the California Government Code and California Elections Code. As such, Resolution No. 1127-2011 was adopted followed by the adoption of Resolution No. 1131-2011 on September 20, 2011 amending the 2011 City Council Protocols related to the selection of Mayor and Mayor Pro Tem to read as follows:

***Resolution No. 1127-2011 establishes the procedures for seating new members of the City Council. Section 36801 of the California Government Code also establishes the procedures for choosing the Mayor and Mayor Pro Tem. The Mayor and Mayor Pro Tem will be elected by a majority vote of the City Council. In years when members of the City Council are to be elected, the City Council shall consider the election of a Mayor and Mayor Pro Tem for two (2) year terms at the first regular or special meeting after certification of the general election results has been received.***

The issue was again revisited in early 2013 by City Manager Stretch at the Council's request. In his review of relevant statutes he reiterated that the appointment of Mayor and Mayor Pro Tem can only occur after a General Municipal Election which only occurs every 2 years on even numbered years. As such, there is no every year rotation option for the City. The City Clerk was asked to send inquiries out to other cities to see what other policies were used and if any had an automatic rotation of the positions. A survey was sent out to cities throughout the State but unfortunately, only a handful of responses were received. There are cities that do rotate annually, but those are Charter Cities rather than General Law Cities that are not bound to the statutes of the California Government Code.

Many cities have policies or practices very similar to Rio Dell's with the Mayor and Mayor Pro Tem elected by a majority vote of the City Council. Here are a couple of examples of policies in other cities where the rotation method is used:

***City of Hercules: It is the policy and practice of the City Council that each year the City Council shall select a Mayor and Vice Mayor. For every election cycle, the City Council Members receiving the highest and the second highest number of votes will be identified. These City Council Members shall be selected by the City Council to rotate into the position of Mayor during the third and fourth year of their terms respectively. The Council Member receiving the highest number of votes shall serve as Mayor during the third year of his/her term and the Council Member receiving the second highest number of votes shall serve in the fourth year of his/her term.***

The problem I see with this policy is that it doesn't clearly identify how the Vice Mayor is selected.

The City of Novato doesn't have a formal policy but do have a practice that is followed closely whereby the sitting Mayor Pro Tem ascends to Mayor and the top vote getter of the election is appointed as the new Mayor Pro Tem. The problem with this practice, is that during years when

there are 3 Councilmembers up for re-election, the third highest vote getter never gets into the rotation because the elections are every 2 years.

Also, some cities have a limit on the number of terms or consecutive terms a Councilmember can serve.

**Attachments:**

Resolution No. 1127-2011

Resolution No. 1131-2011

Calif. Gov't Code Section 36801

**RESOLUTION NO. 1127-2011**  
**A RESOLUTION OF THE CITY COUNCIL OF THE**  
**CITY OF RIO DELL PROVIDING A PROCEDURE FOR**  
**APPOINTMENTS BY THE CITY COUNCIL**  
**FOR VACANT POSITIONS ON THE CITY**  
**COUNCIL AND COMMISSIONS**

**WHEREAS**, the City Council is authorized under RDMC Section 2.55 to establish and by a majority vote appoint individuals to commissions, boards and committees; and

**WHEREAS**, City Council desires to use the same system to select the Mayor and Mayor Pro Tempore as is used to appoint individuals to commissions, boards and committees; and

**WHEREAS**, when vacancies occur on the City Council and Commissions, the City Council will vote to appoint replacements for the duration of the term (or for a full term when an election is planned and less candidates file than the number of seats that will become vacant); and

**WHEREAS**, the City Council desires that a set of procedures be in place to formally guide the voting process;

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

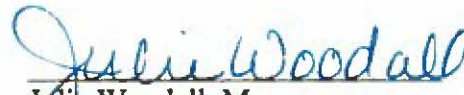
1. Upon notice of a vacancy, an application time period shall be designated whereby interested applicants may complete an application to fill the vacant seat.
2. Names of all qualified applicants shall be placed in nomination for the vacant Seat.
3. All Councilmembers shall be considered nominated for Mayor and Mayor Pro Tempore (with the exception of the newly appointed Mayor). Any Councilmember may decline nomination for Mayor or Mayor Pro-Tempore.
4. Applicants shall be given an opportunity to make a short presentation to the Council at a public meeting.
5. At a City Council meeting where the vacancy is agendized, each Councilmember will write the name of the applicant of their choice, and sign their ballot.
6. The ballots will be passed to the City Clerk to be counted and announced by Name and for whom they voted.
7. If an applicant receives 3 or more votes, that candidate is chosen for the vacancy. Otherwise, there will be a runoff ballot between the top 2 applicants. Applicants receiving 2 votes will be placed in the runoff, and a separate vote shall be held for those receiving 1 vote if only 1 applicant has 2 votes (i.e. 2,1,1,1).

