



AGENDA
RIO DELL CITY COUNCIL
CLOSED SESSION – 6:00 P.M.
REGULAR MEETING – 6:30 P.M.
TUESDAY, APRIL 1, 2014
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.

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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) 2014/0401.01 - **CONFERENCE WITH LABOR NEGOTIATOR**

Labor Negotiator: James Stretch, City Manager – Meet and Confer Discussion Related to (2) Employee Organizations and Contract Employees (Pursuant to Government Code Section 54957.6)

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

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) 2014/0401.02 - Approve Minutes of the March 18, 2014 Regular Meeting (**ACTION**) 1
- 2) 2014/0401.03 - Approve Appointment of Susan Pryor to the Wildwood Avenue Sculpture Committee, as the Chamber Representative, Ranjith Jim Box as the Eagle Prairie Arts District Representative and Cheryl Gatlin as the Community Representative (**ACTION**) 19
- 3) 2014/0401.04 - Traffic Committee Report (**RECEIVE & FILE**) 25
- 4) 2014/0401.05 - Adopt Roadway Repair and Specifications for Repair of City Streets (**ACTION**) 31
- 5) 2014/0401.06 - Approval of Finance Director Agreement (**ACTION**) 33
- 6) 2014/0401.07 - Status Report from Avery Associates Re: City Manager Recruitment (**RECEIVE & FILE**) 41

L. SPECIAL PRESENTATIONS

M. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2014/0401.08 - Authorize Expense for Davis Street Survey and School Site Acquisition and Related Supplemental Budget (**ACTION**) 44

N. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/0401.09 - Conduct First Reading (by title only) of Ordinance No. 320-2014 to Amend Rio Dell Municipal Code Sections 13.10.231 Establishing a Penalty for Non-Payment 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 (**ACTION**)

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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 April 15, 2014
at 6:30 p.m. in City Hall Council Chambers*

**RIO DELL CITY COUNCIL
CLOSED SESSION
REGULAR MEETING
MARCH 18, 2014
MINUTES**

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

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson and Woodall

Others Present: Closed Session: City Manager Stretch, Water/Roadways Superintendent Jensen and City Attorney Gans

Regular Meeting: City Manager Stretch, Chief of Police Hill, Water/Roadways Superintendent Jensen, Wastewater Superintendent Chicora, City Clerk Dunham and City Attorney Gans

Absent: Community Development Director Caldwell (excused)

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

CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Name of Case: City of Rio Dell v. SHN Consulting Engineers & Geologists, Inc. a California Corp. – Case No. DR130745 (Pursuant to Government Code Section 54956.9(a))

Mayor Thompson announced the Council would be recessing into closed session to discuss the above matter. There was no public present to comment on the closed session.

The Council reconvened into open session at 6:30 p.m. Mayor Thompson announced there was no reportable action taken in closed session.

PUBLIC PRESENTATIONS

Nick Angeloff provided a brief update on the Headwaters Grant the Chamber of Commerce obtained for the Business Incubator Program stating that the grant is finalized and the program is running as planned; and that the Little League has a contract for repair of the bathrooms at the tennis court park and also will be doing some repairs to the parking lot.

Adam Dias provided a brief update on the Eagle Prairie Arts District and said the gallery is almost full and as part of the business stimulator program, may be moving to a new location soon. He commented that the business occupancy in the downtown is almost full and thanked the City Council for their support of matching funds with the Headwaters Grant.

CONSENT CALENDAR

Councilmember Woodall asked that Item No. 3 be removed from the Consent Calendar for separate discussion. Likewise, City Manager Stretch asked that Item 2 be removed.

Motion was made by Wilson/Marks to approve the consent calendar including the approval of minutes of the March 4, 2014 regular meeting. Motion carried 3-0; Councilmembers Johnson and Woodall abstained from vote.

SPECIAL CALL ITEMS

(From Consent Calendar)

Approve Appointment of Susan Pryor to the Wildwood Avenue Sculpture Committee as the Chamber Representative

City Manager Stretch explained that Susan Pryor was recommended for appointment as the Eagle Prairie Arts District representative as well as the Chamber of Commerce representative. The amended recommendation is to appoint Susan as the Chamber representative and Ranjith Jim Box as the Arts District representative. He said since the appointment of Mr. Box was not included as part of the action he is recommending this item be continued to the next meeting.

Mayor Thompson commented that applicants interested in appointment need to complete an application the same as with other boards or commissions and said he attempted to get an application to give to a perspective applicant but was unsuccessful. City Clerk Dunham was asked to provide applications to the (2) applicants and to the Mayor.

Councilmember Wilson asked for clarification on the membership of the arts committee. Community Development Director Caldwell explained the committee consists of 5 members including (1) member of the City Council, the Community Development Director, (1) member of the Eagle Prairie Arts District, (1) member from the Rio Dell-Scotia Chamber of Commerce, and (1) member from the general public. He said with appointment of the (2) applicants, the only remaining appointment will be (1) person from the general public.

Motion was made by Johnson/Marks to continue the appointments to the Wildwood Avenue Sculpture Committee to the next meeting. Motion carried 5-0.

Set Study Session for April 29, 2014 for Review of the 2010 Capital Improvement Plan for Water System and Discussion on Capitalizing the Water System

Councilmember Woodall announced that she will not be available on April 29th as she will be on vacation from April 26-May 9th.

Motion was made by Woodall/Marks to schedule the study session for Tuesday, May 13, 2014 at 6:30 p.m. Motion carried 5-0.

SPECIAL CALL ITEMS

Authorize the City Manager to Alter or Discontinue Water Service to Out-of-City Residents from Old Ranch Road Waterline

City Manager Stretch provided a staff report and said this item concerns (2) related issues; the unrestricted access to City property by deed or prescriptive right, and unrestricted access by deed or prescriptive right to maintain water lines along Old Ranch Road. He said the funds were included in the current budget to replace the water line along Old Ranch Road to the water tank and that amount (\$10,000) included labor. He said also on the City Manager's Work Plan was resolution of the issue about accessing the springs and water rights to try to get the issue solved that has been going for a couple of decades. He noted that he went to work on that and had a couple of meetings with the residents that receive water from the Old Ranch Road water line including a meeting on November 20, 2013 with Attorney Gans and the legal research expert Michael O'Hern. At that meeting it was pretty clearly laid out the points that the City wanted resolved and how to move forward.

City Manager Stretch went on to explain that there were a couple of slip-outs that hindered access from the east side so he met with residents on site and had discussion about the possibility of coming in from the west. He said the property owner only wants to provide temporary access to the City; if the City wants permanent access, they will have to pay for it. He stated that it has been determined that the City does have legal right to use the access and can drive to the east side of the slip out but also needs to get to the west side.

In moving forward, he said he sent a letter to the property owner who has the second locked gate indicating that during the period of a certain week the City would be doing some road work to take the shoulder off at both sides of the slip-out area to make the road passable. Since the gate would be in the way he asked that he remove the gate or the City could do so. He said when he didn't get a response, he sent out a courtesy notice to all of the residents indicating the City would be coming up with a backhoe to do the necessary road work to enable access all the way across Old Ranch Road and install the new water line. He said at that point he began receiving a lot of objections from the residents and assertions that the City does not have perpetual access and that we could only access the area on foot; also that any further inquiries should be directed to their attorney.

In summary, he said there has been a lot of resistance with regard to coming in from the east side, and push back with regard to the west side. Since the extension of the line was the direction of a previous City Council, his response was to come back to the City Council with direction on how to proceed. He said the recommendation is not to discontinue service but to provide the City Manager direction to offer out of City residents who received water service from the City's Old Ranch Road waterline, metered water service only from the intersection of Old Ranch Road and Monument Road. The property owners would then be responsible to install their own water lines along Old Ranch Road from the meters to their properties. He said this

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should not create a financial burden on the property owners since they initially agreed to reimburse the City for the estimated \$10,000 to put in the new 2" line to their holding tank. He commented that the property owners should be agreeable to this proposal since the City won't have to access Old Ranch Road; the City would benefit because the meters will be much easier to read and maintenance would be alleviated and no longer be borne by the City's rate payers, but by the property owners receiving the service.

Councilmember Johnson asked the City Attorney if there is any legal precedent or any point of law that would hinder the City from placing the meters on Monument Road at the intersection of Old Ranch Road.

City Attorney Gans said technically no as long as there is a conduit between the meter connection and the residence. He said there is no limitation of having clustering of meters that have a common connection point.

Councilmember Johnson pointed out that generally meters in the City are located at the intersection of the property line and the City right-of-way and asked for confirmation that this would basically be conforming to standard practices.

Attorney Gans commented that the assumption was somewhat correct and said if there are other alternative meter locations that any individual resident would want along that Monument line, he is sure the City would consider that as well, but it seems it would make more sense to have one cluster and then run lines to each individual residence.

Councilmember Marks asked if there is currently (1) meter for each household.

City Manager Stretch stated that there are (4) meters in which (1) meter feeds a holding tank which is collectively owned by a number of property owners there, then there are (3) additional meters that are metering single residences.

Councilmember Marks commented that she understands the current regulations allows (1) meter per parcel of land and asked what would happen if (1) of the residents doesn't pay the bill, assuming the City would discontinue service and none of the residents would have water.

City Manager Stretch said that would be the case and in looking at the 1979 Haberstock Agreement there are consequences if the system is not maintained although there has never been an issue with the residents not paying the bill. He added that in the Agreement with Mr. Haberstock who created the subdivision, there is specific language that simply says that the City of Rio Dell agrees to supply water to said subdivision.

Councilmember Woodall asked if those residents are required to pay 1 ½ times the regular water rate and if so, if it even comes close to covering the cost of maintaining the system.

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City Manager Stretch said over the past 34 years, the City has spent a lot of time on maintenance and repair of that water line and with approximately one-half of the line above ground, the line is brittle and subject to breaks. He said he seriously doubts the 1 ½ rate covers those costs.

He explained that it was his understanding that there was an initial establishment of the system with a cost of around \$200,000 which was shouldered by the rate payers here in the City.

Mayor Thompson commented that there was a \$129,000 bond issue and the repayment of those bonds was to be placed on property tax bills but never happened.

