



RIO DELL CITY COUNCIL
REGULAR MEETING – 6:00 P.M.
TUESDAY, AUGUST 6, 2024
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME** - Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue and available on the City's website at cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

**SPECIAL PUBLIC HEALTH EMERGENCY ALTERATIONS TO MEETING FORMAT
CORONAVIRUS (COVID-19)**

City Council meetings are held in City Hall Council Chambers to in-person attendance by the public. The public may also attend these meeting virtually through Zoom. The meetings will also be viewable via livestreaming through our partners at Access Humboldt via their YouTube channel or Suddenlink (Optimum) channels on Cable TV.

Public Comment by Email:

In balancing the health risks associated with COVID-19 and need to conduct government in an open and transparent manner, public comment on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note the agenda item the comment is directed to (example: Public Comments for items not on the agenda) **and email no later than one-hour prior to the start of the Council meeting**. Your comments will be read out loud, for up to three minutes.

Meetings can be viewed on Access Humboldt's website at <https://www.accesshumboldt.net/>. Suddenlink Channels 10, 11 & 12 or Access Humboldt's YouTube Channel at <https://www.youtube.com/user/accesshumboldt>.

Zoom Public Comment:

When the Mayor announces the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call the toll-free number **1-888-475-4499**, enter meeting **ID 987 154 0944** and press star (*) 9 on your phone – this will raise your hand. You will continue to hear the meeting on the call. When it is time for public comment on the item you wish to speak on, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. Please state your name and begin your comment. You will have 3 minutes to comment.

A. CALL TO ORDER

- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. CEREMONIAL MATTERS
- E. PUBLIC PRESENTATIONS

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

F. CONSENT CALENDAR

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

- 1) 2024/0806.01 - Approve Minutes of the July 16, 2024 Regular Meeting
(ACTION) Pg. 1
1
- 2) 2024/0806.02- Approve Minutes of the July 31, 2024 Special Meeting
(ACTION) Pg. 8
- 3) 2024/0806.03- Approve Resolution No. 1612-2024 and 1613-2024
Related to Administration and Examination of the City's
(0.75%) Transactions and Use (Sales) Tax **(ACTION)**
Pg.13
- 4) 2024/0806.04 - Approve Resolution No. 1615-2024 Approving an
Amendment to the City of Rio Dell Employee Handbook,
Section 5.11 Related to Jury Duty **(ACTION) Pg. 37**
- 5) 2024/0806.05 - Authorize Staff to Amend the Agreement with Redwood
Community Action Agency for Non-Infrastructure Work
Related to the Eel River Trail Project **(ACTION) Pg. 41**

6) 2024/0806.06 - Authorize Staff to Periodically Close Vehicular River Access at Edwards Drive through December 2024
(ACTION) Pg. 43

7) 2024/0806.07 - Authorize Amendment to the Scope of Services with City Engineer, GHD in the Amount of \$11,500 for the Eel River Trail Project **(ACTION) Pg. 44**

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. REPORTS/STAFF COMMUNICATIONS

1) 2024/0806.08 - City Manager/Staff Update **(RECEIVE & FILE) Pg. 49**

I. SPECIAL PRESENTATIONS/STUDY SESSIONS

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

1) 2024/0806.09 - Introduction and First Reading (by title only) of Ordinance No. 405-2024 amending the Rio Dell Municipal Code (RDMC) Chapter 15.05 "Construction Codes" to establish construction activity noise regulations and Chapter 2.60 Planning Commission regulations to elect the Chair and Vice-Chair on a bi-annual basis **(DISCUSSION/POSSIBLE ACTION) Pg. 54**

2) 2024/0806.10 - Introduction and First Reading (by title only) of Ordinance No. 406-2024 Amending Chapter 13.10, "Sewer Rates and Regulations", Sections 13.10.170, 13.10.210, 13.10.220 and 13.10.467 of the Rio Dell Municipal Code (RDMC) **(DISCUSSION/POSSIBLE ACTION) Pg. 61**

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, August 20, 2024 at 6:00 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
JULY 16, 2024**

The regular meeting of the Rio Dell City Council was called to order at 6:10 p.m. by Mayor Garnes.

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

Others Present: City Manager Knopp, Finance Director Sanborn, Interim Chief of Police Conner, Water/Roadways Superintendent Wastewater Superintendent Kelly, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Community Development Director Caldwell

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters. No members of the public commented.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public would like to remove any item from the consent calendar for a separate discussion. No items were removed.

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

- 1) Minutes of the June 18, 2024 regular meeting;
- 2) Authorizing the Finance Director to sign and submit the City's Annual Regional Surface Transportation Program (RSTP) Claim to the Humboldt County Association of Governments (HCAOG); Aeromod Tritan Belt Filter Press in the amount of \$17,693.78; and
- 3) Resolution No. 1610-2024 Designation of Voting Delegate for the League of California Cities Annual Conference;
- 4) Check Register for June; and
- 5) Authorizing the City manager to execute a contract for professional services with CSG Consulting for SB 1383 Compliance and Franchise Consultant Agreement Development in the amount of \$25,530.

Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and said that a ceremonial groundbreaking with Senator McGuire, Cal OES representatives and other local officials would be occurring tomorrow at 1:30 p.m. at the Douglas Street water tank for the City's water distribution system capital project. He encouraged all councilmembers to attend and recommended carpooling due to limited parking.

Change in Order of Agenda

Mayor Garnes announced that the last item on the agenda related to the camera system at Fireman's Park was being moved up to this position of the agenda.

Financial Support for Camera System Related to the Public Restrooms at Fireman's Park

City Manager Knopp provided a brief staff report and said that at the June 18, 2024 City Council meeting, Mayor Pro Tem Carter requested that the Council agenda an item to discuss a financial contribution covering a portion of the cost of a camera system for Fireman's Park due to recent vandalism of the public bathroom.