7. In the case of ties, a revote will be held.
8. After 3 ties, the Council will declare that the item be continued and placed on the next regular agenda.
9. At the next regular or special council meeting where the continued item is agendized, the Council shall re-vote up to 2 more times in the same manner as described above. In the event there is still a tie vote, the Council will declare a deadlock and reopen the application process.

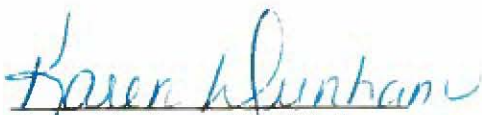
**BE IT FURTHER RESOLVED**, that the procedure for establishing a system for City Council appointments to commissions, boards and committees and procedures for the selection of Mayor and Mayor Pro Tempore as described in Resolution Nos. 416, 625, 700, and 822-1-2002 are hereby repealed and replaced with the procedure described above.

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 6<sup>th</sup> day of September, 2011 by the following vote:

AYES: Woodall, Leonard, Marks, Thompson, Wilson  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
Julie Woodall, Mayor

Attest:

  
Karen Dunham, City Clerk

**RESOLUTION NO. 1131-2011**  
**A RESOLUTION OF THE CITY COUNCIL OF THE**  
**CITY OF RIO DELL AMENDING SECTIONS 3.2 AND 10.2**  
**OF THE CITY COUNCIL PROTOCOLS 2011 FOR THE**  
**SELECTION OF MAYOR AND MAYOR PRO TEM AND**  
**APPOINTMENTS TO BOARDS/COMMITTEES/COMMISSIONS**

**WHEREAS**, the City Council of the City of Rio Dell has previously adopted procedures for establishing a system for City Council appointments to commissions, boards and committees and procedures for the selection of Mayor and Mayor Pro Tem; and

**WHEREAS**, the City Council reviewed such procedures and proposed certain revisions; and

**WHEREAS**, on September 6, 2011 the City Council adopted Resolution No. 1127-2011 providing for a procedure for appointments by the City Council for vacant positions on the City Council and commissions with the suggested revisions; and

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Rio Dell that Section 3.2 relating to the selection of Mayor and Mayor Pro Tern of the City Council Protocols 2011 is amended to read as follows:

Selection of Mayor and Mayor Pro Tern

Resolution No. 1127-2011 establishes the procedures for seating new members of the City Council. Section 36801 of the California Government Code also establishes the procedures for choosing the Mayor and Mayor Pro Tern. The Mayor and Mayor Pro Tern will be elected by a majority of the City Council. In years when members of the City Council are to be elected, the City Council shall consider the election of a Mayor and Mayor Pro Tern for two (2) year terms at the first regular or special meeting after certification of the general election results has been received.

**BE IT FURTHER RESOLVED** by the City Council of the City of Rio Dell that Section 10.2 relating to Councilmember Appointments to Boards/Committees/Commissions of the City Council Protocols 2011 are amended to read as follows:

Councilmember Appointments to Boards/Committees/Commissions

Resolution No. 1127-2011 establishes the procedures for appointments by the City Council for vacant positions on various commissions. RDMC Chapter 2.55 also provides direction concerning the City's boards, commissions and committees. The City Council shall establish and by a majority vote appoint individuals for the prescribed terms to serve on such commissions, committees boards, agencies and task forces as are required by law and by City operational need. The operational identities of such organizations are defined by law, ordinance or resolution. At the completion of an appointee's prescribed term of office on such an organization, any interested party may apply to the City

Clerk for Council consideration for appointment or reappointment to these support organizations which include, but are not limited to the Planning Commission, Parks and Recreation Commission, Traffic Committee and The Community Development Block Grant Advisory Committee (CDBG-AC).

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 20th day of September, 2011 by the following vote:

AYES: Woodall, Leonard, Marks, Wilson  
NOES: None  
ABSENT: Thompson  
ABSTAIN: None

*Will Woodall*  
Atty

Attest:

f Woodall, Mayor

*Karen Dunham*  
Karen Dunham, City Clerk



## California Government Code

### Section 36801

[36801](#)[36802](#)[36803](#)[36804](#)[36805](#)[36807](#)[36809](#)[36810](#)[36811](#)[36812](#)[36812.1](#)[36812.5](#)[36813](#)[36814](#)[36815](#)

The city council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Sections 10262 and 10263 of the Elections Code and, following the declaration of the election results and the installation of elected officials, choose one of its number as mayor, and one of its number as mayor pro tempore.

Cite as

**Bluebook**

CA+Govt+S+36801

Source: (last accessed September 5, 2011).

[Feedback](#) · [Press](#) · [Blog](#) · [About](#)

Copyright © 2013, WebLaws.org

675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
(707) 764-5480 (fax)  
E-mail: [cm@riodellcity.com](mailto:cm@riodellcity.com)



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
January 20, 2015**

TO: Mayor and Members of the City Council  
THROUGH: Kyle Knopp, City Manager  
FROM: Brooke Woodcox, Finance Director  
DATE: January 20, 2015  
SUBJECT: Resolution 1250-2015 Authorizing Council Members and City Staff to sign on behalf of the City on all U.S. Bank Accounts.