Councilmember Marks said on a separate issue, by abandoning the line, does the City give up prescriptive rights to the property.

City Attorney Gans said theoretically, the abandonment of Old Rand Road water line and whatever rights the City had to maintain the line would go away but the City wouldn't need them anyway. He said real property interests would not be affected by relocating the service point; only that there could be a change in the frequency of use over time.

Mayor Thompson asked if there was anyone from the public who like to speak on this matter.

Charl Stoneman, resident of 1840 Monument Road addressed the Council and said he and his wife acquired the property at 1789 Monument Road in September, 2012 and as part of the Haberstock Subdivision they receive water for that parcel from the City. He indicated that since they have only owned the property for a relatively short amount of time, they are playing catch-up with regard to the water issue. He said he had (3) points he would like to make. First, with regard to communication and dialog with the stakeholders, as the City Manager mentioned there was an informational meeting with a portion of the stakeholders on November 20, 2013 at such time he stated the City's position with regard to improvement to the water service on Old Ranch Road to reduce maintenance costs and inspection by City staff. He said it is his understanding that there were (2) issues discussed at that meeting considered separate but conjoined since the water line on Old Ranch Road which at one time provided vehicular access. Also, that once the City had a plan put together, there would be additional meetings with all of the stakeholders however; no further discussions have occurred. He said he was a little surprised when he saw there was an action item on the agenda regarding this issue.

The second point had to do with the Colman's and the fact that they have a non-industrial Timber Management Plan (TMP) on the property. He said they were given notice on February 10th of the City's intention to bring equipment in on Old Ranch Road on February 24th noting that such action would put both the Coleman's and the City in jeopardy of environmental liability. He said what the City Manager did not realize was that placement of any equipment on or around the slide area would result in violation of the Coleman's TMP and a citation would be issued to both parties by Cal-Fire. He indicated that this could be easily resolved by the

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establishment of a road plan to the Springs property and development of appropriate mitigation measures which would be reviewed and approved by State agencies.

The last point had to do with the City's proposals. He said there are other options that could be explored before moving meters or threatening discontinuance of service. He said if either of these actions is taken, it is his conclusion that the City is abandoning both the 20 foot easement along their property and the easement along Old Ranch Road.

Councilmember Johnson asked about other possible options. Mr. Stoneman said that he hasn't been involved in any other discussions since November but that he had talked with neighbors and it was his understanding that the City was to maintain the water line.

City Manager Stretch responded and stated that he received a letter at the end of December from Jennifer Mackey who said that she was going to be the spokesperson for response and communication and that he had been in communication with her. He indicated there had been a period when some time had elapsed when the City was in the process of checking the City's right of access and he indicated in a letter that since the City could not get access from one side of the slide area but as far as he knew access was available from the other side. He said it was not until recently that there was any kind of a legal issue with regard to the slide area. When he asked one of the property owners for the documentation he was told to contact their attorney. He said it wasn't until yesterday until someone else sent it to him that anyone has really ever shared it and notwithstanding the conversations he had with many different property owners was he informed of any legal issue so this is new information. He said it does not necessarily mitigate the recommendation he has made and that is to move the meters back to the property line at the intersection of Monument and Old Ranch Road.

Mr. Stoneman commented that a lot of this would have been brought out if continued discussions occurred as intended with the City Manager and the stakeholders. If there were issues with particular landowners he thought they would have brought them up and discussed options. He said it is much easier to brainstorm with a group rather than an individual.

David Hageman, 2020 Monument Road said 36 years ago he approached the City of Rio Dell for a water hookup and it was granted. He said City records and staff will confirm that he pays his bill faithfully and very much appreciates having the water. He said his water meter, power pole and collection tank and pump are located at the far west and is the last connection along Old Ranch Road. He said moving the water meter one-half mile down Old Ranch Road to the east will place an incredible burden on his family and not just because it will require putting in one-half mile of line but also requires maintenance. He said to his knowledge, he does not have right or easements with four of the property owners along Old Ranch Road to work on the line. Another concern is that if the meters are placed all the way to the edge of Old Ranch Road they won't have adequate pressure to fill their tank so the City is in effect, cutting off their service. He noted that the water line on Old Ranch Road has been serviced by the City for well over 25 years

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without vehicle access and hasn't been a major issue. He said what he doesn't understand is how it has now become an issue. He said back in November when he met with the City Manager and others it became very clear that the City Manager was unaware that he had a hookup and was paying for that water for decades without actually being connected to the water. He said after that meeting he and his wife realized that an on the ground site inspection was necessary to make sure all the parties involved were clear about what the topography was. He said he and John and Laura Coleman along with the City Manager and Randy Jensen walked the area of Old Ranch Road and the issue of granting a permanent easement to the City was brought up at that time but he wasn't directly approached about the possibility. He said the staff report from the City Manager presented to the City Council tonight does not clearly represent their position on granting the City a permanent easement and that to date he has had no face to face discussion with the City regarding the issue. He said to add confusion to the water issue is the surplus of the springs property which keeps getting tied into the water issue. He said he feels it is unfair to combine the two issues and they should be dealt with separately. Also another concern is that granting an easement to the City will eventually provide access to the new property owners of the springs parcel.

Another point is that the City was awarded a grant for the construction of a new water storage tank on the Dinsmore Ranch based on merits of abandoning the City springs which were deemed substandard and too costly to repair. The grant money was not only for the new storage tank but for upgrading of all water lines of those residents being served by the springs. He said improvements were made on the Dinsmore flat but no improvements were made along Old Ranch Road. He said they feel there are more solutions available to the City and any action taken tonight will only compromise the solution. He suggested the Council direct the City Manager to have more discussions with the stakeholders since there needs to be more time to come up with a solution.

Councilmember Johnson asked Mr. Hageman if he was asking for compensation from the City in exchange for granting a permanent easement.

Mr. Hageman responded that it was never clarified and it was implied that the easement was for the sole purpose of repairing the water line yet there is this gray area of access to the City's land-locked parcel which will provide access to the future property owner.

Councilmember Woodall said she did not understand whether he answered Councilmember Johnson's question as to whether he was asking for compensation for the easement.

Mr. Hageman indicated that he was not willing to gift the City the easement and brought up road maintenance concerns.

City Manager Stretch interjected that emails were shared with Mr. Hageman where he made it very clear that the City was looking for a permanent access across his property and he made it very clear that he wanted the City to improve and maintain the road and could have a permanent

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access if the City paid him. He said the City's intent was to be able to get in and install a new line and have the ability to access and maintain that line but they simply did not have a meeting of the minds.

Laura Coleman, 460 Old Ranch Road then addressed the Council and said that her residence is not hooked up to City water however a portion of the water line in question is located on her property. She said the line was put above the ground because of the P.L. slide and has been maintained as such by the City on her property. She said she wanted to make it clear that she has never denied the City access to maintain the line on her property (walking easement). She said the City Manager stated that a lot of time and money has been spent by the City to maintain that water line however there has been maintenance but it has not been extensive. She said she feels the City Manager's concern is not about the residents but about access to the City's land-locked parcel. She said he is making assumptions based on incorrect information and referred to a geological survey report associated with their Timber Harvest Plan that states that timber harvesting and road construction in and around dormant and active slides as well as across the easements owned by the City of Rio Dell may not be used. She said they planned on reconstructing the road so they could use it to get the logs out but couldn't because of the slide. When she learned of the City's plans to bring up a backhoe she informed the City Manager of the geological survey report. She said her part in this is to support her neighbors and make sure the City is not liable for anything related to the reinforcing the road and not getting the necessary permits or looking at the geological survey report and just assuming they can just come in and build the road back. She said there has not been enough homework done and more discussion needs to occur.

Councilmember Marks commented that she was offended by the personal attack on the City Manager and said this issue has been going on for a number of years and is not any fault of the City Manager.

Councilmember Johnson said as a point of observation, to get a Timber Harvest Plan to potentially move 80,000 lb. logging trucks along Old Ranch Road is a somewhat different matter than bringing a 14,000 lb. backhoe down that road and the constraints environmentally can be totally different and because of the City's lighter use of the road the environmental study might turn out that there is no problem.

Laura Coleman commented that the report says that they are not to touch a tree or move a tree within the slide area so it's doubtful approval would be given to build a road although the study has not been done.

Kaye Peak, said she is also part of the Haberstock Subdivision and she has been reading the meters in order to pay the water and electricity bills which they split between the users. She said that she was told several times in past years that the City would provide each resident with their own water meter but it hasn't happened. She said they pay 1 ½ times the normal rate because they are out of the City and also pay the top tier rate because of the 4 services on (1) meter which

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compensates the City for necessary repairs. She noted that she has talked to several public works employees to access problems and responsibility for maintenance and said their responsibility has always been maintenance of the cistern from the point where the City line puts the water into the cistern and everything thereof including 242 feet of line up to all (4) properties and the holding tanks gravity feed back to each individual parcel. She said they have done all the work themselves or hired plumbers or electricians to do work they couldn't. She said they have always felt that they paid their fair share to the City for water and accepted responsibility and is thankful for the water but also feel that the amount of maintenance the City has done over the years is pretty minimal considering it usually involved patches on old water lines or fixing air locks; not putting in new line.

She continued with an historical timeline going back to when the water system was owned by the Rovai's and noted that the Monument residents were provided water from the springs until the springs were condemned by the State. At that time, the residents were connected to the City's water system and they had multiple discussions with the City to lease or possibly purchase the springs and the residents are still interested today.

Mrs. Peak reiterated that there have not been enough discussions or meetings between the City and the stakeholders and apparently there has been some misunderstandings and confusion over what the City is proposing. She said the (4) property owners on the same meter have tried to share information but everyone seems to have different information. She said since the City made the decision to run the line and provide water to the residents receiving water from Old Ranch Road they can't just decide to no longer maintain that line. She said with regard to water rights, she doesn't feel the facts have been fully stated.

Susan Hageman stated that she and her husband David are not part of the Habersstock Subdivision and have a water system that stands alone. She said her focus tonight is to ask the City Council to delay any decision on this issue until there is further dialog. She noted that the City will not be out any money if they delay making a decision and possibly stands with losing money by going forward and making decisions that are not workable for the residents. She commented that there are at least (2) sides to every issue and that the history of the water system in that area is profoundly complex and is unfair to expect the City Council to be able to understand everything that has been presented to them. She said she feels it is critical to have more dialog on this issue to come up with a solution that will be satisfying to the City and the property owners for both short term and long term.