Mayor Pro Tem Carter said that she brought this item before the Council as a result of the recent vandalism and said that the City needs to support the Fire Department in their efforts to crack down on vandalism. She noted that Fireman's Park is the only public park in the city and security cameras would not only help the police department but be a benefit to the entire community. She recommended the City Council approve a contribution to help cover a portion of the cost of the camera system.

Jim Barsanti, Rio Dell Fire Commissioner addressed the Council and began by thanking the City Council for its generous contribution of \$2,500 for playground equipment. He said that someone broke into the women's bathroom at the park and vandalized the bathroom resulting in \$2,500 in damages. In addition, there has been recent vandalism to the memorial picnic tables. He expressed the need for security cameras at the park and said that they received an estimate from Advance Security in the amount of \$4,660.53 for the installation of four (4) security cameras to be placed on the fire hall roof. One camera would shine toward the bathrooms, the other three would cover the park, the baseball field and the playground equipment.

Mayor Garnes commented that installation of the security cameras would benefit the entire community, not just the fire department.

Councilmember Wilson asked how hard it would be for the vandals to access the cameras.

Jim Barsanti said that Advance Security recommended against installing the cameras on poles and that the best location would be on the peak of the building. He said that they are exploring options for protecting the cameras.

Councilmember Woodall asked if the cameras being proposed are high resolution cameras.

Chief Conner commented that even with cameras that produce low quality pictures, they can often identify a suspect by the way they walk.

Mayor Pro Tem Carter suggested the City split the cost of the camera system and authorize a contribution to the Fire Department of \$2,300.

City Manager Knopp reminded the Council that they should include in the motion that the contribution is in the best interest of the public and that the contribution be a reimbursement.

A motion was made by Woodall/Carter making the finding that a cost share to the Fire Department for a security camera system is in the best interest of the public and that the City Council authorize reimbursement of \$2,300 to the Fire Department once the work is done.

Motion carried 5-0.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation by Wastewater Superintendent Kelly on future proposed amendments to the Sewer Regulations and the creation of the Sewer Lateral Repair/Replacement Program Revolving Loan Fund

Wastewater Superintendent Kelly provided a staff report and explained that as the City Council is aware, inflow and infiltration (I&I) issues during the wet weather season are extreme. Staff's goal is to work with the residents to resolve some of these I & I issues on private property by providing guidance with clearer language in Chapter 13.10 of the Rio Dell Municipal Code (RDMC), "Sewer Rates and Regulations".

She said that with adoption of the ordinance related to Sewer Rates and Regulations in 2013, there were articles from the past ordinance not included, leaving some language vague and misinterpreted. With clearer language, staff is hopeful preventative maintenance and scheduled maintenance will be established with future projects.

Suggested revisions to the ordinance included the following:

- 1) Making it clear that backflow devices and lower cleanouts with correct direction of sweep are installed at the time of sale during the sewer lateral inspection.
- 2) Clarifying language that at the time of sale, with sewer lateral inspections that camera work be done to look for tie-ins or shared laterals. When discovered, these are to be immediately made aware to the property owners and that a 60-day time line be given to fix the problem.

- 3) Requesting that if a property is within 300 feet of the City sewer and their current on-site wastewater treatment (septic) system fails or is not adequate for future development of the property, that the property tie into the City's sewer system.

Wastewater Superintendent Kelly further explained that throughout the City there are many hidden sewer laterals, some of them tie into their neighbors' laterals which is not legal and must be dealt with at the time of sale when a lateral test inspection is attempted and corrections must be made to pass the lateral inspection.

She said that it is during these tests that neighbors and homeowners discover the problem and letters of deferment are written to help with the completion of the project. Sometimes these lateral corrections can be costly and as a surprise cannot be financially sustainable for the low-income residents.

Staff recommended that at a future date the City do the following:

- 1) Create the Sewer Lateral Repair/Replacement Program Revolving Loan Fund with the City setting aside \$150,000 from the Sewer Fund to make available to homeowners that need sewer lateral replacement and lower cleanout installation.
- 2) A fixed 5-year loan with 6% interest be paid back to the City.

She explained that the Revolving Loan Fund (RLF) project is currently being reviewed by the Finance Department and the City Attorney as they resolve some of the details. Staff will have a complete presentation for the Council at a future date.

Mayor Pro Tem Carter supported the recommended revisions to the ordinance.

Councilmember Wilson asked if the City has the equipment to camera the lines.

Wastewater Superintendent Kelly said that the homeowner is responsible for hiring a licensed plumbing contractor to camera the line and do the sewer lateral test.

Councilmember Wilson questioned the direction of the sweep.

Wastewater Superintendent Kelly explained that the sweep is at the lower cleanout at the property line and the sweep needs to be toward the city sewer main. If they are installed incorrectly, it causes problems down the line.

Councilmember Woodall asked if homeowners are only required to have sewer lateral inspections at the time of sale of the property.

Wastewater Superintendent Kelly said that currently it is only at the time of sale so when they camera the line and discover a tie-in with a neighboring property, they are required to disconnect from the neighbor and tie into the city main within a designated time frame.

Mayor Garnes called for public comment.

Kieley Hawthorne, 351 First Ave. addressed the Council regarding a recent sewer backup that occurred at her residence. She said that when she purchased the property 2-3 years ago, she had a contractor come and perform the sewer lateral test and everything passed. She said that she also received a letter from the City stating that she was not responsible for any repairs to the sewer lateral. She indicated that the neighbor at 353 First Ave. is tied into her sewer line and recently when the City was hydro-jetting the main sewer line, sewer backed up into her house causing damage to personal items in her bathroom.

Sharon Wolfe asked if the proposed amendments related to septic tanks applies to the Cal Fire property.

Wastewater Superintendent Kelly explained that there are some properties in the City that have private septic systems and if they fail or are not sufficient for a proposed development and are within 300 feet of the sewer main, they would be required to connect to City sewer.

City Manager Knopp pointed out that the State of California (Cal Fire) is not required to comply with the City's regulations.

