

**A G E N D A**  
**RIO DELL CITY COUNCIL**  
**REGULAR MEETING- 6:30 P.M.**  
**TUESDAY, OCTOBER 4, 2011**  
**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. PLEDGE OF ALLEGIANCE
- D. STUDY SESSIONS
- E. CEREMONIAL
- 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 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) 2011/1004.01 - Approve Minutes of the September 20, 2011 Regular Meeting (**ACTION**) **1**
- 2) 2011/1004.02 - Approve purchase of 1995 Ford F-350 Utility Truck for the Public Works Department for an amount not to exceed \$4,000 (**ACTION**) **8**

- G. SPECIAL PRESENTATIONS
- H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2011/1004.02 - Responses to City Attorney Request for Proposals (**RECEIVE & FILE**)

I. ORDINANCES/SPECIAL RESOLUTIONS

- 1) 2011/1004.04 - Approve Resolution No. 1133-2011 Amending the Fiscal Year 2011-2012 Capital Budget Amendment 3 - Removal of a Portion of First Avenue  
(**ACTION**)

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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. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds 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 5 minutes.*

K. REPORTS/STAFF COMMUNICATIONS

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

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next Regular meeting will be on October 18, 2011  
at 6:30 PM in the City Council Chambers*

**RIO DELL CITY COUNCIL  
STUDY SESSION  
REGULAR MEETING  
SEPTEMBER 20, 2011  
MINUTES**

The Study Session/Regular Meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Woodall.

**ROLL CALL:** Present: Mayor Woodall, Councilmembers Leonard, Marks and Wilson

Absent: Councilmember Thompson (excused)

Others Present: Study Session: City Manager Henrickson, Wastewater Superintendent Jensen and City Clerk Dunham. Regular Meeting: City Manager Henrickson, Chief of Police Hill, Finance Director Beauchaine, and City Clerk Dunham

**STUDY SESSION – 5:30 p.m.**

Sewer Ordinance Update

Wastewater Superintendent Chicora stated that Orrin Plocher, Consultant from Freshwater Environmental Services was present, and together they hoped to gather additional questions or concerns from Council members since the last discussion on September 6<sup>th</sup> in regard to the Draft FOG Control Policy; Draft Sewer Ordinance; and Draft Enforcement Plan.

Councilmember Marks asked if the sewer rates and charges were removed from the draft ordinance as discussed at the last meeting; Mr. Plocher stated that the rates would be removed from the final draft.

Councilmembers expressed concern about fines and whether it was a good idea to have exact amounts established in the ordinance; also if the City can charge above actual cost; Mr. Plocher pointed out that the fine amounts are “not to exceed” which allows for flexibility. He stated the Federal EPA has pre-approved language establishing recommended fines which is used as a guide.

Councilmember Marks asked if staff feels the ordinance covers everything that is needed; Wastewater Superintendent Chicora said the most important changes are the sewer lateral inspections, and the FOG Control Policy.

Discussion continued regarding enforcement. Councilmember Wilson suggested the new regulations be sent to the title companies to make them aware that when a house changes ownership, a sewer lateral inspection is required.

**SEPTEMBER 20, 2011 MINUTES**  
**Page 2**

Mr. Plocher stated the City of Ferndale filed their ordinance with the title company however, the title company said unless the restrictions are filed with each individual parcel, it will not come up during a title search. He stressed the importance of public education and said one idea might be to notify all of the local realtors of the regulations.

Wastewater Superintendent Chicora suggested more clarity be provided in the language regarding enforcement provisions in regard to whether it is the seller or buyer's responsibility to have the lateral inspection done and the timeframe associated with the inspection.

City Manager Henrickson asked if the City has the ability to withhold water service if the inspection is not done, and if so suggested appropriate language be included in the water ordinance.

City Clerk Dunham asked how the sewer later inspections are done; Wastewater Superintendent Chicora explained the inspections are done with the use of video equipment or during dry weather months, through smoke testing. Normally you begin at the sewer cleanout and video the lateral to the house. He said essentially every home is required to have a clean-out although a lot of homes don't. He said it would be ideal to have that requirement included in the ordinance. He also noted that the City has access to the City of Fortuna's smoke testing equipment if needed.

Wastewater Superintendent Chicora explained that by law, storm water cannot enter the sewer system which gives the City the authority to require that the property owner fix any leaks.

City Manager Henrickson said one way to address future growth in a community is to reduce I & I (Inflow and Infiltration) however, the City does not have a Storm Water Utility to collect revenue for that purpose which is a problem and the reason it hasn't been previously addressed. He estimated it would cost \$150,000 to develop a baseline to address I & I citywide.