Councilmember Johnson asked Mrs. Hageman what she thought that solution would be.

Mrs. Hageman responded that there are multiple issues and that she respects the ability of her neighborhood group and the City Manager, and all of the interested parties need to sit down and say "this is where we are." She reiterated concern that with moving the water meters and extending the line, she won't have adequate water pressure or maybe have no water which is a

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very big deal with water being a basic necessity of life. She said she feels there is a workable solution but there needs to be more time and more talking. In closing she provided copies of talking points for the City Manager and Council.

Mayor Thompson commented that as he listens to the comments he doesn't understand the total picture of where the residents are coming from. He said the City needs to have a system that allows the public works employees to be able to drive into and maintain and it seems this has become way more complex than it needs to be. He is hearing that more studies need to be done but those studies cost money and neither the residents nor the City wants to pay thousands of dollars to have more studies. He said if the services are to remain as they currently are now, the public works department needs to be able to freely access the area to maintain the line or read the meter and that has not been happening and has been going on for several months without getting anywhere. He said the people involved need to get together as a group and come up with a workable solution, as it doesn't do any good for each individual to approach the City from a different angle.

Elizabeth Coleman-Johnson spoke next and said if the Council were to talk to public works staff, she is certain they would say that they have never been impeded in any way from servicing the lines on Old Ranch Road. She continued with quoting portions of the Haberstock Agreement and said the City Manager read a portion of a sentence from that agreement which led the Council to believe that the City simply agreed to furnish water. She said the actual sentence says "the City agrees to furnish water to said system and to install when requested and maintain (4) water meters and charge in accordance with the City ordinances of the City of Rio Dell relating to the water services as said ordinance may be amended from time to time."

She noted that the geological report has already been done and is available to everyone and anyone online. She said a letter was sent to her father, John Coleman notifying him that the City would be coming to work on the road and quoted from the letter: "the City has been unable to negotiate for the perpetual access from the west side of the slip-out on Old Ranch Road for the purpose of installing and maintaining the water line to a common concrete holding tank. An offer for temporary access has been made but as you can appreciate, that would only be appropriate for providing temporary water service. Accordingly with no other choice, the City intends to improve the road from the Monument Road side for access the week of February 24th, weather permitting. Please be advised that the second locked gate on Old Ranch Road at the slip-out, believed to be yours will impede our work and needs to be removed. We would rather that you remove it but we can easily deal with it if you wish. Please advise by February 19, 2014. Once clear, we prepare to split the costs 50-50 with you folks as it will also give the City access to our property, prepare a new estimate for the cost of installing a new line and get back to you through your spokesperson, Jennifer Mackey." She commented that the December 31, 2013 letter to the City did not set up Jennifer Mackey as the spokesperson.

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She further commented that in the geological report it refers to the area on Old Ranch Road as a landslide as opposed to a slip-out as referred to by the City and that it absolutely prohibits anyone from taking any equipment such as a grader or backhoe over the slide area.

Mayor Thompson pointed out that it was her opinion and not necessarily the legal opinion regarding accessing the property.

Councilmember Marks said if this is going to be continued attacks on the City Manager she is tired of it.

Elizabeth Coleman continued by stating that she had received an email from Councilmember Marks, certain that it was not intended to go to her which asked why all these people are going on about nothing.

Councilmember Marks said the comment was referring to Elizabeth's comments in her email and pointed out that the City needs to repair the road to get to the line to save labor, the problem has been going on for years and still exists today. She said to just keeping attacking the City Manager without addressing the problem is not getting anywhere.

Ms. Coleman stated no one has stopped anyone from going on Old Ranch Road and the City has not worked on the road in years although it is the City's responsibility.

Mayor Thompson pointed out that public works has to have the ability to drive into Old Ranch Road; not just walk in. Also, the City has the right to replace the lines and relocate the meters where they want them to be.

Councilmember Johnson asked her what option she sees that has not been discussed; in which she responded that the line can be replaced and meters relocated but under whatever legal guidelines the State requires. Also, the City can't just come out and remove someone's gate and let their animals out because they want to.

Mike Lemori, 1615 Monument Road stated he was just notified of this meeting and received documentation today so didn't have time to prepare a response but in briefly reviewing the material it seems that everyone has been lumped together as having the same concerns. He noted that there are no access problems related to his water meter and that he did not agree to contributing to upgrading of the water line on Old Ranch Road. He said moving his meter to the edge of Monument Road would have a financial impact on his family and although doesn't have any solutions at this time, feels with a little more time to look at it, that a solution could be worked out.

Charl Stoneman spoke again and stated that he is a registered professional forester and does manage forest lands and have put roads across slides. He said he has not had a chance to check

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out the situation on Old Ranch Road but one of the solutions that could possibly work would be to put in a road. He said he would be willing to put together and draft a plan at no cost to the City to cross the slide area and put the proposal together for review by the Department of Geology, Cal Fire, Water Quality Control Board, and Department of Fish & Wildlife. He said with the Coleman's blessing he could possibly get the City at least temporary access until the slide slips out again and it could be written in such a manner that it is continually redeveloped each time the slide goes out. This is just one of the things that could be explored and everyone needs to get together to discuss it further.

David Hageman said in response to finding a possible solution, he wanted to point out that no one has been told that the City cannot have access to maintain the line and that the sale of the property as surplus needs to be isolated from the water line maintenance issue as it confuses the issue.

City Manager Stretch commented that it was represented to the Council that he was dishonest in not reading the entire paragraph in the Haberstock Agreement however; the entire paragraph is not germane to the conversation. It was also indicated that he had the report a month and a half ago which is not true. It was also indicated that he was going to take a grader to the road which is also not true. For clarification he said he was provided a Timber Harvest Plan and when he asked for a California Geological Survey (CGS) he was told to talk to their attorney. He said he was not aware he could get the report online and did not receive a copy until yesterday. The recommendation he has made is to allow him to proceed with a different path. He said it is true there are a multiplicity of issues related to this matter and really not a good idea to involve all of the people on all of the issues because some of them don't really care about all of them. He said he attempted and did communicate fairly extensively with many people about the issues he thought were specifically related to them. He said he did not attempt in any way to leave anyone out; that's simply not how he operates. The solution he sees is to get off the road and away from the slip-out/slide area and bring the meters back to the right-of-way line at Monument Road and the money the folks were going to use to reimburse the City for replacing the line can be used to replace the line; and if they do the work themselves, they may be able to do it cheaper than the City as the City was going to charge for actual cost. It seems that for a number of reasons that is a good solution which is in the best interest of the City and the City's rate-payers and will allow the continuation of high quality great water from the City to the residents off Old Ranch Road; that has been his only interest.

He further explained that there is a piece of property which has been identified as surplus but he is not suggesting anything be done immediately as far as putting the property on the market. He said the City has had access to the parcel since 1969 and it has been indicated here that the City could continue to have access if we agree to repair the road which he simply moved away from because it is simply too expensive and too contentious. He commented that if anyone really wants to know how many calls the City gets regarding problems with that system, they can ask Water Superintendent Jensen.

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Mayor Thompson provided a brief history regarding discussions between the City and the property owners at the time of the slip-out stating the estimated cost went from \$1,000 to \$100,000 of which the property owners were to pay a majority of the cost but were not in agreement.

Councilmember Marks commented that as a Councilmember, she represents the citizens of Rio Dell and the water fund is very close to operating in a deficit. The bigger picture is that the City is having a problem being able to afford fixing the water lines that are within the City and has to do something to stop the expenses that are occurring.

Councilmember Wilson stated that he has been pretty quiet during discussion of this matter and the bottom line is there does need to be more discussion on this. He said he's not ready to take action tonight just to get it over with; feels the City could have some legal issues and needs to fully understand what the geological study says. He said there are multiple issues that need to be addressed for a lot of people as well as the City and said it needs to be done logically.

Donna Stoneman commented that the item as part of the agenda was listed as authority for the City Manager to alter or discontinue water service to the out-of-city residents from Old Ranch Road and asked that the option to discontinue water could be taken off as it would be really nice to continue to have water.

Councilmember Marks asked if there will be (1) person from the group designated to represent everyone to make sure the same information is provided.

Councilmember Wilson asked how many services are involved; the response was that there are currently (4) meters serving (7) families in which (5) of the (7) parties were present tonight.

Councilmember Johnson stated that he is disturbed there is so much emotion and lack of respect for City staff and said everyone needs to work on civility and treating people the way they would like to be treated. He said he doesn't have a problem with having another group meeting but would like to hear from the City Attorney on the talking points heard tonight.

Attorney Gans commented on a couple of points; it is very basic that the City has to have safe reliable access to maintain a water line and does not think it is realistic to expect the City in perpetuity to send its personnel hiking over a mile on a remote road to repair a water line; they could have an injury, and they have an access concerns to deal with.

Water Superintendent Jensen expressed his frustration with the situation and said that is only the half of it; the worse part of it is that the line is in the brush with poison oak and every time he send his crew up there, the City has doctor bills for poison oak and only (2) employees don't get poison oak, and he is one of them. He said they are tired of going up to fix the line in the poison oak and brush and said there is a simple solution and he just wants to get the line fixed so he is

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not spending (2) days at a time up there making sure there are no leaks or that he is losing water in the tank that feeds 36 homes. He said to provide service to those residents requires pumping

water from the Douglas tank to the Dinsmore tank then up to the residences and he said he is fed up with the whole situation.