Sharon Wolfe mentioned the establishment of the Sewer Revolving Loan Fund and said that 6% interest seems high in consideration of the fact that Rio Dell is a low-income area. She said that the program sounds good but since the City would benefit from the homeowner doing these repairs, suggested the City Council consider establishing a lower interest rate.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

Public Hearing on the List of Delinquent Sewer Accounts to send to the Auditor-Controller for placement on the tax roll

Finance Director Sanborn provided a staff report and said that at the meeting of July 6, 2023, the City Council adopted Ordinance No. 399-2023 to allow the City to send delinquent sewer charges to the auditor-controller to add them to the tax roll as a lien.

He said that § 5473 of the Health and Safety Code allows the collection of overdue sewer charges through taxes and in order to do so, certain steps must be followed. He reviewed the seven (7) steps as required by the code and provided a list of fifteen (15) delinquent sewer accounts identified by assessor parcel number (APN).

Councilmember Woodall identified the process as being similar to nuisance abatement liens where it potentially takes 5 years for the City to collect the debt.

Mayor Garnes opened the public hearing to receive public comment related to the delinquent sewer accounts.

Katherine Fontaine addressed the Council on behalf of 185 Douglas St. She said that she received a notice from the City with the final due date for a delinquent utility bill and questioned the final day to pay the bill before it goes to the County as a lien.

Finance Director Sanborn explained that customers with delinquent sewer accounts would have until August 10, 2024 to pay the bill in full; after that the lien would be placed on the property taxes and the customer would need to contact the County Auditor-Controller to settle the debt.

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

A motion was made by Carter/Woodall to approve the final list of delinquent sewer accounts to send to the Auditor-Controller for placement on the tax roll. Motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Woodall reported on recent meetings and activities and said that a representative from Proper Wellness attended the last Beautification, Walkability and Pride Committee meeting saying that they wanted to be more involved in the community and offered to organize clean-up events in the City. The first clean-up event was on July 9th which was a big success. She said that it is nice to see businesses that want to get involved.

Mayor Pro Tem Carter reported on her attendance at recent meetings and events including the RREDC meeting that was hosted by the City, meetings of the Chamber of Commerce, the Rio Dell School Board, the Rio Dell Fire District, and said that the Nuisance Advisory Committee was scheduled tomorrow at 3:00 p.m. at City Hall followed by the Beautification, Walkability and Pride Committee meeting on Friday at 1:30 p.m.

She reminded everyone of the upcoming Wildwood Days festivities and encouraged everyone to come out and enjoy the fun. She said that her mom would be singing at Mingo's on Thursday at 1:30 p.m. and invited everyone to come by.

Councilmember Orr said that this month's HCAOG meeting was canceled.

Councilmember Wilson reported that the RCEA meeting scheduled for next Thursday was also canceled and there was no HWMA meeting scheduled for August.

Mayor Garnes reported on the July 3rd HTA meeting and said that they are moving forward with the Ride Humboldt campaign with one ticket available from Crescent City to Santa Rosa. She said that she is doing her best to convince them to include a stop at Davis St. to avoid riders having to go to Fortuna to catch the bus. She said that they say that it is a timing issue with the express route but since it is a quick on and from Davis to the freeway, she is hoping they will consider the request.

She announced that she would be attending a Seismic Safety Committee meeting on Thursday and that she would not be attending the August 6 City Council meeting. She said that she would also miss the next HTA meeting and asked Councilmember Woodall as alternate on the board to attend if possible.

ADJOURNMENT

A motion was made by Carter/Woodall to adjourn the meeting at 6:50 p.m. to the August 6, 2024 regular meeting. The motion carried 5-0.

Attest:

Debra Garnes, Mayor

Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 31, 2024**

Mayor Pro Tem Carter called the Special meeting of the Rio Dell City Council to order at 1:00 p.m.

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

Absent: Mayor Garnes (excused)

Others Present: City Manager Knopp, Interim Chief of Police Conner, Community Development Director Caldwell and City Clerk Dunham

PUBLIC PRESENTATIONS

Mayor Pro Tem Carter called for public comment on non-agenda items. No public comment was received.

SPECIAL MEETING MATTERS

Public Hearing on the Determination of an Animal as a Potentially Dangerous Dog

Mayor Pro Tem Carter opened the public hearing on the determination of an animal as a potentially dangerous dog.

Interim Chief of Police Conner provided testimony and said that on July 2, 2024, he was dispatched to a residence regarding a dog bite. He contacted ten-year old Grace Craps who had a laceration on her left calf that was the result of being bitten by an English bulldog while she was at 1051 Pacific Ave. in Rio Dell. Grace was transported to Redwood Memorial Hospital by ambulance and received 7 stitches to close the wound.

He said that he investigated the incident further and found three witnesses who all confirmed that Pedro, the English bulldog belonging to Dayana Blanchard, had bitten Grace without provocation and learned that Pedro does not like kids. He said that he later spoke with the owner of the dog who also confirmed that the dog doesn't like children as the result of him being beaten with sticks by a child .

He noted that Ms. Blanchard informed him that Pedro has cancer and doesn't have long to live. He said that he confirmed with the veterinary clinic that he does have cancer in his hind quarters but the prognosis was not spelled out in the medical report. He said that he explained to her that the Rio Dell Municipal Code requires dogs meeting the definition of a potentially dangerous dog to be confined in a fenced yard, a structure, a vehicle, or on a

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 31, 2024
Page 2**

leash at all times. He said that his determination of Pedro is that he fits that description and that the existing 3-foot tall plastic fence at her residence is not adequate to keep the dog confined.

As allowed under the Rio Dell Municipal Code, Ms. Blanchard requested the hearing before the City Council to contest his determination that Pedro is a potentially dangerous dog and to discuss the fence requirement.

Ms. Blanchard addressed the Council and said that there are apparently four versions of the incident but since she was not there at the time the bite occurred, she was not in a position to state exactly what happened.

She explained that she acquired Pedro 5-years ago from an animal shelter as a service dog because of a medical condition and because Pedro was diagnosed with cancer, he was prescribed with steroids. As such, the dog bite incident was a classical response to his condition.