**RECOMMENDATION**

Rescind Resolution 1115-2011 and approve Resolution 1250-2015 Authorizing the update of Signature Cards on all U.S. Bank Accounts.

**BUDGETARY IMPACT**

None.

**BACKGROUND AND DISCUSSION**

The City of Rio Dell has established accounts with U.S. Bank to meet the City's banking needs for daily operations. Maintenance of the accounts is assigned to the finance department and include daily deposits, check processing and other authorized draws, monitoring and reconciliation. Each draw on the account requires the signature of two authorized signers designated by the City Council.

The City's current signature cards need to be updated to include Council Members and City Staff as there can be difficulties acquiring two signatures. If approved the updated list of signers will be:

Signers: CITY COUNCIL  
Frank Wilson, Mayor  
Gordon Johnson, Mayor Pro-tem  
Jack Thompson, City Council Member

Resolution No. 1250-2015  
Prepared by: Brooke Woodcox, Finance Director

Signers Cont.: CITY STAFF  
Kyle Knopp, City Manager  
Graham Hill, Chief of Police  
Karen Dunham, City Clerk

\*Authorized Representative: Brooke Woodcox, Finance Director

The City's Authorized Representative is allowed informational access to the account, and is authorized to make transfers between approved city accounts as listed:

US Bank  
General Checking Account #: xxxxxxxx5415  
Payroll Checking Account #: xxxxxxxx5571  
CDBG Account #: xxxxxxxx9758

**RESOLUTION NO. 1250-2015**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIO DELL AUTHORIZING  
THE UPDATE OF SIGNATURE CARDS  
ON ALL U.S. BANK ACCOUNTS**

**WHEREAS**, U.S. Bank was selected and designated as a depository of funds of this body to meet the City's daily operating needs and is maintained by and in the name of the City of Rio Dell, upon and subject to such terms and conditions as the officers hereinafter designate; and

**THEREFORE, BE IT RESOLVED**, that all checks, drafts and other instruments for the payment from said account or at said office be signed on behalf of this body by two authorized signers as Listed:

Frank Wilson, Mayor  
Gordon Johnson, Mayor Pro-tem  
Jack Thompson, City Councilmember  
Kyle Knopp, City Manager  
Graham Hill, Chief of Police  
Karen Dunham, City Clerk

**THEREFORE, BE IT FURTHER RESOLVED**, that the Finance Director is listed as a representative of the City with authorization to make deposit and withdrawal transfers between the following authorized accounts:

**US Bank**  
General Checking Account #: xxxxxxxx0525  
Payroll Checking Account #: xxxxxxxx5571  
CDBG Account #: xxxxxxxx9758

**THEREFORE, BE IT RESOLVED**, that the Clerk of this body be and hereby is authorized and directed to certify to said agency that these resolutions have been duly adopted and are in conformity with the by-laws of the body, and to further certify to said bank to names and specimen signatures of the present officers of the body authorized to sign as aforesaid, and, if and when any change be made in the personnel of said officers, the fact of such change and the name and specimen signature of each new officer; and

**NOW THEREFORE, BE IT RESOLVED**, that said agency be and hereby is requested and authorized to honor, receive, certify or pay any such instrument signed or endorsed in accordance with the foregoing resolutions and the certification then in effect as above provided for, including any such instrument drawn or endorsed to the personal order of, or presented for negotiation or encashment by, any officer signing or endorsing the same; and

**BE IT FURTHER RESOLVED**, that these resolutions and each such certification shall remain in full force and effect, and said agency is authorized and requested to rely and act thereon, until it shall receive at its office to which the certified copy of these resolutions is

delivered, either a certified copy of a further resolution of the Council amending or rescinding these resolutions or a further certification as above provided for, as the case may be.

**PASSED AND ADOPTED** by the City of Rio Dell on this 20th day of January 20, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Frank Wilson, Mayor

ATTEST:

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

**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
June 21, 2011**

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: June 16, 2011

SUBJECT: Authorizing two new Council Members to sign on behalf of the City on all U.S. Bank Accounts.

**RECOMMENDATION**

Approve Resolution 1115-2011 Authorizing the update of Signature Cards on all U.S. Bank Accounts.

**BUDGETARY IMPACT**

None.

**BACKGROUND AND DISCUSSION**

The City of Rio Dell has established accounts with U.S. Bank to meet the City's banking needs for daily operations. Maintenance of the accounts is assigned to the finance department and include daily deposits, check processing and other authorized draws, monitoring and reconciliation. Each draw on the account requires the signature of two authorized signers designated by the City Council.