City Attorney Gans further stated that the situation is that the City needs to have physical overland vehicular access to maintain the water line; it's that simple. He said there are (2) options here; access from the east or the west and without a right-of-way from the west that is simply not an option without an act of condemnation or some other action by the City to establish that right-of-way. He said the other option would be to fix Old Ranch Road but there is the substantial cost component to that if there is some geotechnical concerns and an engineered solution is the only remedy to make those portions of the slide area on Old Ranch Road passable. He said theoretically, under the Municipal Improvement Act, the City has the power and legal authority to create a Special Assessment District for those users that specifically benefit from this line. He said he is not suggesting that is the best solution because there is substantial cost associated with it but if the City does not have any reasonable consensual access to the this water line, the City really doesn't have any choice. He said the Assessment District would still have to go through the Prop 218 assessment protocol and those users would have to approve it and if they disagree, ultimately the City would come to a circumstance where they have to seek court redress about whether or not the City has the obligation to continue servicing this line that is simply not workable. He said the reality is that there should be a workable solution but whatever that solution is it needs to include reasonable vehicular access so City personnel can safely maintain that line without exposing themselves to injury or liability. He noted that it is not easy to arrive to that solution with (7) parties involved but it a critical point for them to understand that staff needs overland vehicular access and that is the point staff was trying to make.

Mayor Thompson suggested the Council establish a short timeline, perhaps 15 days to come up with a solution and then set up a meeting with the City Manager, staff and a spokesperson for the stakeholders and then bring a recommendation back to the Council for action.

Councilmember Woodall disagreed with having only (1) spokesperson and said the Council should get together with everyone and talk about a solution.

David Hageman said he would prefer another meeting with the City and all of the residents.

City Manager suggested the establishment of a sub-committee to meet and report back to the full Council and said it should not be limited to 15 days although the committee should be diligent in reporting back.

Councilmember Wilson stated when you threaten to take people's water away its understandable when they get upset but they need to calm down and be civil and he will do the same.

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Councilmember Johnson suggested he, the Mayor and Randy Jensen walk Old Ranch Road and assess the situation further.

Motion was made by Wilson/Marks to appoint a sub-committee of (2) members, Mayor Thompson and Councilmember Johnson to work with the Old Ranch Road community and report back to the Council. Motion carried 5-0.

A brief recess was called at this time, 8:45 p.m.

The meeting reconvened at 8:52 p.m.

Mayor Thompson announced as a point of order that an alternate member to the sub-committee needed to be appointed. Both Councilmembers Marks and Woodall declined appointment.

Motion was made by Thompson/Johnson to appoint Councilmember Wilson as the alternate member to the sub-committee. Motion carried 5-0.

Authorization to Work with the Town of Scotia and Scotia Community Services District (when formed) on a Mutual Aid Water System Intertie

City Manager Stretch provided a staff report and said earlier this month staff met with representatives of the Town of Scotia to discuss whether there was an interest in establishing an intertie between the (2) water systems across the Eagle Prairie Bridge as a mutual aid back-up in times of emergencies. He said a mutual aid agreement was discussed in the past but it didn't come to fruition. Now that they are a legal Community Services District, staff believes it is in the best interest of both communities to proceed with some preliminary work to get an idea of what would be involved.

He said the recommendation is to authorize staff to work with Scotia on a mutual aid water system intertie including up to \$2,000 of City Engineer time if required.

Councilmember Johnson said he thought the City already had a temporary line across Eagle Prairie Bridge that was installed approximately 10 years ago.

Water Superintendent Jensen commented that staff is looking at a more permanent line for emergency purposes and that the temporary line was a fire.

Councilmember Marks asked if Scotia was receptive to the idea. Water Superintendent Jensen said both Frank Basik, the Interim CSD Director and the plant operators were very agreeable and said they have plans to upgrade their system and they may need the City's temporary assistance.

Mayor Thompson asked for public comment on the subject.

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Adam Dias asked if the City has enough water capacity to sustain for both communities. Water Superintendent Jensen said there would be enough water on an emergency basis.

Motion was made by Woodall/Marks to authorize the City Manager and Water Superintendent to work with the Town of Scotia and the Scotia Community Services District on a mutual aid water intertie between the (2) systems, including up to \$2,000 of City Engineer time on the Rio Dell side of the intertie, if required. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Conduct Second Reading (by title only) and Adopt Ordinance No. 319-2014 Regarding an Amendment to the Informal Bidding Process as set Forth in Section 3.30.060 of the Rio Dell Municipal Code

City Manager Stretch provided a staff report and said the ordinance was introduced at the last meeting and is back for its second reading and adoption at this time. He said the purpose of this ordinance is to establish provisions for an informal bidding procedure under the Public Contract Code whereby formal public bidding procedures can be streamlined. One of the requirements is to establish and maintain a list of qualified contractors identified under various construction categories which the City has never established. He further reported that Ordinance No. 298-2012 establishing purchasing procedures which included provisions for an informal bidding procedure was adopted by the City Council in 2012 however; upon review by staff and the City Attorney, it was determined that it had not been properly drafted and needed to be amended. He said there were additional requirements placed in the current ordinance beyond what is allowed in the Public Contract Code such as requiring that the contractor have a current City of Rio Dell business license, and have a workers compensation and liability insurance certificate on file with the City at the time of bidding a project. He noted that the law precludes the contractor from these requirements until such time the contractor is awarded the bid.

A public hearing was opened to receive public comment on the proposed ordinance; there being no public comment the public hearing closed.

Motion was made by Wilson/Johnson to conduct the second reading (by title only) and adopt *Ordinance No. 319-2014 Regarding an Amendment to the Informal Bidding Process as set Forth in Section 3.30.060 of the Rio Dell Municipal Code*. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Stretch reported on recent activities and events and said a community member for the Wildwood Avenue Sculpture Committee needs to be selected and if anyone is interested they can obtain an application from the City Clerk; said on the next agenda will be a closed session scheduled for the purpose of discussing employee meet and confer matters; reported on "Close

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the Commercial Property Loophole" which will require non-residential commercial properties to be reassessed regularly while maintaining Prop 13 protections for residential property and small business owners; and reported he received a notice from PG&E regarding rate reform which will result in a monthly increase for rate payers and said the Public Utilities is asking for input.

Chief of Police Hill reported on recent activities and events in the police department and provided a brief review of his monthly police report representing 168 calls for service and 28 incident reports of which 20 resulted in drug or alcohol related arrests. He also reported he would like to schedule a traffic committee meeting for March 25th at 4:00 p.m. provided members are available; and that he received \$20,000 under the Prison Realignment Program and will be presenting a budget amendment at the next meeting.

Councilmember Johnson asked how the new officer is working out. Chief Hill said he was doing well and will be done with his field training sometime in in April.

Councilmember Marks asked how the Parking Citation Program is coming along. Chief Hill said he hoped to have it wrapped up soon and with regard to general parking issues in the downtown, the Traffic Committee will be discussing those matters during the meeting next week.

Water/Roadways superintendent Jensen stated he had nothing to report at this time.

Wastewater Superintendent Chicora reported that it appears the sludge dryer is turning the corner in the right direction and performing better.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Johnson announced that he will be attending the upcoming League of California Cities Redwood Empire Division quarterly meeting in Ukiah and that the regular Annual Conference in Los Angeles will be held in September but that will be unable to attend. Councilmember Woodall, as alternate representative said she will consider attending that conference.

Mayor Thompson reported that he attended the Humboldt Waste Management Authority meeting last Thursday and said they went out to bid on the ash dump and said the original figures came in at \$4.3 million and they think the engineers got it down to about \$2.3 million. He said they are on schedule to finalize it by September. Also, the River Watch group filed a law suit against HWMA related to the ash.

Councilmember Marks announced that she does not intend to run for re-election in November in the event anyone is interested in running for City Council.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:22 p.m. to the April 1, 2014 regular meeting.

Attest:

Jack Thompson, Mayor

Karen Dunham, CMC



675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-3532 - City Hall

APPLICATION FOR WILDWOOD AVENUE SCULPTURE COMMITTEE APPOINTMENT

Name Susan Pryor Date 3/20/14
Address PO Box 615 Home Phone 707-764-3808
Scotia, Ca 95565 Business Phone 707-845-2967

I AM INTERESTED IN SERVING ON THE FOLLOWING COMMITTEE:

Wildwood Avenue Sculpture Committee

Occupation Real Estate Sales

How long have you lived in ~~Rio Dell~~? Scotia - 23 years

Professional and/or Community Activities Scotia Volunteer Fire Dept (20yrs);

Boy Scouts of America (Troop & Pack 6-15yrs); Scotia-Rio Dell
Community Service Club (5yrs); Rio Dell-Scotia Chamber of Commerce
(5yrs)

Additional Pertinent Information/References Worked at Pacific Lumber

Company & Town of Scotia for 24 years Combined.
Have been involved in the Wildwood Days
parade and duck race each year for the
last 5 years

Please answer the following two questions:

Why are you interested in serving on this Committee?

I enjoy being involved in the community and truly want to be a part in any way I can to preserve and improve the beauty of our communities, both Rio Dell and Scotia. I believe having the sculptures along Wildwood Avenue will be an asset to the community and will be impressive to tourists or any individual looking for a place to live or maybe even have a business. It is always exciting going into a town you have never been before and seeing the artwork displayed throughout the town. As a representative of the Rio Dell – Scotia Chamber of Commerce, I would be proud to have had even a small part in choosing artwork to be displayed in Rio Dell.

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

Oh, I am not sure I have any special talents. I am involved in various civic organizations in both Scotia and Rio Dell and as a real estate salesperson, I have sold a number of houses in Rio Dell. I hope to continue to live and work in this area and be a part of both communities and do my part to make them a clean and safe place to live.



March 4, 2014

To: Honorable Mayor Jack Thompson
Attn: Jim Stretch
675 Wildwood Ave.
Rio Dell, CA. 95562

Dear Mayor and Council:

We appreciate the opportunity to participate in the sculpture committee. We would like to put forward Ms. Susan Pryor as our representative.

Ms. Susan Pryor:
Action Realty
1055 Main St.
Fortuna, CA. 95540
Cell: (707) 845-2967 Office: (707) 725-1820
E-mail: susanactionrealty@sbcglobal.net

Respectfully,

Rio Dell – Scotia Chamber of Commerce, Board Member



March 18, 2014

To: Honorable Mayor Jack Thompson
Attn: Jim Stretch
675 Wildwood Ave.
Rio Dell, CA. 95562

Dear Mayor and Council:

We appreciate the opportunity to participate in the sculpture committee. We would like to put forward Mr. Ranjith Jim Box as our representative.