She indicated that this was the first time Pedro had bitten anyone and that she doesn't want him to die as a vicious dog because he is not vicious, just sick. As far as keeping him confined, she said that English bulldogs are typically kept indoors as they would die if they stayed outside. She added that she attempted to contact the dog sitter who was a witness to the incident so she could be present at the hearing but she was not able to reach her.

Mayor Pro Tem Carter called for questions from the Council.

Councilmember Woodall asked if a dog kennel could be used since the existing plastic fence was not adequate to confine the dog.

Interim Chief of Police Conner explained that there is nothing in the code that specifically requires a fence. If the dog was always on a leash, in a secure structure or a vehicle it would meet the requirements. It is the definition of "enclosure" that is problematic in terms of the plastic fence. He also noted that the landlord said that if she didn't build a fence he would take exception to that and possibly start the eviction process.

Councilmember Orr mentioned the comment about the landlord possibly threatening to evict Ms. Blanchard over the fence issue.

Ms. Blanchard explained that if the dog was not sick and bit someone the landlord would require that the dog be confined in a secure fence but since Pedro is sick he understood that it would not be feasible to build a fence for the remaining duration of the dog's life.

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 31, 2024
Page 3**

She also indicated that she talked to the mother of the child and offered to pay what she could toward the medical bills.

Councilmember Woodall asked if it would be acceptable if Ms. Blanchard agreed to always have the dog on a leash when it is outside.

Interim Chief of Police Conner reiterated that the dog would need to be restrained at all times and said that one thing to keep in mind is that the child's family is now living at the residence across the court yard from where Pedro lives.

Mayor Pro Tem Carter closed the public hearing and called for comments from the Council.

Mayor Pro Tem Carter said that she understands what a touchy subject this is as she is also an animal person. She commented that animals do change their behavior when they get sick or on medication however, she thinks the cause of the behavior doesn't weigh in as much as what the behavior actually is. As councilmembers, they need to separate personal feelings about animals and to look at the behavior itself and not just the cause.

She noted that she would be inclined to support the position of the Interim Chief of Police because it is their job to look out for the entire community. What the Council does here sets a precedent for what happens in the future and dogs biting children is something that doesn't bode well for anyone.

She commented that having a dog declared as a potentially dangerous dog is not a reflection of the owner or mean that someone is a bad dog owner as sometimes these things just happen. She pointed out that Ms. Blanchard has options to make sure the dog is restrained at all times exclusive of building a new fence. She clarified that no one is saying that the dog is vicious but rather a potentially dangerous dog and that seven stitches in a child is serious.

Councilmember Orr said that he had three concerns. He said that it was stated that the dog didn't like children which means it must have had some history of being aggressive to children.

Ms. Blanchard responded that it was her understanding that Pedro had previously been abused.

Councilmember Orr agreed that health and medication can change a dog's behavior but why it happened doesn't matter so much but that it did bite and potentially could do it again. He said that it is not a stigma on the dog but if the Council doesn't do something and it happens again, it could be a liability to the City as well as the dog owner.

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 31, 2024
Page 4**

He then asked if dogs were supposed to be running free in the City.

Interim Chief Conner explained that the City does have a leash law which is generally interpreted as having the dog under your control and not running loose. He noted that in this particular case, it likely wasn't a violation of the leash law because the dog was on private property however, this is a property that has a shared driveway in a courtyard setting which is where the dog was when the bite occurred.

Councilmember Orr commented that this action is less than a punishment for the dog or the owner but more of a protective measure in case it happens again.

Ms. Blanchard argued that it doesn't make sense to put up a \$1,000 fence for a dog that will likely only live another month.

Councilmember Wilson agreed that it is a sad story but concurred with comments of the other councilmembers. The child, at no fault of her own was bitten and the biggest issue is that after looking at the picture of the laceration, she will have a scar on her leg but could have been her face. He said he doesn't think that it is unreasonable to ask that the dog be restrained to protect other people around him. He supported the Chief's determination that Pedro is a potentially dangerous dog and that he be required to be restrained at all times.

Councilmember Woodall agreed with the Chief and said that she was bitten on her arm by a dog near the school and had it been a kid, it would have probably bit them in the face. She said that she understands how the owner feels, but the Chief has a lot of experience in these matters and supports his determination.

Mayor Pro Tem Carter added that this is not only a protective measure for the public but also for the dog owner in the event it should happen again. Keeping the dog restrained on a leash is important for everyone.

Ms. Blanchard agreed to notify the City when Pedro passes away.

Motion was made by Orr/Wilson to approve the Chief of Police's determination that Pedro is a Potentially Dangerous Dog. Motion carried 4-0.

Approve Resolution No. 1611-2024 Amending the Fiscal Year 2024-25 Adopted Budget to Increase Appropriations for the Per Capita Park Development Grant (Dog Park)

City Manager Knopp provided a staff report and said that the City received a Per Capita Park Development Grant for the dog park in the amount of \$177,952 with no City required match.

**RIO DELL CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 31, 2024
Page 5**

The project originally included the dog park facilities along with a half-court basketball court however, when the bids came in higher than the grant amount, the project was scaled down eliminating the basketball court. He said that the Council allocated an additional \$40,000 in ARPA-SLFRL funding to push the project forward.

He noted that staff has worked very hard to eliminate some of the overhead costs associated with engineering related to the project but there are some final changes that need to occur with the project. He explained that some of elevations were off requiring some additional pavement work in addition to some minor changes related to drainage.

Staff's recommendation was to approve the budget amendment to allocate \$12,952.50 from the ARPA-SLFRF Fund to complete the Per Capita Park Development Grant project (Dog Park).

Motion was made by Orr/Woodall to approve Resolution No. 1611-2024 amending the Fiscal Year 2024-25 adopted budget to increase appropriations for the Per Capita Park Development Grant (Dog Park). Motion carried 4-0.

ADJOURNMENT

The meeting adjourned at 1:35 p.m. to the August 6, 2024 regular meeting.