The City's current signature cards need to be updated to include two additional signers as we have encountered difficulties acquiring two signatures particularly during the summer months when staff and council vacation. If approved the updated list of signers will be:

Signers:

- Julie Woodall, Mayor
- Melissa Marks, Mayor Pro-tem
- Jack Thompson, City Councilmember
- Bud Leonard, City Council Member
- Ron Henrickson, City Manager
- Graham Hill, Chief of Police
- Karen Dunham, City Clerk

\*Authorized Representative: Stephanie Beauchaine, Finance Director

Resolution No. 1115-2011  
Prepared by: Stephanie Beauchaine, Finance Director

The City's Authorized Representative is allowed informational access to the account, and is authorized to make transfers between approved city accounts as listed:

US Bank

General Checking Account #: xxxxxxxx5415

Payroll Checking Account #: xxxxxxxx5517

Customer Deposit Checking Account #: xxxxxxxx5852

Copy of Res. 1115-2011

**RESOLUTION NO. 1115-2011**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIO DELL AUTHORIZING  
THE UPDATE OF SIGNATURE CARDS  
ON ALL U.S. BANK ACCOUNTS**

**WHEREAS**, U.S. Bank was selected and designated as a depository of funds of this body to meet the City's daily operating needs and is maintained by and in the name of the City of Rio Dell, upon and subject to such terms and conditions as the officers hereinafter designate; and

**THEREFORE, BE IT RESOLVED**, that all checks, drafts and other instruments for the payment from said account or at said office be signed on behalf of this body by two authorized signers as Listed:

Julie Woodall, Mayor  
Melissa Marks, Mayor Pro-tem  
Jack Thompson, City Councilmember  
Bud Leonard, City Council Member  
Ron Henrickson, City Manager  
Graham Hill, Chief of Police  
Karen Dunham, City Clerk

**THEREFORE, BE IT FURTHER RESOLVED**, that the Finance Director is listed as a representative of the City with authorization to make deposit and withdrawal transfers between the following authorized accounts:

**US Bank**  
General Checking Account #: xxxxxxxx5415  
Payroll Checking Account #: xxxxxxxx5517  
Customer Deposit Checking Account #: xxxxxxxx5852

**THEREFORE, BE IT RESOLVED**, that the Clerk of this body be and hereby is authorized and directed to certify to said agency that these resolutions have been duly adopted and are in conformity with the by-laws of the body, and to further certify to said bank to names and specimen signatures of the present officers of the body authorized to sign as aforesaid, and, if and when any change be made in the personnel of said officers, the fact of such change and the name and specimen signature of each new officer; and

**NOW THEREFORE, BE IT RESOLVED**, that said agency be and hereby is requested and authorized to honor, receive, certify or pay any such instrument signed or endorsed in accordance with the foregoing resolutions and the certification then in effect as above provided for, including any such instrument drawn or endorsed to the personal order of, or presented for negotiation or encashment by, any officer signing or endorsing the same; and

**BE IT FURTHER RESOLVED**, that these resolutions and each such certification shall



remain in full force and effect, and said agency is authorized and requested to rely and act thereon, until it shall receive at its office to which the certified copy of these resolutions is delivered, either a certified copy of a further resolution of the Council amending or rescinding these resolutions or a further certification as above provided for, as the case may be.

**PASSED AND ADOPTED** by the City of Rio Dell on this 21th day of June 2011 by the following vote:

AYES:	Mayor Woodall, Councilmembers Leonard, Marks and Thompson
NOES:	None
ABSENT:	None
ABSTAIN:	None

\_\_\_\_\_  
Julie Woodall, Mayor

ATTEST:



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

---

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



For Meeting of: January 20, 2015

To: City Council  
From: Kevin Caldwell, Community Development Director   
Through: Kyle Knopp, City Manager   
Date: January 8, 2015  
Subject: Chapter 8.15 Rio Dell Municipal Code (RDMC), Abandoned Vehicles Text Amendment of the definition of "Inoperative Vehicles".

---

**Recommendation:**

That the City Council:

1. Receive staff's report regarding the proposed text amendment; and
2. Open the public hearing, receive public input, and deliberate; and
3. Introduce (first reading) Ordinance No. 331-2015 amending Chapter 8.15, Abandoned Vehicles, Section 8.15.020 Definitions of the Rio Dell Municipal Code (RDMC) and continue consideration, approval and adoption of the proposed Ordinance to your meeting of February 3, 2015 for the second reading and adoption.

**Background and Discussion**

In preparing a Nuisance letter, staff recently discovered an inconsistency in Chapter 8.10 Nuisances and Chapter 8.15 Abandoned Vehicles of the Rio Dell Municipal Code (RDMC) regarding the definition of "Inoperative Vehicle". Below are copies of the two different definitions:

Chapter 8.10, Nuisances, Section 8.10.020(12) Definitions

"Inoperative Vehicle" means and vehicle which cannot be legally operated on the on the street because of lack of current registration or lack of an engine, transmission, wheels, tires,

Chapter 8.15, Abandoned Vehicles, Section 8.15.020 Definitions

“Inoperative Vehicle” means any motor vehicle that cannot be moved under its own power.