Jim Box
333 Painter Street/ Box 261
Rio Dell CA. 95562
(707) 764-3001
Email: Ranjith@ranjithjimbox.com

Respectfully,

A handwritten signature in blue ink, appearing to read "Mike Aybiff", is written over the typed name and title.

Executive Director
EPAD



675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-3532 - City Hall

**APPLICATION FOR
WILDWOOD AVENUE SCULPTURE
COMMITTEE APPOINTMENT**

Name Cheryl J. Gatlin Date 3/25/14
Address 470 Second Avenue Home Phone (707) 330-8483
Rio Dell, Ca 95562 Business Phone (707) 725-3151

I AM INTERESTED IN SERVING ON THE FOLLOWING COMMITTEE:

Wildwood Avenue Sculpture Committee

Occupation Administrative Secretary

How long have you lived in Rio Dell? 8 1/2 years

Professional and/or Community Activities _____

- 1- Volunteer at the Redwood Charter School
- 2- Play the piano for weddings, dinners, etc

Additional Pertinent Information/References _____

Please answer the following two questions:

1) Why are you interested in serving on this Committee?

I am very interested in any project that will help beautify the community of Rio Dell. The downtown area is starting to look really nice and some property owners are starting to feel pride in living in Rio Dell.

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

I have served as one of the judges on different art and musical productions and shows.

Thank you for considering me.
E. Gattin

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

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



To: Honorable Mayor and Members of the City Council
Through: Jim Stretch, City Manager
From: Graham Hill, Chief of Police
Date: April 1, 2014
Subject: Traffic Committee Recommendations

Action

Receive and File

Summary

On 03-25-14 there was a traffic committee that was attended by Councilwoman Marks, Councilman Wilson, Planning Director Caldwell, Streets Superintendant Jensen, and Fire Safety Officer Gonzalez from the Rio Dell Fire District. The committee discussed the following items and made the noted recommendations:

1. Recent speed survey information from Pacific Avenue.

Discussion: The Police Department installed speed survey equipment on Pacific Avenue to capture fresh speed and traffic information based on recent reports of increased traffic. Unfortunately the information was not available due to technical difficulties with the equipment. It was pointed out that a city-wide speed/traffic survey was conducted in December of 2010, which included Pacific Avenue, and the limit for Pacific Avenue was set at 25 MPH. This limit was based on the information collected from the survey, including the 85th percentile speed collected on that roadway. The information from the most recent survey will be shared with the committee once it is available.

2. Evaluate the placement of a stop sign at the intersection of Douglas Street and Pacific Avenue (on Pacific Avenue).

Discussion: A resident expressed concern regarding excessive speeding traffic on Pacific Avenue between Monument Road and West Davis Street. The resident recommended the placement of a stop sign on Pacific Avenue in the portion of roadway described.

Information regarding traffic control placement was collected from the City Engineer prior to the meeting. Based on the Federal Manual on Uniform Traffic Control Devices the placement of a stop sign is warranted under certain conditions including; traffic accident data, approach speeds, and traffic and pedestrian volume. The portion of roadway described does not have traffic accident incidents with the amount of frequency to warrant the placement of a stop sign, nor does the safe approach speed or traffic and pedestrian volume support the placement of a traffic control device.

Recommendation: Do not place a traffic control device (stop sign) in this stretch of roadway on Pacific Avenue based on MUTCD.

3. Discuss timed parking on Wildwood Avenue (additionally discuss general parking issues in the downtown area).

Discussion: It was brought to the attention of the committee via Planning Director Caldwell from the Rio Dell Scotia Chamber of Commerce that certain parties would like to see the enforcement of time limit parking on Wildwood Avenue. The Police Chief discussed the limitations of enforcing timed parking due to limited staff and the likelihood that it would create additional issues in the downtown area of such enforcement was sporadic and inconsistent based on officer availability. Members suggested if the City public parking facility were more widely used it may alleviate some of the on-street parking issues in front of businesses. It was also pointed out that there are businesses and residences in this area of the downtown which might make it difficult for some residential parkers if timed parking were strictly enforced. It was also pointed out that the city parking facility is not easily recognizable as public parking and because of that people who might normally use the parking facility do not, believing the parking is private property. Another issue discussed was the location of privately parked vehicles adjacent to the city parking lot, which may be encroaching on the public parking facility, making parking and pulling out more hazardous.

Recommendation:

- Clearly mark the public parking facility to identify it as a place where people may park their vehicles at no cost, and;
- Contact the property owner directly to the south of the city facility and request they create improved parking for their private property off the city parking lot, and;
- Have the Streets Superintendent and the Chief of Police survey the current signage in the downtown area and come back to the committee with a report on existing signage and make a recommendation for additional signage, and;

- Evaluate the affect of the actions described above of parking in the downtown area in several months to determine of additional measures are necessary.

4. Placement of designated parking “t-bars” on Wildwood Avenue.

Discussion: A recommendation to place delineated parking markings on the roadway surface on Wildwood Avenue in an effort to designate where vehicles will park on the roadway, maximizing the number of vehicles that can safely park in the downtown area. Streets Superintendant Jensen advised the group that temporary markings had been placed on the roadway recently as a “test” and they seemed to work well. He could not identify any reasons why the placement of such markings would be problematic.

Recommendation: Place markings for delineated parking on Wildwood Avenue from 609 Wildwood Avenue south for both sides of the roadway.

5. Discuss excessive speeding on Wildwood Avenue and Belleview Avenue.

Discussion: The police department and the City Manager’s Office have received several complaints regarding excessive speed on Wildwood Avenue and Belleview Avenue. The police department will attempt to get their equipment fixed to get survey information for both roadways. The police department has, and will continue to have specified traffic posts on both roadways. The Streets Superintendant made arrangements for the police department to utilize traffic counting equipment from another jurisdiction if we cannot get our equipment operational soon. Consideration of the utilization of reactive LED speed limit/radar signs and/or an illuminated reactive sign/radar trailer be utilized for speed control. The group discussed both options and the majority felt the reactive permanent signs were more effective. The utilization of a sign/radar trailer was decided to be discussed at some point in the future. The cost estimation for reactive signs ranged from \$4,000 to \$7,500. The Public Works Superintendant felt the signs could be very effective on Belleview Avenue. The Police Chief agreed and felt the signs would also be effective on Wildwood Avenue and possibly other areas.

Recommendation:

- Continue enforcement activity and conduct survey when possible; and
- Recommend the installation of two LED reactive signs (one in either direction) on Belleview Avenue to slow traffic and evaluate the effectiveness prior to installing additional signs in other areas of the community.

6. Parking at the East end of Painter Street (river access point):

Discussion: The City Manager requested the issue of parking at the east end of Painter Street be discussed as it is the intention of improving that river access point for pedestrian access. The group discussed the issue and concluded the city’s easement did not provide

for designated parking in that area. It was pointed out that nothing prevented a person from parking their vehicle legally on the street to utilize the access.

Recommendation: No recommendation from the committee at this time.

7. Evaluate the placement of a stop sign on Wildwood Avenue at the intersection of Berkeley Street.

Discussion: Planning Director Caldwell brought this subject forward on behalf of the Chamber of Commerce. For the same warrants as described under item 2 a stop sign would not be warranted at this intersection to improve the safety of the community. Chief Hill advised the group that in addition to the warrants listed in the MUTCD the manual cautions that placement of an unwarranted traffic control device may cause accidents that are not occurring in this area now. The point was made that a business that caters to both adults and minors is operating at the corner of Berkeley and Wildwood Avenue. The group felt the parking issues discussed above, and enforcement efforts by the police department may improve traffic issues in this area of the downtown.

Recommendation: Do not place a stop sign in this area of town based on MUTCD.

8. Traffic on Eeloa Avenue.

The Rio Dell Fire Department discussed large truck traffic entering N/B onto Eeloa Avenue not realizing the roadway dead ends without room for a large truck to run around. They recommended the placement of a sign indicating that Eeloa to the north is not a through street. There were no objections or concerns from the group. The Police Chief noted that unlike a stop sign, an informational sign would not change driving conditions for normal traffic.

Recommendation: Place signage on Eeloa Avenue indicating it is not a through street to alleviate potential traffic problems caused by large truck traffic.

9. Davis Street River Bar access.

Discussion: Based on discussions regarding Painter Street access the committee wanted to discuss the access at Davis Street. The Fire Department related information regarding difficulty accessing through the existing gate on the property of, and managed by, the River's Edge RV Park. Committee members expressed concern accessing emergencies efficiently and recommended creating public access at Davis Street managed by the City of Rio Dell. The Streets Superintendant said it would be a minimal amount of work to open up the end of Davis Street creating access. The group agreed that access at this location would make emergency vehicle access to certain areas of the river bar easier and more efficient.

Recommendation: Create public river access at Davis Street.

Financial Impact

3. Install Sign at City Parking lot

Sign	\$85.00
Pole	\$28.00
Concrete	\$10.00
Hardware	\$ 5.00
<u>2 Labor -1hr @\$59</u>	<u>\$118.00</u>
TOTAL	\$246.00/ per sign

4. Paint Parking Indicators along Wildwood Ave

Templates	\$25.00
Paint	\$220.00
Tools (Painting supplies)	\$32.00
<u>2 Labor -10hrs @\$59</u>	<u>\$1180.00</u>
TOTAL	\$1457.00

5. Solar Powered LED Speed Indication Sign

The actual costs for this item were not available at the time this staff report was prepared. This item will come back before the City Council should the costs exceed allocation in the 2013-2014 budget or otherwise require additional approval.

(Mark Spencer @ Spencer Electric to Call with Quote 3/28/2014)

Sign	
Solar Powered Setup	
Pole	
Hardware	
Concrete	
<u>Labor</u>	
TOTAL	To be determined

8. Install Sign at North Pacific and Eeloa

Sign	\$68.00
Pole	\$28.00
Concrete	\$10.00
Hardware	\$ 5.00
<u>2 Labor -1hr @\$59</u>	<u>\$118.00</u>
TOTAL	\$229.00/ per sign

10. River Bar Access from Davis St


The actual costs for this item were not available at the time this staff report was prepared. This item will come back before the City Council should the costs exceed allocation in the 2013-2014 budget or otherwise require additional approval.