Amanda Carter, Mayor Pro Tem

Attest:

Karen Dunham, City Clerk

*675 Wildwood Avenue
Rio Dell, CA 95562*



TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Karen Dunham, City Clerk

DATE: August 6, 2024

SUBJECT: Resolution No. 1612-2024 and 1613-2024 Related to the City's (0.75%) Transactions and Use (Sales) Tax for General Purposes

RECOMMENDATION

1. Approve Resolution No. 1612-2024 authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration for the implementation of Local Transactions and Use Tax; and
2. Approve Resolution No. 1613-2024 authorizing examination of Sales or Transactions and Use Tax records.

BACKGROUND AND DISCUSSION

A one-percent (1%) transactions and use tax, referred to as "Measure J" was approved by the voters at the November 8, 2018, Statewide General Election as an extension of "Measure U" from 2014. Measure J was scheduled to expire on December 31, 2024, unless an extension of the tax was approved by the voters.

At a regularly scheduled City Council meeting, the Council discussed options related to the extension of Measure J. The consensus of the Council was to propose to the voters, an extension of the tax at a reduced rate.

At the June 21, 2022, City Council meeting, the Council adopted Ordinance No. 394-2022 amending Chapter 3.11 of the Rio Dell Municipal Code to extend and

reduce the one percent (1.00%) to (0.75%) with no termination date and to place it on the November 8, 2022, ballot for voter approval as a General tax. The extension of the tax referred to as "Measure O" was approved by the required majority vote, effective January 1, 2025, and continuing until amended or repealed by the voters.

In order for the California Department of Tax and Fee Administration (CDTFA) to implement the changes resulting from the approved measure, certain documents must be submitted to ensure that all statutory requirements have been met prior to the implementation of the new tax.

Included in this packet are the resolutions, agreements, and forms required by CDTFA to administer the City's Transactions and Use Taxes.

The required documents must be submitted to CDTFA no later than August 30, 2024.

ATTACHMENTS:

Resolution No. 1612-2024
Resolution No. 1613-2024
Preparatory Agreement
Administrative Agreement
Ordinance No. 394-2022
Contact Form for Warrants
Designation Letter
Contact Form for Notifications

**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE
CITY'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the City of Rio Dell, hereinafter called *City*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the City and whose ordinance has been adopted by the City.

2. City agrees to pay to the Department at the times and in the amounts hereinafter specified all of the Department's costs for preparatory work necessary to administer the City's transactions and use tax ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the City.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. City shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by City for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail or through email at jsservices@cdtfa.ca.gov. If and when communications and notices may include confidential information, communications and notices must be sent through encrypted email at jsservices@cdtfa.ca.gov or by mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration
P.O. Box 942879 MIC: 27
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to City shall be addressed to:

City of Rio Dell
Kyle Knopp, City Manager
675 Wildwood Avenue
Rio Dell, CA 95562

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer City's transactions and use tax ordinance has been completed and the Department has received all payments due from City under the terms of this agreement.

CITY OF RIO DELL

CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION

By _____
(Signature)

By _____
Administrator
Local Revenue Branch

Kyle Knopp

Date: _____

City Manager

Date: _____

**AGREEMENT FOR STATE ADMINISTRATION
OF CITY TRANSACTIONS AND USE TAXES**

The City Council of the City of Rio Dell has adopted, and the voters of the City of Rio Dell (hereafter called "City" or "District") have approved by the required majority vote, the City of Rio Dell Transactions and Use Tax Ordinance (hereafter called "Ordinance"), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California State Department of Tax and Fee Administration, (hereinafter called the "Department") and the City do agree as follows:

**ARTICLE I
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section 7251, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "City Ordinance" shall mean the City's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No. 394-2022, as amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II
ADMINISTRATION AND COLLECTION
OF CITY TAXES**

A. Administration. The Department and City agree that the Department shall perform exclusively all functions incident to the administration and operation of the City Ordinance.

B. Other Applicable Laws. City agrees that all provisions of law applicable to the administration and operation of the Department Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the City Ordinance. City agrees that money collected pursuant to the City Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to City the amount to which City is entitled.

C. Transmittal of money.

1. For the period during which the tax is in effect, and except as otherwise provided herein, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax whether by City's self-imposed limits or by final judgment of any court of the State of California holding that City's ordinance is invalid or void, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the City designated and authorized by the City. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

D. Rules. The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the City Ordinance and the distribution of the district taxes collected thereunder.

E. Preference. Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and district transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and City as their interests appear.

F. Security. The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of City for district taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it, and City shall not participate in any security now held by the Department.

G. Records of the Department.

When requested by resolution of the legislative body of the City under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the City to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the City, pertaining to the ascertainment of transactions and use taxes collected for the City. Information obtained by the City from examination of the Department's records shall be used by the City only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

H. Annexation. City agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended City boundary. In the event the City shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the City showing the area annexed and the location address of the property nearest to the extended City boundary on each side of every street or road crossing the boundary.

ARTICLE III
ALLOCATION OF TAX

A. Allocation. In the administration of the Department's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:

1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion of the Department, to all districts with which the Department has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer's self-declared district taxes for the period for which the determination, billing, refund or credit applies.

B. Vehicles, Vessels, and Aircraft. For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

ARTICLE IV COMPENSATION

The City agrees to pay to the Department as the State's cost of administering the City Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the City.

ARTICLE V MISCELLANEOUS PROVISIONS

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below, or to such other addresses as the parties may from time to time designate or through email at jservices@cdtfa.ca.gov. If and when communications and notices may include confidential information, communications and notices must be sent through encrypted email at jservices@cdtfa.ca.gov or by mail.

Communications and notices to be sent to the Department shall be addressed to:

California State Department of Tax and Fee Administration
P.O. Box 942879
Sacramento, California 94279-0027

Attention: Administrator
Local Revenue Branch

Communications and notices to be sent to the City shall be addressed to:

Kyle Knopp, City Manger
675 Wildwood Avenue
Rio Dell, CA 95562

Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.