Staff believes that the definitions should be consistent with one another. Therefore, staff is recommending that definition in Chapter 8.15, Abandoned Vehicles, be revised to be consistent with the definition in Chapter 8.10, Nuisances. Included as Attachment 1 is Ordinance No. 331 – 2015 amending Section 8.15.020 to be consistent with Section 8.10.020 of the RDMC.

As the Council is likely aware, pursuant to Section 8.15.010 of the RDMC, *Inoperative Vehicles* may not be stored on public streets and may only be stored on private property if the vehicle is completely within an enclosed building.

**Attachments**

Attachment 1: Ordinance No. 329-2014.

**ORDINANCE NO. 331 – 2015**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
AMENDING THE DEFINITION OF INOPERATIVE VEHICLE, SECTION 8.15.020 OF THE  
RIO DELL MUNICIPAL CODE:**

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

**WHEREAS** staff recently discovered an inconsistency in Chapter 8.10 Nuisances and Chapter 8.15 Abandoned Vehicles of the Rio Dell Municipal Code (RDMC) regarding the definition of "Inoperative Vehicle"; and

**WHEREAS** the definition in Chapter 8.10 is more comprehensive and reflects the desire of the Council; and

**WHEREAS** staff believes the definitions should be consistent with one another; and

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

**Section 1.** The Nuisance Regulations, Chapter 8.15, Abandoned Vehicles, Section 8.15.020, *Definitions*, of the Rio Dell Municipal Code is hereby amended as follows:

Section 8.15.020

"Inoperative Vehicle" means any ~~motor vehicle that cannot be moved under its own power~~ vehicle which cannot be legally operated on the on the street because of lack of current registration or lack of an engine, transmission, wheels, tires, windshield or any other part or equipment necessary to operate on public streets and/or highways.

**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 the date of its approval and adoption.

**I HEREBY CERTIFY** that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 20, 2015 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 3, 2015 by the following vote:

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

---

Frank Wilson, 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. 331-2015 passed, approved and adopted by the City Council of the City of Rio Dell on February 3, 2015.

---


Karen Dunham, City Clerk, City of Rio Dell


675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
(707) 764-5480 (fax)  
E-mail: [cm@riodellcity.com](mailto:cm@riodellcity.com)



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
January 20, 2015**

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager 

FROM: Brooke Woodcox, Finance Director 

DATE: January 20, 2015

SUBJECT: **Ordinance No. 332-2015 Amending Section 13.10.240 and Adding Section 13.10.241 to the Rio Dell Municipal Code Related to Delinquent Sewer Accounts**

**RECOMMENDATIONS**

Introduce (first reading) of Ordinance No. 332-2015 amending Section 13.10.240 and adding Section 13.10.241 of the Rio Dell Municipal Code to allow past due sewer accounts and prospective amounts to be turned over to the County Assessor who shall enter a lien on the assessment rolls as a special assessment.

**BACKGROUND AND DISCUSSION**

A wastewater rate study was conducted in order to establish wastewater charges that meet costs for the City's sewer system. These new wastewater rates were adopted by Resolution 1222-2014 effective August 1, 2014. A base rate is now charged to every residence and commercial account regardless of use. Many wastewater accounts that don't receive water services have become delinquent due to the fact that there is no incentive for customers to pay for wastewater services in the cases where City water services aren't subscribed to, as well. The City lacks any leverage to collect on these accounts as they become due.

Currently, Section 13.10.231 of the City's municipal code allows for lien placement for past due charges. With the proposed addition of Section 13.10.241 the City will also be able to collect sewer charges twelve months in advance in addition to past due charges.

The proposed ordinance will assist City staff in managing collection on customer's accounts that have the potential to become past due on a regular basis. Moreover, the ordinance will make it possible to collect on accounts when there is a change in ownership as the lien amounts will be prorated to the responsible party prior to sale.

## **FISCAL IMPACT**

Customer wastewater accounts that were included in the total collection amount of the wastewater study are now becoming delinquent. Collection on all wastewater accounts is necessary in meeting costs to effectively maintain and operate the City's wastewater facilities.

## **ATTACHMENTS:**

- (1) Amendments 13.10.240 and 13.10.241
- (2) Resolution 1222-2014 Wastewater Fees
- (3) Ordinance No. 320-2014 Wastewater
- (4) Current Municipal Code 13.10.231 and 13.10.240

**Amendment to City of Rio Dell Municipal Code  
Concerning Delinquent Sewer Accounts**

1. Change title of section 13.10.240 only as follows:

13.10.240 DISCONTINUANCE OF SERVICE FOR NONPAYMENT **FOR WATER CUSTOMERS**

2. Add section 13.10.241 as follows:

**13.10.241 DISCONTINUANCE OF SERVICE FOR NONPAYMENT FOR CUSTOMERS WITHOUT WATER SERVICE**

In the event that any non-water account customer shall be delinquent in the payment of his or her sewer bill twice in succession or three times in a 12 month period, the City may initiate proceedings to have such delinquent charges, roll change costs, and the next 12 months of sewer service (figured on a flat rate based on the average residential usage in the City) lump sum assessed against the real property or premises where the service is provided to become a lien against the property.