Mr. Plocher said this ordinance gives the City the authority to control I & I on private property which is the first step in addressing the overall problem.

Councilmember Wilson asked if it would be feasible to do a scaled down version of the \$150,000 estimated I & I project.

City Manager Henrickson commented that another problem is that the city looked at having a company come in and basically hammer all the lines within the Ogle and Belleview area and found it to be very costly and cheaper to actually put in a new system. He said there are CDBG funds available and if approved we can essentially design a new storm water system in that area.

Councilmember Wilson referred to the Shell Wind Power Project and asked if the City was asking for infrastructure repairs other than to the road on Belleview/Blue Slide; City Manager Henrickson said the letter sent to John Miller at the County asked for street improvements and

replacement of the water line. Councilmember Wilson stated we may want to consider asking for storm water improvements as well.

Councilmember Leonard questioned the procedures for notifying property owners of scheduled inspections; Mr. Plocher referred to page 12 of the document where it states that the City shall have "reasonable" access to any premises with sewer service for the purpose of making inspections.

Wastewater Superintendent Chicora said he would incorporate the changes and bring the draft documents back for one additional study session before introducing the ordinance for Council's consideration.

Discussion of Gambling Provisions under RDMC Chapter 5.25

City Manager Henrickson stated the existing gambling regulations limit the type of card games to draw poker (high or low) and limits bets or wagers to \$8.00 and the ante at \$1.00 per player. He said that these restrictions make it highly unlikely that anyone would establish a card room in the City.

He stated the options to consider are to: 1) take no action; 2) repeal the existing regulations as they pertain to card rooms and simply make the activity illegal in the City; or 3) adopt a new ordinance that would remove dollar limits and restrictions on the type of card games. This would enhance the possibility of the establishment of card rooms in the City.

City Manager Henrickson said that he and the Chief of Police agree that the City does not have adequate public safety staff to properly monitor the activities of one or more card rooms and it is likely the City would incur additional costs for overtime of personnel. In their opinion, the costs would outweigh any benefit or potential revenue the City might receive. He said with one officer on duty most of the time, he felt there could be times when the officer's safety may be at risk.

Mayor Woodall, and Councilmembers Marks and Wilson concurred to repeal the existing regulations. Councilmember Leonard provided some background stating that he was approached by the local barber who was pursuing the possibility of putting in a card table at his current business location for the purpose of offering "Texas Holdem" card games. Since the City's ordinance does not have provisions that allows for Texas Holdem, he obtained a copy of the City of Eureka's ordinance for staff's review. He said he was simply responding to a citizen's request and would be in favor of what is best for the City.

City Clerk Dunham suggested for simplicity purposes that the language be repealed or amended with adoption of the new Business License Ordinance.

There being no further discussion, the Mayor adjourned the study session at 6:20 p.m.

The meeting reconvened at 6:30 p.m.

### **CEREMONIAL**

#### Proclamation Declaring September 17-23, 2011 as Constitution Week

Mayor Woodall read the proclamation in recognition of Constitution Week and presented it to Flo Lane who accepted it on behalf of the Eel River Valley Chapter of the Daughters of the American Revolution (DAR).

### **CONSENT CALENDAR**

Mayor Woodall announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion.

Motion was made by Leonard/Marks to approve the consent calendar including approval of minutes of the August 31, 2011 special meeting; approval of minutes of the September 6, 2011 regular meeting; and authorizing the city manager to contract with Downey Brand, Attorneys to serve as legal counsel regarding the Wastewater Improvement Project in an amount not to exceed \$25,000. Motion carried 4-0.

### **SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

#### Approve Purchase of (3) Crimestar Laptop Licenses for Police Department

Chief of Police Hill explained in 2005 the Police Department purchased laptop computers and implemented the Crimestar Records Management System which gave the officers the capability of accessing the system from their vehicles which streamlined documentation and allowed officers to spend more time in the field. When the Crimestar licensing changed the system was evaluated and he concluded that because we had adequate staffing at that time it would be more cost effective to eliminate the use of the laptops in the vehicles.

With the recent reduction in staffing levels, he feels it is more important than ever to have our officers in the field. The implementation of laptops in vehicles once again will reduce the amount of time officers spend in the office on computers by approximately 20 hours per week resulting in improved response time, improved level of service and making officers more visible to the public. He said this change will require three additional laptop licenses so there will be a license for each unit. The cost for (3) licenses; annual support fees; and software installation and set-up was estimated at \$4,900.

Councilmembers had questions regarding the transferring of data between jurisdictions. Chief Hill explained that Ferndale also uses Crimestar although the Cities of Fortuna, Eureka and

Arcata use the AS400 System. He explained we have the capability of plugging in our data to Ferndale's system and transferring information live and in the future could do the same with the other jurisdictions if they switch to Crimestar. If the officer feels it is necessary he can ask for a "check for contacts" through the AS400 system.