B. Term. The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on _____. This Agreement shall continue until December 31 next following the expiration date of the City Ordinance, and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the City Ordinance and has received and disbursed all payments due under that Ordinance.

C. Notice of Repeal of Ordinance. City shall give the Department written notice of the repeal of the City Ordinance not less than 110 days prior to the operative date of the repeal.

ARTICLE VI
ADMINISTRATION OF TAXES IF THE
ORDINANCE IS CHALLENGED AS BEING INVALID

A. Impoundment of funds.

1. When a legal action is begun challenging the validity of the imposition of the tax, the City shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the City shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

B. Costs of administration. Should a final judgment be entered in any court of the State of California, holding that City's Ordinance is invalid or void, and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by City to Department to prepare to administer the City Ordinance.

2. City will pay to Department and allow Department to retain Department's cost of administering the City Ordinance in the amounts set forth in Article IV of this Agreement.

3. City will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. City will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing

the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by City.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding City's Ordinance invalid or void becomes final. Thereafter Department shall bill City on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. City shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

CITY OF RIO DELL

CALIFORNIA STATE DEPARTMENT OF
TAX AND FEE ADMINISTRATION

By _____
(Signature)

By _____
Administrator
Local Revenue Branch

Kyle Knopp

Date: _____

City Manager

(Date)



RESOLUTION NO. 1612-2024
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RIO DELL AUTHORIZING THE CITY MANAGER TO EXECUTE
AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX
AND FEE ADMINISTRATION FOR THE IMPLEMENTATION
OF A LOCAL TRANSACTIONS AND USE TAX

WHEREAS, on June 21, 2022, the City Council approved Ordinance No. 394-2022 amending the City Municipal Code and providing for a local transactions and use tax; and

WHEREAS, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

WHEREAS, the Department will be responsible for administering and collecting the transactions and use tax for the City; and

WHEREAS, the Department requires that the City enter into a "Preparatory Agreement" and an "Administrative Agreement" prior to implementation of said taxes; and

WHEREAS, the Department requires that the City Council authorize the agreements;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Rio Dell that the "Preparatory Agreement" attached as Exhibit A and the "Administrative Agreement" attached as Exhibit B are hereby approved and the City Manager is hereby authorized to execute each agreement.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Rio Dell held on August 6, 2024, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true, and correct copy of Resolution No. 1612-2024 adopted by the City Council of the City of Rio Dell on August 6, 2024.

Karen Dunham, City Clerk

JURISDICTION CONTACT FORM

NOTIFICATIONS & APPEALS

City/County: Rio Dell Tax Area Code: 52801 Sales and Use Tax / Transactions & Use Tax

Pursuant to Revenue and Taxation Code § 7056, you may select only officers and employees authorized by Resolution or letter of designation to examine the Department's tax records for your Jurisdiction. If the officer or employee's title has not yet been formally authorized, please include a designation letter. See attached sample designation letter.

Primary Contact

City Manager

Title of Authorized Officer/Employee

Kyle Knopp

Name of Authorized Officer/Employee

675 Wildwood Ave.

Mailing Address

Rio Dell, CA 95562

City, State, Zip

(707) 764-3532

Phone

(707) 764-5480

Fax

knoppk@cityofriodell.ca.gov

Email

It is recommended, if possible, that you use an Email address that coincides with the authorized position title. For example: citymanager@cityof__.gov.

Secondary Contact

Finance Director

Title of Authorized Officer/Employee

Travis Sanborn

Name of Authorized Officer/Employee

675 Wildwood Ave.

Mailing Address

Rio Dell, CA 95562

City, State, Zip

(707) 764-3532

Phone

(707) 764-5480

Fax

sanbornt@cityofriodell.ca.gov

Email

It is recommended, if possible, that you use an Email address that coincides with the authorized position title. For example: citymanager@cityof__.gov.

DEPARTMENT USE ONLY

Pursuant to Section 7056(b), this form is ineffective unless signed by one of the following (boxes checked):

City/County Administrator Administrative Officer City/County Controller

_____(Specify)

Print Name: Kyle Knopp

Title: City Manager

Signature: _____

Date: 8/6/24

Return this form by e-mail to: JServices@cdfa.ca.gov

QUESTIONS: CALL THE WARRANT DESK AT (916) 309-5802

Note: Titles held by more than one employee need to be made a unique identifier for function. For example: Accountant II (Revenue Desk)

EFT AUTHORIZATION AGREEMENT FOR LOCAL JURISDICTIONS

- Please type or print clearly in ink.
- See reverse for complete instructions.

SELECT ACTION REQUESTED

- New EFT Account
- Change EFT Bank Account – (see instructions)
- Cancel EFT

SELECT TAX PROGRAM

- 1 percent Local Tax
- ¼ percent (County) Transportation Fund
- Add-on (Special District) Tax
- Local Utility User Tax/Local 911 Charges

SECTION I

NAME OF LOCAL JURISDICTION OR SPECIAL DISTRICT (payee) City of Rio Dell		JURISDICTION CODE 52801
CONTACT PERSON (name and title) Kyle Knopp		EMAIL ADDRESS knoppk@cityofriodell.ca.gov
MAILING ADDRESS 675 Wildwood Ave.	CITY, STATE, ZIP CODE Rio Dell, CA 95562	
CONTACT TELEPHONE NUMBER (707) 764-3532	CONTACT FAX NUMBER (707) 764-5480	

SECTION II

The State Controller’s Office, on behalf of the California Department of Tax and Fee Administration (CDTFA), is hereby authorized to make direct deposit (EFT) of any amounts distributed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the Transactions and Use Tax Law, or the Local Prepaid Mobile Telephony Services Collection Act less any mandatory withholding or deductions therefrom to the designated bank account identified below. If the designated EFT account is a checking account, **a voided check or copy must be attached to the completed authorization agreement.** If the account is a savings or other deposit-only account, **an account confirmation from the bank must be attached.** The voided check or confirmation will be used to verify the bank account and transit routing numbers.