The lien shall be turned over to the County Assessor who shall enter the lien on the assessment rolls as a special assessment, thereafter to be collected at the same time and in the same manner as ordinary municipal taxes, to be subject to the same penalties and procedures under foreclosure and sale as provided by the Government Code and as provided for ordinary municipal taxes.

I HEREBY CERTIFY that the foregoing Amendment was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 20, 2015, and furthermore was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell on the twentieth day of January 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify that the above and foregoing to be a full, true and correct copy of the Amendments to Municipal Codes 13.10.240 and 13.10.241 adopted by the City of Rio Dell on January 20, 2015.

\_\_\_\_\_  
Karen Dunham, City Clerk, City of Rio Dell



## RESOLUTION NO. 1222-2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL ESTABLISHING  
WASTEWATER FEES AND CHARGES FOR WASTEWATER CUSTOMERS PURSUANT TO  
ORDINANCE NO. 207**

**WHEREAS**, the City of Rio Dell is authorized by the California Constitution and the California Code to charge fees to cover expenses for the services it provides; and

**WHEREAS**, the City Council of the City of Rio Dell did adopt Ordinance No. 207 that allows for sewer rates and charges to be modified by resolution of the City Council to provide for future changes; and

**WHEREAS**, Ordinance No. 207 deemed reasonable and authorizes the Council for the City of Rio Dell to fix charges to pay for expenses to be incurred by the wastewater department. The expenses to be paid include: (a) salaries, office expenses and other necessary disbursements; (b) the operation expenses of the utility; (c) provisions for the appropriate funds for repairs, replacements or betterments "; and

**WHEREAS**, all wastewater system connections, once purchased, place a demand on the capacity of the treatment and collection system for processing and treat possible effluent whether in service or not; and

**WHEREAS**, the City Council of the City of Rio Dell has held public meetings pursuant to Proposition 218 to discuss the need for an increase in wastewater rates and charges; and

**WHEREAS**, the City has entered into a funding agreement for construction of a \$12.6 million Sewer Plant and Effluent Disposal Project with the State Water Resources Control Board; and the City must earmark funds for the repayment of the loan

**NOW, THEREFORE BE IT RESOLVED** that this Resolution establishes and fixes wastewater service rates and charges for residential, commercial and institutional customers and replaces the wastewater rates and previously set by Ordinance or Resolution. Wastewater rates shall include a fixed minimum charge in addition to volume rates based on winter water consumption. Wastewater rates shall meet the following conditions:

- 1) Sewer Bills. Sewer bills are based on consumption but in no case are sewer bills less than the fixed minimum service charge that is applied to the sewer bill for an equivalent dwelling unit (EDU).
- 2) Definition of Consumption. "Consumption" shall mean a three month average of winter water use as measured and recorded at the water meter serving the same parcel or premise receiving sewer service for the months of December, January, and February. The City Manager or his designee is authorized to make adjustments to customer winter water consumption due to any of the following conditions:

Vacancy: If the water consumption readings for the three winter months indicate that the premise being served sewer service was vacant during a portion of the three winter months, the City is authorized to average the water consumption for the period the premise appeared to be occupied.

Irregularity: The City is authorized to eliminate from the calculation water readings which are clearly not representative of average monthly water use when compared to water readings for two of the three months.

New Residential Account: New residential accounts will be billed based on the city-wide residential average of 5ccf until a usage history is established.

New Commercial Account: New commercial accounts at existing locations will be billed based on prior occupant's water consumption unless the new commercial operation is significantly different from the previous commercial operation.

- 3) **Water Consumption Measurements.** Water consumption is measured in units of one hundred cubic feet (ccf). One ccf equals 748 gallons.
- 4) **Winter Water Consumption Rate.** Each unit of winter water consumption is billed at the volume rate for the customer category group. Sewer fixed minimum charges and volume rates are presented in the table below:

**Sewer Fees and charges per Equivalent Dwelling Unit:**

Customer class	Customer Class Description	Minimum Monthly (Fixed) Sewer Service Charge	Volume Rate (per ccf of winter water use)
Low Strength	See Exhibit A	\$47.01 per EDU	\$3.29 per ccf
Domestic Strength	See Exhibit A	\$47.01 per EDU	\$4.11 per ccf
Medium Strength	See Exhibit A	\$47.01 per EDU	\$6.17 per ccf
High Strength	See Exhibit A	\$47.01 per EDU	\$7.19 per ccf

EDU – equivalent dwelling unit

Ccf – hundred cubic feet

- 5) **Residential Water Consumption Maximum.** Single family residential and multifamily residential customers shall not be billed for monthly winter water consumption in excess of 15 units.
- 6) **Customer Categories Groups.** Sewer customers are classified as low strength, domestic strength, medium strength, and high strength based on the content and strength of the discharge as established by industrial standards and California State Water Resources Control Board guidelines and as determined by the City Engineer.