Permits	Call into GHD and Fish & Game.
Heavy Equipment	Backhoe, Excavator, Dump Truck
Hand Tools	Chainsaws
Labor	3 Days
<u>Materials</u>	<u>River Run Sub Base & 3/4 Aggregate Base Rock</u>
TOTAL	To be determined



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

April 1, 2104

TO: Rio Dell City Council
FROM:  Jim Stretch, City Manager
SUBJECT: Roadway Repairs and Specifications

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt the attached specifications for the repair of City Streets, and
2. Require city residents that wish to effectuate repairs, typically between their property line and the paved City right-of-way, to make application with the City at the City Clerk's Office, and
3. Require that the Public Works Director, or his designee, make a pre-work inspection for the approval of the application and also a post work inspection, signing-off that the work was satisfactory and as approved.

BACKGROUND AND DISCUSSION

Periodically, City residents who have a mud hole or other roadway deficiency in front of their residence, between their property line and the asphalt, ask the Public Works Department (PW) to fill them in. Due to the limitation of Streets Funds for repairs, the department is often not able to respond. Some residents then ask if they can fill the holes, and the standard answer has always been that they can, but their repair must be done to City specifications which requires the City Engineer, inspections, an encroachment permit and asphalt over a 6" compacted aggregate base over the top of a 12"-18" sub base. For a resident that just does not want to park in the mud, the standard answer is not helpful.

In response to this gap in City policy, the Street Superintendent and City Engineer have developed the attached standard for the Council's consideration. It is briefly stated that if the resident is not replacing asphalt, a minimum of 6" of ¾" aggregate base placed in the hole up to finished grade, or to ground level, is acceptable at minimum cost.

The recommendation to the Council is that the Public Works Department develops a free permit that must be filled out by the resident and filed with PW prior to the commencement of any work. It would be required of the Public Works Director to inspect the area of work before work begins and then to inspect the completed work and sign off upon completion.

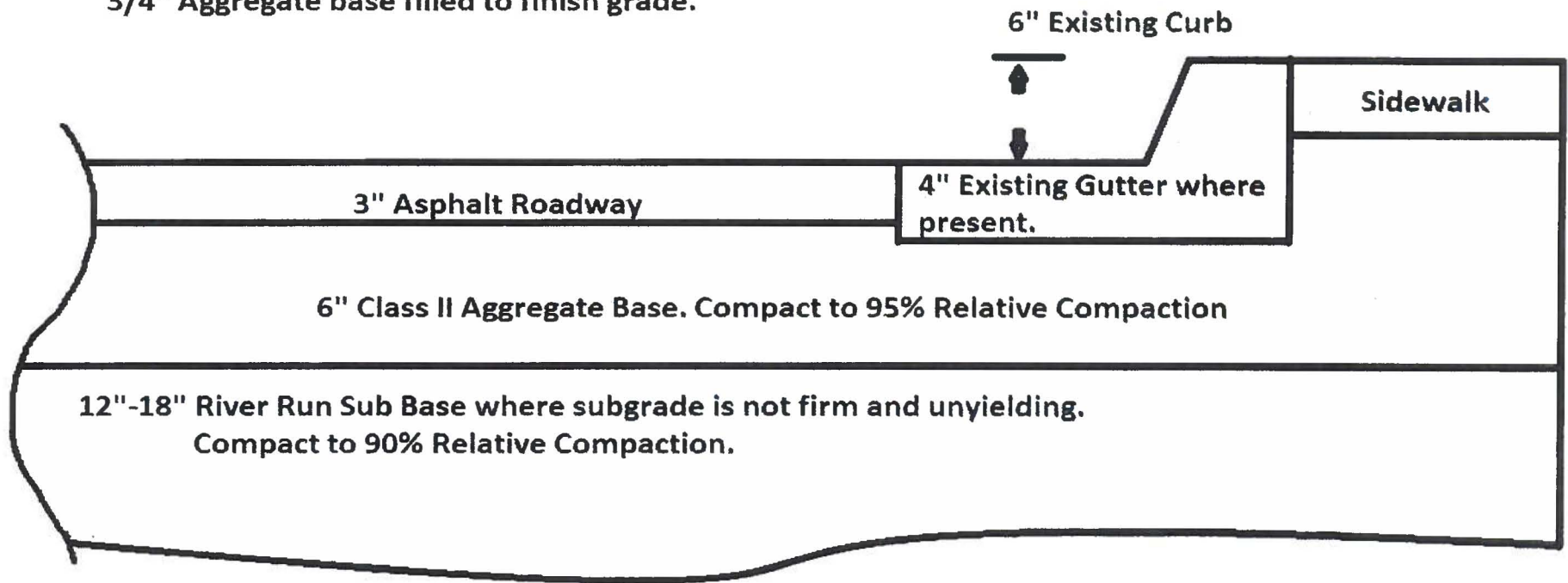
Attachment: Cross sectional drawing of typical street

Roadway Repairs and Specifications



Sawcut or Jackhammer (have a clean edge) of the asphalt area to be repaired.

If not replacing asphalt, have minimum of 6" of 3/4" Aggregate base filled to finish grade.





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

April 1, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Approval of Finance Director Agreement

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the attached agreement with new Finance Director Brooke Woodcox, effective April 7, 2014

BACKGROUND AND DISCUSSION

The agreement with Brooke Woodcox as Rio Dell's new Finance Director, effective April 7, 2014 is attached. It is identical to the agreement with the former Finance Director, except that the annual salary in Section 5 of the agreement is set at the "A" step of the salary range (\$67,473) and the life insurance benefit in Section 15 is set at \$50,000, the same as other management personnel, except for the Chief of police.

This agreement has been approved by the City Attorney as to legal form.

It is recommended that the City Council approve the attached agreement with new Finance Director Brooke Woodcox.

Attachment: Employment agreement with Brooke Woodcox, Finance Director

**CITY OF RIO DELL
FINANCE DIRECTOR
EMPLOYMENT AGREEMENT**

This Employment Agreement (this "Agreement") is made and entered by and between the **CITY OF RIO DELL**, a municipal corporation of the State of California, hereinafter referred to as the "Employer" and Brooke Woodcox, hereinafter referred to as "Employee" or "Finance Director", both of whom understand as follows:

RECITALS

- A. WHEREAS, Employer desires to employ the services of said Brooke Woodcox as **Finance Director** of the City of Rio Dell; and
- B. WHEREAS, it is the desire of the **Employer** to provide certain benefits, establish certain conditions of employment, and set working conditions of said Employee; and
- C. WHEREAS, Employee desires to accept employment as the Finance Director of the said City.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. DUTIES. Employer hereby agrees to employ Brooke Woodcox as Finance Director of said Employer to perform the functions and duties specified in the Ordinances of said City, pursuant to California Government Code section 36506, and to perform other legally permissible and proper duties and functions as the Finance Director shall from time to time be assigned.

SECTION 2. TERM. This Agreement shall remain in effect through April 6, 2017, unless Employee's term of employment is terminated earlier as provided in this Section 2 or Section 3 of this Agreement, or by the voluntary resignation of Employee. Should Employee elect to resign, Employee shall provide Employer with thirty (30) days written notice prior to resignation.

- a. **Termination from Employment; 90 Day Limitation on Termination and Severance Pay.** Except in the event of immediate termination for cause as a result of a conviction or a plea of no contest to a felony as stated in Section 2.b. of this Agreement, below, the Finance Director shall not be terminated from employment within the ninety (90) day pay period following the appointment of a new City Manager. The purpose of this provision is to allow any newly appointed City Manager to directly observe the actions and ability of the Finance Director in the performance of the powers and duties of his/her office. In all other circumstances, the

Finance Director can be terminated from employment **with or without cause and for any reason (or no reason at all)** following two (2) weeks written notice from the City Manager, and without notice under Section 2.b. of this Agreement. In the case of employment termination prior to expiration of this Agreement (i.e., prior to June 30, 2014) the Finance Director shall be entitled to receive severance in a lump sum and all unused vacation, and executive leave time, **as Employee's sole and exclusive remedy and right(s) to payment at employment termination.** "Severance" shall be paid according to the following schedule:

<u>Years of Continuous Service</u>	<u>Severance Pay</u>
0-1 year	2 months salary
1-2 years	3 months salary
2-3 years	4 months salary
3-4 years	5 months salary

- b. **Severance Payment Exception.** Should the Finance Director be terminated for cause or as a result of a conviction or plea of no contest to a felony no severance pay will be provided upon employment termination. If the Finance Director voluntarily leaves employment with the City of Rio Dell or resigns, no severance pay will be provided upon separation.

SECTION 3. SUSPENSION OR REMOVAL. The Employee may be suspended, removed, or dismissed from the service of the City of Rio Dell at any time during the term of this Agreement pursuant to Section 2 above or to the provisions of any applicable City of Rio Dell Ordinances.

SECTION 4. DISABILITY. Employer may terminate Employee's employment if Employee suffers a disability that renders Employee unable, as determined in good faith by the City Manager, to perform the essential functions of the position, even with reasonable accommodation, for four months (twelve weeks) in any 12-month period. If Employee's employment is terminated under this Section 4, Employee shall be compensated for all accrued obligations through the termination date, which for purposes of this section shall be a date specified by the City Manager. Employer shall also pay to Employee a severance pay as set forth in Section 2 above. After the termination date, Employer shall not pay to Employee all other compensation or payment of any kind, or severance, or payment in lieu of notice. All benefits provided by Employer to Employee under this Agreement or otherwise shall cease on the Termination Date.

SECTION 5. SALARY. Employer agrees to pay Employee for their services rendered an annual salary of Sixty Seven Thousand Dollars Four Hundred Seventy dollars (\$67,473) beginning April 7, 2014 through April 6, 2015, payable in installments at the same time as other employees of Employer are paid. Employer agrees that Employee's annual salary beginning April 7, 2015 through April 6, 2016, may be increased to Sixty Nine Thousand Four Hundred Ninety Seven dollars (\$69,497) with satisfactory performance and upon approval of the City Manager. The Employer further agrees that Employee's annual salary beginning April 7, 2016,

may be increased to Seventy One Thousand Five Hundred Eighty Two dollars (\$71,582) with satisfactory performance, upon approval of the City Manager.