Chief Hill also noted that if it is information that goes through the County, State or Federal data base such as warrants, probation, parole or registered sex offenders, they have access to that information.

Motion was made by Leonard/Wilson to approve the purchase of three (3) Crimestar laptop licenses and increased Crimestar support for the Police Department. Motion carried 4-0.

#### **ORDINANCES/SPECIAL RESOLUTIONS**

##### Approve Resolution No. 1120-2011 Providing for Continued Participation in the Humboldt County Abandoned Vehicle Abatement Program

Chief of Police Hill reported he had received a letter from the Sheriff's department requesting an updated resolution from the City regarding continued participation and support of the Abandoned Vehicle Abatement (AVA) Program. He said the City has participated in the program since the 1990's and approval by the City Council in the form of a resolution is required every ten (10) years in accordance with the provisions of the program.

Motion was made by Marks/Leonard to approve Resolution No. 1130-2011 *Providing for the Continued Participation in the Humboldt County Abandoned Vehicle Abatement Program*. Motion carried 4-0.

##### Approve Resolution No. 1131-2011 Amending City Council Protocols for the Selection of Mayor and Mayor Pro Tem and Appointments by the City Council to Boards/Committees /Commissions

City Clerk Dunham stated this resolution simply amends the City Council Protocols Sections 3.2 and 10.2 to reflect the revisions made to the appointment process with adoption of Resolution No. 1127-2011 at the September 6, 2011 regular meeting, and identifies the correct resolution number that establishes the procedures.

Motion was made by Wilson/Leonard to approve Resolution No. 1131-2011 *Amending Sections 3.2 and 10.2 of the City Council Protocols 2011 for the Selection of Mayor and Mayor Pro Tem and Appointments by the City Council to Boards/Committees/Commissions*. Motion carried 4-0.

##### Approve Resolution No. 1132-2011 Approving Citywide Street Improvement Project Capital Budget Amendment 2

City Manager Henrickson reported the City is currently evaluating the development of a Citywide Street Improvement Project which is incurring some degree of cost. This resolution

simply establishes a capital project budget for the preliminary development of the project and allows the City to proceed with analysis, engineering, financial and legal consultation to determine if we want to move forward with the project.

Motion was made by Marks/Leonard to approve Resolution No. 1132-2011 *Amending the Fiscal-Year 2011-2012 Capital Budget Citywide Street Improvement Project Development Amendment 2*. Motion carried 4-0.

### **PUBLIC PRESENTATIONS**

None

### **REPORTS/STAFF COMMUNICATIONS**

Chief of Police Hill stated for clarification that the RDPD also uses the CLETS System which transmits information throughout the State for such things as to be on the look-out for a particular individual.

Mayor Woodall asked about the status of the Animal Control Ordinance update; Chief Hill said he will be bringing the matter before the Planning Commission in October.

### **COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Wilson reported the County Re-districting Plan was approved leaving Rio Dell in District 2 with Fortuna and stated it was good that the City sent a letter to the Board of Supervisors requesting that Rio Dell remain in District 2 because there was one supervisor who thought it was a good idea to move Rio Dell to District 1.

Councilmember Marks reported on her attendance at the Humboldt Waste Management Authority (HWMA) and said there are a lot of things going on relating to the element of recycling now that recycling goes to Solid Waste in Willits. She said the Board feels they need to look at a Strategy Plan as to whether to get into food waste or not. It was requested that Rio Dell change its JPA to commit our food waste and recycling that comes from restaurants. She said she feels we should wait until 2014 when our contract expires unless the Council disagrees. Councilmember Leonard said he agreed. Councilmember Marks said another theory talked about is the possible purchase of Arcata Recycling Center which originally was to take 2-3 years yet when she was gone, it was reported out of closed session that Real Property Negotiations were discussed in closed session. She also said that Jim Test is leaving as Executive Director and they need to look at who his replacement may be before making any decisions to change the contract.



Councilmember Marks said she would probably vote to proceed with a Strategy Plan; vote against amending the JPA until the expiration of the contract in 2014; and to voice her opinion regarding not moving forward too fast on the possible purchase of Arcata Recycling Center.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:00 p.m. to the September 28, 2011 Joint Meeting with the Planning Commission.

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Julie Woodall, Mayor

Attest:

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Karen Dunham, City Clerk



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

To: Honorable Rio Dell City Council  
Through: Ron Henrickson, City Manager  
From: Randy Jensen, Water, and Roadways Sup. and Carla Ralston, Public Works Admin.  
Date: October 4, 2011  
Subject: Purchase of Used Utility Truck

**Recommendation**

Approve purchase of Utility Truck for \$3,500.0 and additional taxes and DMV fees, for an amount not to exceed \$4000.00.