**BE IT RESOLVED** that the rates stated in this Resolution will be effective August 1, 2014; and

**BE IT RESOLVED** that rates will be adjusted for inflation each year, based on the Bureau of Labor Statistics, Consumer Price Index for all Urban Consumers, and effective July 1 of each fiscal year. The month of comparison from the index shall be the preceding January; and

**BE IT FURTHER RESOLVED** that these fees and charges apply to all connections to the City of Rio Dell's wastewater collection and treatment system, once they are purchased from the City, without regard to the actual status of the connection or if the premises are occupied or unoccupied; and

**PASSED AND ADOPTED** at a regular council meeting of the City of Rio Dell held on June 17, 2014

## Exhibit A

### Strength Classifications into Low, Domestic, Medium, and High Strength Dischargers

Low Strength	<ul style="list-style-type: none"> <li>Banks &amp; Financial Institutions</li> <li>Barber Shops</li> <li>Hair Salon (hair cutting only)</li> <li>Dry Cleaners</li> <li>Laundromats</li> <li>Offices - Business and Professions</li> <li>Offices - Medical, Dental (without surgery)</li> <li>Post Offices</li> <li>Retail Stores</li> <li>Schools without cafeteria</li> <li>Car Wash</li> </ul>
Domestic Strength	<ul style="list-style-type: none"> <li>Residential - A</li> <li>Appliance Repair</li> <li>Auto Dealers - without Service Facilities</li> <li>Nail Salons</li> <li>Pet Groomers</li> <li>Bars &amp; Taverns - without dining</li> <li>Camp Ground or RV Park</li> <li>Churches, Halls &amp; Lodges</li> <li>Fire Stations</li> <li>Hotels, Motels, B&amp;Bs and vacation Rentals (w/o restaurant)</li> <li>Libraries</li> <li>Rest Homes</li> <li>Shoe Repair Shops</li> <li>Theaters</li> <li>Warehouses</li> <li>Car Washes - Self Service</li> <li>High Tech Medical Manufacturing</li> <li>Light Manufacturing/Industrial</li> <li>Mobile Home Park</li> <li>Gas Station</li> <li>Gym or Health Club</li> <li>Schools with cafeteria</li> <li>Auto Dealers - with Service Facilities</li> <li>Machine Shops</li> <li>Service Stations, Garages, Auto Repair Shops</li> </ul>
Medium Strength	<ul style="list-style-type: none"> <li>Restaurants - w/o Dish Washer &amp; Garbage Disposal</li> <li>Coffee Shops - w/o Dish Washer &amp; Garbage Disposal</li> <li>Mini Mart - w/o Dish Washer &amp; Garbage Disposal</li> <li>Mini Mart with Gas Pump - w/o Dish Washer &amp; Garbage Disposal</li> <li>Catering - w/o Dish Washer &amp; Garbage Disposal</li> <li>Hotel/Motel with Restaurant</li> <li>Beauty Shops (hair cutting w/ additional treatments)</li> <li>Hospitals - General, Convalescent &amp; Veterinarian</li> <li>Medical Offices - with Surgery</li> <li>Dental Offices</li> </ul>
High Strength	<ul style="list-style-type: none"> <li>Restaurants - with Dish Washer or Garbage Disposal</li> <li>Coffee Shops - with Dish Washer or Garbage Disposal</li> <li>Catering - with Dish Washer or Garbage Disposal</li> <li>Bakeries</li> <li>Butcher Shops</li> <li>Fish Market Shop</li> <li>Markets - with Dish Washer or Garbage Disposal</li> <li>Markets - with Bakeries or Butcher Shops</li> <li>Mini Mart - with Dish Washer or Garbage Disposal</li> <li>Wineries</li> <li>Cheese Makers</li> <li>Dairy Products (milk producers, yogurt, ice cream maker)</li> <li>Specialty Foods Manufacturing (e.g. olive oil maker)</li> <li>Ice Cream Shop</li> <li>Tasting Rooms</li> <li>Spa with Various Beauty Treatments</li> <li>Funeral Homes, Mortuary</li> </ul>

by the following vote:

AYES: Johnson, Marks, and Wilson  
NOES: Thompson and Woodall  
ABSENT: None  
ABSTAIN: None

  
Jack Thompson, 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 Resolution No. 1232-2014 adopted by the City Council of the City of Rio Dell on July 1, 2014.