SECTION 6. PERFORMANCE EVALUATION. The City Manager shall review and evaluate the performance of the Employee not later than six (6), twelve (12) and twenty four (24) months from the effective date of this Agreement. From time to time as may mutually be deemed appropriate, the City Manager and Employee shall define such goals and performance objectives in writing which are determined necessary for the proper operation of the Department and City. Such goals and performance objectives shall be considered as part of the annual performance review of Employee.

SECTION 7. HOURS OF WORK. It is recognized that Employee may be expected to work in excess of eighty (80) hours per pay period at the direction of the City Manager. Employee shall receive no overtime pay or compensatory time off. Employee acknowledges that the position of Finance Director is an administrative level, supervisory position exempt from rights to overtime pay under California Wage and Hour law regulations. Employer through the City Manager may accommodate a flexible schedule in the form of a modified work week and/or working from home so long as the City Manager determines that the needs of the City are adequately met.

SECTION 8. OTHER EMPLOYERS OR OUTSIDE ACTIVITIES. Employee agrees to remain in the exclusive employ of Employer and not to become employed by any other employer in other employment until termination of the employment relationship. The term "other employment" shall not be construed to include occasional teaching, writing, consulting, or military reserve service performed on Employees time off. Employees shall not spend more than four (4) hours per week in teaching, counseling, or other non-employer connected business without the prior written approval of the City Manager.

SECTION 9. AUTOMOBILE. Employee's duties require that she/he shall have the use at all time during his/her employment with Employer an automobile to perform Employer's business. Employee's use of his/her private vehicle for City business shall be reimbursed to Employee at the current standard mileage rate as published by the United States Internal Revenue Service. Subject to the provisions of the City's separate Travel and Reimbursement Resolution, Employee shall be responsible for paying for all gas, maintenance, and repair of said automobile. Employee shall be responsible for paying for all liability, property damage, and comprehensive insurance on said automobile. Employee shall maintain a valid driver's license and maintain insurable driving status as defined by City's insurance coverage. Employee shall provide employer with a Department of Motor Vehicle H-6 report annually to verify minimum driving standards.

SECTION 10. VACATION, SICK LEAVE, HOLIDAYS, AND EXECUTIVE TIME.

For the health and welfare of its employees, it is the policy of the City of Rio Dell that employees be encouraged to use the vacation benefits granted by the City and shall take an annual vacation of at least 40 hours.

Employee will receive eighty (80) hours of executive leave each fiscal year in two (2) installments; 40 hours on July 1 and 40 hours on January 1. The taking of vacation and executive leave time shall be coordinated with and approved by the City Manager, who shall not unreasonably withhold their approval.

Employee may cash out or utilize the Executive Time installment beginning July 1. Employee shall be paid on the first pay period of June for each calendar year during the term of this agreement for accrued Executive Leave that remains unused or unpaid during the previous twelve (12) months.

Employees accrue a sick leave benefit of eight (8) hours each calendar month actually worked by Employee, and vacation time shall accrue in accord with the following schedule based on years of continuous employment service to the City:

<u>Years of Continuous Service</u>	<u>Hours per Year</u>	<u>Accrual Max.</u>
One to three (1-3)	80 hours	120 hours
Four to ten (4-10)	120 hours	180 hours
Eleven to fifteen (11-15)	160 hours	240 hours
Sixteen to twenty (16-20)	200 hours	300 hours

Employee shall also be entitled to the same paid holidays as the Rio Dell Employees' Association.

SECTION 11. ACCRUED VACATION LEAVE. The amount of vacation time allowed to be accrued at the end of any pay period shall not exceed 1.5 times the annual amount of vacation time for the Employee's year of service stated in the schedule recited in Section 10 (not to exceed a maximum of 300 hours). Upon reaching the applicable vacation accrual maximum in accord with the schedule recited in Section 10, the employee will not earn or accumulate additional vacation time and shall be automatically cashed out of 40 hours of accrued vacation, to be paid in the next pay period.

Employees may elect to buy down their vacation accrual at any time, provided that they have scheduled a vacation leave with the department head or City Manager as appropriate or have taken their annual vacation and the balance of their vacation account will be at least 40 hours after the buy down.

SECTION 12. WORK RELATED EXPENSES REIMBURSEMENT. Employer agrees to reimburse the Employee such verifiable work related out-of-pocket expenses incurred by the Employee as approved by the City Manager. Employee shall submit an itemization schedule of his out-of-pocket expenses to the City Manager in writing in the form of a purchase order for payment. Employer also agrees to pay employee a monthly cell phone allowance to ensure employee is contactable at all times. Employee must maintain cell phone service. The City's cell phone policy established by separate Resolution of the City Council is applicable in all regards for Employee.

SECTION 13. MEDICAL AND DENTAL INSURANCE REIMBURSEMENT. Medical, Dental and Vision Insurance shall be provided for the Wastewater Superintendent as the City provides for other management positions. The contribution amount by the City shall be 100% of the premium costs for these benefits for the employee and 70% of the total premium costs for employee's dependents, depending on their age and status as a student as provided in the plan document. Should the City choose alternative medical coverage during the effective period of this Agreement, that alternative insurance shall be of equal or greater comprehensive coverage, than which is currently in place. Employees may elect to substitute compensation for health, dental, and vision insurance coverage. The level of compensation shall be \$125 per pay period for all health, vision and dental coverage, collectively. Proof of health insurance must be provided to employer.

SECTION 14. DEFERRED COMPENSATION. The Employer does not yet participate in and is not a party to the Public Employees Retirement System of the State of California. The Employer participates in a deferred Compensation Plan. The Employer shall contribute and pay an amount equal to twelve percent (12%) of the Employee's salary to the Deferred Compensation Plan to the extent accrued proportional to the amount of time worked during any given year.

SECTION 15. LIFE INSURANCE. A TERM LIFE INSURANCE POLICY IN THE AMOUNT OF Fifty Thousand Dollars (\$50,000.00) shall be provided by the Employer for the Employee.

SECTION 16. AGREEMENT EFFECTIVE. This Employment Agreement shall become effective April 7, 2014 and shall remain in effect through April 6, 2017, subject to potential early termination under Sections 2 and 3 of this Agreement and changes pursuant to amendments or adjustments made at mutually agreed upon times throughout Employee's term of employment with Employer.

SECTION 17. INDEMNIFICATION. Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action arising out of an alleged act or omission occurring in the performance of Employee's duties as Wastewater Superintendent. Employer's indemnity obligation shall not apply to any claims or liabilities, of any type or nature, arising out of any intentional acts, criminal acts or willful misconduct of Employee.

SECTION 18. BONDING. Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

SECTION 19. DUES AND SUBSCRIPTIONS. Employer agrees to budget and to pay for the professional dues and subscriptions of employee necessary to support growth, advancement and active communication for the good of the City. Employee shall distribute to and share with the City Manager written material and information distributed by the said associations.

SECTION 20. LICENSING AND TRAINING. Employer agrees to budget and pay for the professional licensing and continued education of Employee for training as necessary and approved by the City Manager.

SECTION 21. TRAVEL EXPENSES. Employer hereby agrees to budget for and to pay the travel and subsistence expenses of Employee for official and professional travel of Employee while on City Business, provided that the City Manager has first approved and authorized said travel and training expenses.

SECTION 22. ATTORNEY'S FEES. Should any litigation be commenced between the parties to this Agreement or the rights and duties of either relationship thereto, the prevailing party in such litigation shall be entitled in addition to such other relief as may be granted, to reasonable sum as and for attorney's fees which shall be determined by the court.

SECTION 23. OTHER TERMS AND CONDITIONS OF EMPLOYMENT. The City Manager may fix any such other terms and conditions of employment, not in conflict with City Ordinances, Rules or Policies, as he/she may determine from time to time, relating to the performance of Employee.

SECTION 24. NOTICES. Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

EMPLOYER
City of Rio Dell
Rio Dell City Hall
675 Wildwood Ave.
Rio Dell, California 95562

EMPLOYEE
Brooke Woodcox
Rio Dell City Hall
675 Wildwood Ave.
Rio Dell, California 95562

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written in the course of transmission in the United States Postal Service.

SECTION 25. GENERAL PROVISIONS

- A. The text herein shall constitute the Agreement between parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.
- C. This Agreement shall become effective commencing immediately, subject to Section 17 above.
- D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

E. This Agreement (including all Exhibits attached hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or amended except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein.

EMPLOYEE

Brooke Woodcox
Finance Director

Date: _____

EMPLOYER

City of Rio Dell
By: Jim Stretch, City Manager

Date: _____

Approved as to form:

Russell Gans
City Attorney

Date: _____

IN WITNESS WHEREOF, THE City of Rio Dell has caused this Agreement to be signed and executed in its behalf by its City Manager, and the Employee has signed and executed this Agreement, both in duplicate.

EMPLOYEE

EMPLOYER

Finance Director
Date

Jim Stretch
City Manager
Date

Approved as to form:

Russ Gans
City Attorney
Date



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

April 1, 2104

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Status Report from Avery Associates Re: City Manager Recruitment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive and file this report

BACKGROUND AND DISCUSSION

On January 7, 2014 the City Council approved a contract with Avery Associates for the recruitment of Rio Dell's new City Manager. As you are aware, the recruitment will close on April 4, 2014.

Attached is a status report from Paul Kimura of Avery Associates of the tasks completed and the elements of the recruitment yet to be completed. In my view, Avery Associates have done an excellent job to date and their outreach to potential candidates has been top rate. The initial timeline for the recruitment from beginning to end is also attached.

It is recommended that the City Council receive and file this report.

**City of Rio Dell
City Manager Recruitment
Status Update –March 24, 2014**

Outreach is in full swing and we have a current applicant count of 22 . We have two weeks remaining in the filing period and believe we'll see a slight "spike" of candidates during the last several days of outreach. Will provide another update next week.

Tasks Completed:

- Met with and/or spoke with City Council members and incumbent CM on January 31 to secure input regarding the Ideal Candidate Profile and key priorities for the position.
- The formal job announcement was drafted, approved and printed. A hard copy mailing was sent to 440 City Managers and Assistant City Managers throughout the State.
- Print ad ran in March 11 edition of Jobs Available and March 4 edition of the ICMA newsletter.
- Internet/web postings have been placed on the following sites: ICMA, Public CEO, Western City online, Linked-In, Government Jobs, Careers in Government, MMANC and MMASC.
- An initial contact list was developed and will continue to expand as new referrals and contacts are identified.