BANK NAME US Bank
BANK ACCOUNT NUMBER (not to exceed 17 digits) 1 5 3 4 9 5 8 8 0 5 2 5
TRANSIT ROUTING NUMBER 1 2 1 1 2 2 6 7 6
TYPE OF ACCOUNT <input checked="" type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS

IMPORTANT

Payee agrees that in the event that the payee owes a debt determined either by court order, or otherwise by operation of law, and for which CDTFA has been notified according to law, to make repayments by deductions from Local Sales and Use Tax transmittals, the payee will be removed from the EFT program until the debt is extinguished.

*I affirm that deposits received from CDTFA **will not** be forwarded in their entirety to a foreign financial institution.*

SIGNATURE	TITLE City Manager	DATE 8/6/24
-----------	-----------------------	----------------

Return this form to:
California Department of Tax and Fee Administration
Local Revenue Branch
Warrant Desk
PO Box 942879, MIC:27
Sacramento, CA 94279-0027
Fax Number: 1-916-324-8117
Email to: JServices@cdtfa.ca.gov
For EFT assistance call 1-916-309-5800

This information is confidential and not for public release.

PRINT **CLEAR**

INSTRUCTIONS FOR LOCAL JURISDICTIONS FOR COMPLETING THE EFT AUTHORIZATION AGREEMENT FORM

GENERAL

- Read this agreement carefully, and if you have questions call 1-916-309-5800.
- Please type or print clearly.
- Check one action box and one tax program box. Your jurisdiction's tax program can be found on the title line of the remittance advice received from the State Controller's Office.
- Complete all information blocks.

SECTION I

- Your jurisdiction code can be found on the remittance advice immediately above the word "Payee."
- Please enter the jurisdiction code for the corresponding jurisdiction type:
 - City or County (1 percent Local Tax) Code (five digits)
 - County (1/4 percent Tax) Code (two digits)
 - Redevelopment Agency Code (four digits)
 - District Add-on Code (three digits)
 - Local Utility User Tax/Local 911 (Prepaid Mobile Telephony Services) Code (four digits)
- A contact person and telephone number **are required** to process your authorization agreement.

SECTION II

- The Transit Routing Number (nine digits) typically can be found in the bottom left-hand corner of your check.
- Please indicate the type of account (checking or savings).
- Be sure to include a voided check or bank confirmation with your authorization agreement.

ADDITIONAL INFORMATION

- **Changing EFT Bank Account**
 - **IMPORTANT: DO NOT CLOSE YOUR OLD ACCOUNT UNTIL THE FIRST EFT PAYMENT IS DEPOSITED INTO THE NEWLY DESIGNATED ACCOUNT.**
 - This agreement will remain in effect until CDTFA is notified in writing that you wish to redesignate your account and/or your financial institution or that you wish to cancel EFT service.
 - To redesignate, please submit a new CDTFA-555-LJ, *EFT Authorization Agreement for Local Jurisdictions*. Be sure to check the correct action box on the front of the form and provide the correct new information.
 - The first deposit into a new account should be made within 60 days from CDTFA's receipt of the completed EFT Authorization Agreement.
 - In the interim between the closing of the old account and opening of the new account, you may receive a warrant via U.S. Mail.
- **Canceling EFT Service**
 - To cancel EFT service, submit a new CDTFA-555-LJ, *EFT Authorization Agreement for Local Jurisdictions*, and check the Cancel EFT box. Be sure to complete all information blocks.
- **EFT Direct Deposit Posting Dates**
 - Funds will be deposited on the Warrant Issue Date as shown on CDTFA's Disbursement Calendar. The current calendar can be found on CDTFA's website at www.cdtfa.ca.gov/taxes-and-fees/local-and-district-taxes.htm#calendar.
 - Most financial institutions post funds to accounts at the beginning of the bank business day; however, you should confirm your particular bank's practice to determine when funds will be available.

Department Use Only

Juris. I.D. # _____.

Resolution verified: YES ___ NO ___

Update _____

By _____

REGISTRATION/ALLOCATION MEDIA REQUEST

Please complete Sections I, II, & III, and forward this form to the address at the bottom of this page.

IMPORTANT: Each jurisdiction must have a resolution on file with the California Department of Tax and Fee Administration (CDTFA) to examine allocation and/or registration data. A sample resolution is included in Publication 28 which is available on our Website www.boe.ca.gov/pdf/pub28.pdf or by calling the Department's Local Revenue Branch at (916) 309-5800.

SECTION I: MEDIA RECIPIENT CONTACT INFORMATION

(If the name/position below is not authorized by resolution or letter of designation, this form must be signed by a position authorized by resolution to designate other officials or employees) County City District (add-on)

Your name: Kyle Knopp Jurisdiction: City of Rio Dell

Title: City Manager Tax Area Code: 52801

Address: 675 Wildwood Ave. Telephone: (707) 764-3532

City, State, Zip: Rio Dell, CA 95562 FAX: (707) 764-5480

E-Mail Address knoppk@cityofriodell.ca.gov

SECTION II: REGISTRATION DATA REQUEST (List of name, address and CDTFA account number for each business)

A. Do you require a one-time registration listing (Start-up) showing all sales and use tax accounts in your jurisdiction, Indicate yes or no: Yes No

SECTION III: ALLOCATION DATA REQUEST (List of local tax dollars distributed to your jurisdiction by CDTFA account number)

A. Do you wish to receive monthly allocation and registration media
Indicate yes or no: Yes No

B. If you require prior period local tax data*, indicate the periods below:
(MMYY) From: _____ To: _____

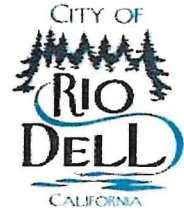
*AVAILABLE HISTORY IS LIMITED TO PREVIOUS 36 MONTHS.