**Budgetary Impact**

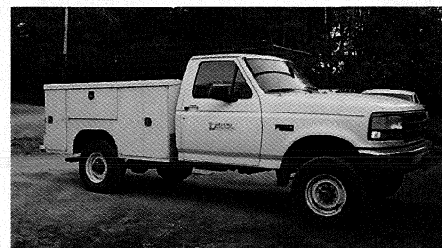
\$ 4000.00 to be split evenly from Wastewater and Water Department budget.

**Discussion:**

Currently the public works department has a 1995 Chevy 4x4 that requires continuous maintenance to keep it in operation, and based on the vehicles maintenance records; we believe that it would be more cost effective to replace it.

The Del Oro Water Company (Ferndale Branch) is in the process of updating its vehicle fleet, and they have a 1995 Ford F350 4x4 that would be an ideal replacement for the 1995 Chevy we currently own. We have examined the vehicle and its overall condition is very good, due in part to the current owners having preformed routine preventative maintenance on the vehicle. We believe this is a great opportunity to purchase a sound vehicle at a low cost.

We are requesting authorization to purchase the Ford F350 4x4 from Del Oro, and we will then surplus the City owned 95 Chevy.





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*675 Wildwood Avenue*

*Rio Dell, CA 95562*

*(707) 764-3532*

TO: Honorable Rio Dell City Council  
FROM: Ron Henrickson, City Manager *RH*  
DATE: October 4, 2011  
SUBJECT: Removal of a portion of First Avenue between Davis Street and Elko Street

**Council Action:**

- Open Public Hearing, receive comment and close the hearing.
- A. Take no action.
- B. 1. By motion direct the City Manager to proceed with the removal of a portion of First Avenue between Davis and Elko streets; and
- 2. Approve Resolution 1133-2011 Amending the Fiscal Year 2011-2012 Capital Budget removal of a portion of First Avenue Amendment 3.

**Background:**

First Avenue is a gravel roadway which serves as a cut through between Davis and Elko streets. It requires annual maintenance and dust is a nuisance to neighboring properties. Removal of the roadway will not result in any transportation impact as Wildwood Avenue is located parallel and nearly adjacent to First Avenue. In addition, removal of a portion of First Avenue will enable the expansion of Memorial Park.

Both adjacent residents were contacted and support the removal of First Avenue. Note that a short portion of the reduced roadway off Davis Street will be left in place to serve as access to the residential parcel abutting Davis Street.

**Financial Impacts:**

The primary cost of removal will be topsoil estimated at \$1,400. In addition there will be the cost of signage and two ornamental trees. Total costs are estimated not to exceed about \$1,800. It is proposed that this project if approved by the Council be funded by Street Reserves.

Note that a companion budget item approves funding for this project as well as stormwater improvements to the previous open ditch adjacent to First Avenue from Street Reserves. The total amount of the funding is \$6,800; comprised of \$5,000 primarily for stormwater pipe together with \$1,800 for the First Avenue Project.

**City Manager Recommendation:**

Given the following information:

1. Removal of First Avenue between Davis and Elko streets will not result in any foreseeable transportation impacts.
2. The concept is supported by both adjacent property owners.
3. The public will benefit by the expansion of Memorial Park.
4. The cost of removal is minimal and can be funded from Street Reserves.

The City Manager recommends the removal of a portion of First Avenue between Davis and Elko streets.

**RESOLUTION NO. 1132-2011  
A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIO DELL  
AMENDING THE FISCAL-YEAR 2011-2012  
CAPITAL BUDGET  
REMOVAL OF A PORTION OF FIRST AVENUE  
AMENDMENT 3**

**WHEREAS**, The City Council approved Resolution 1117-2011 on July 19, 2011 approving the City of Rio Dell, California, Fiscal Year 2011-2012 Capital Budget; and

**WHEREAS**, Removal of First Avenue between Davis and Elko streets will not result in any foreseeable transportation impacts; and

**WHEREAS**, The concept is supported by both adjacent property owners; and

**WHEREAS**, The public will benefit by the expansion of Memorial Park; and

**WHEREAS**, The cost of removal is minimal and can be funded with existing budgeted funds; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council does hereby amend the City of Rio Dell, California Fiscal Year 2011-2012 Capital Budget increasing Capital Project Department Budget expenditures 6600-14-020 in the amount of \$6,800.

**PASSED AND ADOPTED** by the City of Rio Dell on this 4<sup>th</sup> day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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

ATTEST:

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