Tasks To Be Completed:

- Continue outreach through the recruitment close date of April 4.
- Evaluation of applicant pool to identify candidates appropriate for the position. Initiate phone qualifying interviews and formal interviews with Avery for top candidates.
- Prepare candidate recommendations and initial reference interviews in preparation for presentation to City Council
- Meet with City Council to present candidate recommendations and secure approval for final candidate list and discuss interview process. Date TBD
- Formalize final interview dates. Dates TBD
- Work with staff to coordinate final interview logistics.
- Complete final background and final references on preferred candidate.
- Work with City to negotiate final terms and conditions with selected candidate.

**City of Rio Dell
City Manager Recruitment
Proposed Recruitment Timeline – draft – February 17, 2014**

Activity	Date	Comments
Initial Client Meetings	Site visit on Jan 31	Met four council members and Jim Stretch. Phone interview with final councilmember on 2/7
Job Announcement Draft	February 18	
To Printer – Initiate Search	By 2/24	Five working days to print
Mailings Out	By March 3	Hard copy mailing throughout California
Internet Postings	By 2/25	ICMA, MMANC, MMASC, Western City online, Linked-In, Careers In Govt, Govt jobs, Public CEO, Avery Website
Jobs Available (1 insertion) ICMA Newsletter (1 insertion)	March 11 edition – copy due March 4 Mid March edition	
Outreach Period	Feb 24 – April 4	6 week outreach – can pull back to 5 week if necessary
Final Filing Date	April 4, 2014	
Interviews/Assessment/Referencing/Development of Candidate Books	April 7 – April 25	Qualify, interview, assess and conduct initial references on candidates
Candidate Presentation to City Council	Week of April 28	Presentation of candidates and final discussion of process est. 90 minutes.
City Council Interviews long list and Short list	Week of May 5 (back-to-back days)	Long list will require full day. Short list will require ½ day
Background Check/Negotiate Terms of Offer/Appointment	Complete during the week of May 12	Typically takes 5-7 workdays. Council Ratifies contract May 20 meeting?
Start Date	Early June	Typically 2 – 6 week notice period



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

April 1, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Authorize Expense for Davis Street Survey and School Site Acquisition, and Related Supplemental Budget

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Authorize the expense of \$17,145 from the General Fund and Parks and Recreation Fund Reserves related to the gift of recreational property from the Rio Dell School District for the following requirements:
 - a). Land survey with monuments for 3.4 acre School parcel (\$2,675)
 - b). Fencing to separate school property (\$9,270)
 - c). Legal costs and fees related to property gift from Rio Dell School District (\$5,200), and
2. Authorize the expense of \$1,775 of the Streets Fund for the survey of the Davis Street R/W at the Eel River and the intersection of Davis Street and Edwards Drive, and
3. Approve attached Resolution No. 1221-2014 amending the City of Rio Dell budget in the amount of \$17,145 by transferring \$7,300 from the Parks and Recreation Reserve to the Capital Projects Budget and \$9,845 from the General Fund Reserve to the Capital Projects Budget for costs associated with acquiring the property.

BACKGROUND AND DISCUSSION

February 18, 2014 the Rio Dell City Council approved moving forward with accepting a gift of 3.4 acres of school property for City recreation purposes in exchange for the City funding a survey and legal description of the parcel, preparing the legal documents and fees related to the property transfer and fencing the property. Cost estimates are now coming in for the project and the Council is requested to approve the expenditure.

Cost Estimate For School Parcel

Cost Estimate For School Parcel

1. Land survey	\$ 2,675
2. Fencing	9,270
3. Legal cost and fees	<u>5,200</u>
Total estimated cost	\$17,145

In addition, since we will have a surveyor in town, a quote was requested to prepare a survey with monuments on the ground for Davis Street where it intersects at the Eel River and the intersection of Edwards Drive where it intersects with Davis Street, both in the same area. These surveys will bring answers to the questions about right of way lines on the ground and street alignments specifically. The additional cost for this work when done concurrently is \$1,775.

Total Cost Estimate for All Work--\$18,920.

The Street Fund has the budget to pay for \$1,775 of the cost and the Park and Recreation Reserve has a balance of \$7,300 for the cost directly related to Park lands acquisition. The \$9,845 balance would be transferred from the General Fund Reserve for allocation to the City Manager's Professional Services Account (5115).

It is recommended that the City Council authorize these expenditures for unanticipated recreational land acquisition.

Attachments: Budget Transfer Form totaling \$17,145.
Resolution 2021-2014 for \$17,145 Supplemental Budget

REQUEST FOR BUDGET TRANSFER/ADJUSTMENT

DEPARTMENT: CAP. Proj

DEPT# D-14

DATE: 3/27/2014

1.) Reason for Budget Transfer Request:

- Transfer within expenditure/revenue category (with Finance Director Approval)
- Transfer between expenditure/revenue category (with City Manager & Finance Director Approval)
- Transfer to or from Reserves (with Council Approval)
- Increase/decrease budget unit appropriation (with Council Approval)
- Establish/transfer funds in Fixed Assets <\$5,000 (City Manager & Finance Director's Approval)
- Establish/transfer funds in Fixed Assets >\$5,000 (with Council Approval)

2.) TRANSFER FROM:

FUND	ACCOUNT NAME	ACCOUNT NUMBER	AMOUNT
<u>000</u>	<u>Gen. Fund Reserve</u>	<u>8000</u>	<u>\$ 9845</u>
<u>015</u>	<u>Park/Res. Reserve</u>	<u>3010</u>	<u>7300</u>

TRANSFER TO:

FUND	ACCOUNT NAME	ACCOUNT NUMBER	AMOUNT
<u>000</u>	<u>Cap Proj: Land</u>	<u>6550</u>	<u>9845</u>
<u>015</u>	<u>" " "</u>	<u>"</u>	<u>7300</u>
			<u>\$ 17145</u>

3.) In the space below, state (a) reason for transfer request, (b) reason why there are sufficient balances in affected accounts, and (c) why transfer cannot be delayed until next budget year.

Supplemental Budget for Land acquisition from Rio Dell School District

See Council action of April 1, 2014 and Staff report

4.) Department Authorization: _____ Date: _____ (Signed) _____

5.) Account balances verified by Finance Director: _____ Date: 3/27/14 (Signed) Joanne Farley

6.) /Approved /Not Approved /Recommended /Not Recommended
 City Manager Date: 3/27/14 (Signed) Joe Stolt

7.) /Approved /Not Approved /Recommended /Not Recommended
 /Tabled /Modified /Next Meeting
 City Council Date: _____ (Signed) _____

RESOLUTION NO. 2021-2014

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF RIO DELL, SUPPLEMENTING THE 2013-14 BUDGET
TO FUND COSTS RELATED TO THE TRANSFER OF RECREATIONAL
PROPERTY FROM THE RIO DELL SCHOOL DISTRICT TO THE CITY OF RIO DELL**

WHEREAS, since 1984 the Rio Dell School District and the City of Rio Dell have had a Joint Powers Agreement for the inter-use of certain school property for City recreation facilities; and

WHEREAS, the Rio Dell School District is supportive of the City's recreational programs on the property and wishes to gift 3.4 acres to the City for that purpose; and

WHEREAS, conditions for transfer of the property to the City include surveying the parcel, preparing and filing a legal descriptions, documents related to title and fencing the property, the costs of which are unbudgeted; and

WHEREAS, funds are available in Reserves to cover the costs of the transfer and acquisition, but requires the adoption of a Supplemental Budget in the amount of \$17,145.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell hereby adopts Resolution 2021-2014 to amend and supplement the 2013-14 Rio Dell City Budget as follows:

SECTION 1. \$7,300 is transferred from the Parks and Recreation Reserve (8000) to the Capital Projects Budget line item (6550-Capital Project Land) and,

SECTION 2. \$9,845 from the General Fund Reserve (3010) to the Capital Projects Budget line item (6550-Capital Project Land), and

SECTION 3. All amounts in Section 1 and 2 above are necessary to cover costs associated with acquiring 3.4 acres of recreation property from the Rio Dell School District.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on this 1st day of April, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

Attest:

Karen Dunham, City Clerk



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

April 1, 2104

TO: Rio Dell City Council
FROM: Jim Stretch, City Manager
SUBJECT: Adopt Ordinance No. 320-2014 to Amend Rio Dell Municipal Code Sections 13.10.231 to establish a penalty for Non-Payment of sewer service

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Open the public hearing for the first reading of Ordinance 320-2014, by title only, for the amendment of Rio Dell Municipal Code Sections 13.10.231 concerning the penalty for customers without water service for nonpayment of sewer service, and
2. Continue the public hearing and second reading of Ordinance 320-2014 to the meeting of April 1, 2014 for adoption.

BACKGROUND AND DISCUSSION

Rio Dell Municipal Code Section 13.10.240 provides that if a customer is delinquent in the payment of their sewer bill, the Department of Public Works has the right to discontinue water service without any further notice. This process is followed. However, in the rare case that a sewer customer does not subscribe to City water service, there is very little leverage available to the City for timely payment.

Such is the case for at least one customer who is habitually delinquent, presently at 6 months, and does not respond to City demands for payment.

The proposed amendment to the Municipal Code Sections to address this situation is to establish a penalty as allowed by Government Code Section 54348, similar to the water utility and with a collection method 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 (10%) of each month's charges for the first month delinquent, and thereafter an additional ten percent (10%) of each month's basic charge for each additional month of delinquency. In addition to the basic penalty, there shall be an additional penalty

ATTACHMENT #1

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 NONNPAYMENT 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 (10%) of each month's charges for the first month delinquent, and thereafter an additional ten percent (10%) of each month's basic charge for each additional month of delinquency. In addition to the basic penalty, there shall be an additional penalty charged equal to one-half of one percent (.50%) per month for nonpayment of the delinquent 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 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:
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 Ordinance of 320-2014 adopted by the City of Rio Dell on April 1, 2014.

Karen Dunham, City Clerk, City of Rio Dell