  
Karen Dunham, CMC  
City Clerk, City of Rio Dell

**ORDINANCE NO. 320-2014**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO  
DELL REGARDING THE ADDITION OF SECTION 13.10.231  
CONCERNING THE ESTABLISHMENT OF A PENALTY FOR  
NONPAYMENT OF DELINQUENT SEWER BILLS FOR CUSTOMERS  
THAT DO NOT SUBSCRIBE TO WATER SERVICE, AND A MEANS OF  
COLLECTING THE DELINQUENCY ON THE PROPERTY TAX BILL

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

**WHEREAS:** City of Rio Dell Municipal Code Section 13.10.240 provides that any the Department of Public Works has the right to discontinue water service to any customer that is delinquent in the payment of his sewer bill, and

**WHEREAS:** There is no provision in the City of Rio Dell Municipal Code to discontinue sewer service to a customer that is delinquent in the payment of his bill, but does not subscribe to City water service, and

**WHEREAS:** The City of Rio Dell is in need of an incentive and procedure to effect the collection of delinquent sewer bills from customers that use sewer services, but are habitually delinquent in paying for the service and suffer no consequence, and

**WHEREAS:** Government Code Section 54348 provides for the maximum penalty for delinquent utility services, and

**WHEREAS:** Government Code Sections 54354-54357 gives local agencies the authority to place a lien on property for delinquent utility charges and penalties.

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

**SECTION 1.** Add Section 13.10.231 to the City of Rio Dell Municipal Code as follows:

**13.10.231      Penalty**

Rates and charges which are not paid on or before the date of delinquency shall be subject to a basic penalty of ten percent, and thereafter an additional ten percent of each months charge for each month of delinquency , provided that if Government Code Section 54348 is amend to allow for a greater penalty, the City Council may establish a penalty in the amount allowed by Section 54348. In addition to the basic penalty, there shall be a penalty of one-half of one percent per month for nonpayment of the charges and basic penalty.

The city may initiate proceedings in accordance with Government Code Sections 54354-54357 to have such delinquent costs and penalties assessed against the real property or

premises where the service is provided to become a lien against the property. The lien shall be turned over to the County Assessor who shall enter the lien on the assessment rolls as a special assessment, thereafter to be collected at the same time and in the same manner as ordinary municipal taxes, to be subject to the same penalties and procedure under foreclosure and sale as provided by the Government Code and as provided for ordinary municipal taxes.

**SECTION 3. Severability**

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

**SECTION 4. Effective Date**

This Ordinance shall be effective thirty (30) days after the date of its approval and adoption by the Rio dell City Council.

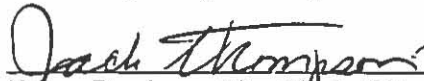
**I HEREBY CERTIFY** that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio dell on April 1, 2014 and furthermore was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell on the fifteenth (15th) day of April 2014 by the following vote:

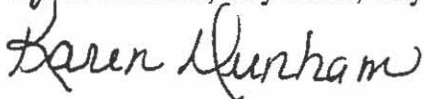
AYES: Thompson, Johnson, Marks, Wilson and Woodall  
NOES: None  
ABSENT: None  
ABSTAIN: None

\_\_\_\_\_  
Jack Thompson, Mayor

ATTEST:

I Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify that the above and foregoing to be a full, true and correct copy of the Ordinance of 320-2014 adopted by the City of Rio Dell on April 1, 2014.

  
\_\_\_\_\_  
Karen Dunham, City Clerk, City of Rio Dell



**13.10.231 Penalty**  **SHARE**

Rates and charges which are not paid on or before the date of delinquency shall be subject to a basic penalty of 10 percent, and thereafter an additional 10 percent of each month's charge for each month of delinquency; provided, that if Government Code Section [54348](#) is amended to allow for a greater penalty, the City Council may establish a penalty in the amount allowed by Section 54348. In addition to the basic penalty, there shall be a penalty of one-half of one percent per month for nonpayment of the charges and basic penalty.

The City may initiate proceedings in accordance with Government Code Sections [54354](#) through [54357](#) to have such delinquent costs and penalties assessed against the real property or premises where the service is provided to become a lien against the property. The lien shall be turned over to the County Assessor who shall enter the lien on the assessment rolls as a special assessment, thereafter to be collected at the same time and in the same manner as ordinary municipal taxes, to be subject to the same penalties and procedure under foreclosure and sale as provided by the Government Code and as provided for ordinary municipal taxes. [Ord. 320 § 1, 2014.]

**13.10.240 Discontinuance of service for nonpayment.**  **SHARE**

In the event that any customer shall be delinquent in the payment of his sewer bill, the Department shall have the right forthwith and without further notice to discontinue water service to the premises of such delinquent customer and water shall not again be supplied to him or to the premises until all delinquent City utility bills and charges for reconnection have been paid. [Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 24, 1987.]