Signed by individual (or designee) authorized by resolution to receive confidential CDTFA information:

Kyle Knopp City Manager 08/06/2024

(Print Name) (Signature) (Title) (Date)

RETURN THIS FORM TO:
 CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION LOCAL
 REVENUE BRANCH
 450 N STREET MIC 27
 PO BOX 942879
 SACRAMENTO CA 94279-0027
 FAX to (916) 324-3001
 For assistance in completing this form, contact Harmeen Grewal at (916) 309-5883.



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

August 6, 2024

CA Department of Tax and Fee Administration
Local Revenue Branch
Attn: Warrant Desk
450 N Street, MIC: 27
Sacramento, CA 95814

Subject: City of Rio Dell

Authorization to Review Confidential Sales and Use Tax and Transactions and Use Tax Information per Section 7056 of the Revenue and Taxation Code.

Dear Ms. Anh Huang:

Resolution No. 1613-2024, Section 1, authorizes the City Manager to designate in writing to the CA Department of Tax and Fee Administration other officers and/or employees of the jurisdiction with authority to receive and examine sales and use tax records for the jurisdiction.

Accordingly, the Finance Director for the City of Rio Dell is hereby authorized to receive and review sales or transactions and use tax records for the City of Rio Dell from the CA Department of Tax and Fee Administration.

Sincerely,

Kyle Knopp, City Manager



RESOLUTION NO. 1613-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS

WHEREAS, pursuant to Ordinance Number 394-2022 of the City of Rio Dell (District), and Revenue and Taxation Code section 7270, the District entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions of incident to the administration and collection of transactions and use taxes; and

WHEREAS, the Board of the District deems it desirable and necessary for authorized officers, employees and representatives of the District to examine confidential sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected by the Department for the District pursuant to that contract; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department;

NOW, THEREFORE, THE BOARD OF THE DISTRICT OF THE CITY OF RIO DELL HEREBY RESOLVES AS FOLLOWS:

Section 1. That the City Manager and the Finance Director, or other officer or employee of the District designated in writing by the City Manager to the California Department of Tax and Fee Administration is hereby appointed to represent the District with authority to examine sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected for the District by the Department pursuant to the contract between the District and the Department.

Section 2.

Option 1

The information obtained by examination of Department records shall be used only for purposes related to the collection of District transactions and use taxes by the Department pursuant to that contract.

The information obtained by examination of Department records shall be used only for those governmental functions of the District listed above.

Section 3.

That this resolution supercedes all prior resolutions of the Board of the District adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056.

Introduced, approved and adopted this 6th day of August 2024.

Debra Garnes, Mayor

I, Karen Dunham, City Clerk of the City of Rio Dell, California, DO HEREBY CERTIFY that the foregoing resolution was duly introduced, approved and adopted by the City Council of the City of Rio Dell, at a regular meeting of said Board held on the 6th day of august, 2024 by the following roll-call vote:

Ayes:

Noes:

Absent:

Abstain:

Karen Dunham, City Clerk

LOCAL REVENUE BRANCH – CONTACT FORM

Please complete and return this form to our office any time there is a change of information to ensure our records are always up to date. Thank you!

City/County: City of Rio Dell

Please check one: Local Tax Transactions and Use Tax Mobile Telephony Surcharge

All legal correspondence should be mailed to the following address:

Jurisdiction: _____

Name: Kyle Knopp Position Title: City Manager

Address: 675 Wildwood Avenue, Rio Dell, CA 95562

Phone: (707) 764-3532 Email: knoppk@cityofriodell.ca.gov

Financial correspondence should be mailed to the following address:

Note: Confidential information may be sent only to positions authorized by resolution

Jurisdiction: _____

Name: Travis Sanborn Position Title: Finance Director

Address: 675 Wildwood Avenue, Rio Dell, CA 95562

Phone: (707) 764-3532 Email: sanbornt@cityofriodell.ca.gov

Paper warrants (if issued) and monthly/quarterly statements should be mailed to the following address:

Jurisdiction: City of Rio Dell

Name: Travis Sanborn Position Title: Finance Director

Address: 675 Wildwood Avenue, Rio Dell, CA 95562

Phone: (707) 764-3532 Email: sanbornt@cityofriodell.ca.gov

General Office Contact—for general information and reminders:

Jurisdiction: City of Rio Dell

Address: 675 Wildwood Avenue, Rio Dell, CA 95562

Phone: (707) 764-3532 Email: cityofriodell.ca.gov

Completed by:

Print Name: Karen Dunham

Signature: _____

Position Title: City Clerk

Date: 8/6/24

**Certificate of Results of Canvass
November 8, 2022
Statewide General Election
Measure O Rio Dell Tax**

STATE OF CALIFORNIA }
 }
COUNTY OF HUMBOLDT } SS

I, Kelly E. Sanders, Registrar of Voters of the County of Humboldt, do hereby certify that pursuant to the provisions of Section 15301 et al., of the California Elections Code, I did canvass the return of votes cast in the November 8, 2022, Statewide General Election, and that the Statement of Votes Cast to which this Certification is attached shows the total number of votes cast and the total number of votes cast for each candidate and/or measure in each respective precinct therein and that the totals for each candidate and/or measure are true and correct.

WITNESS MY HAND AND OFFICIAL SEAL this 6th Day of December, 2022.

KELLY E. SANDERS
REGISTRAR OF VOTERS

Signed: *Kelly E. Sanders*





ORDINANCE NO. 394-2022

**AN ORDINANCE OF THE CITY COUNCIL OF THE OF RIO DELL
AMENDING CHAPTER 3.11 OF THE RIO DELL MUNICIPAL CODE TO
EXTEND AND REDUCE THE ONE PERCENT (1.00%) TRANSACTION
AND USE TAX TO THREE QUARTERS OF ONE PERCENT (0.75%) FOR
GENERAL PURPOSES WHICH
WILL CONTINUE TO BE ADMINISTERED BY THE STATE
BOARD OF EQUALIZATION**

WHEREAS, a locally-enacted revenue measure would protect and maintain Rio Dell services because the money is legally required to stay in our community and cannot be taken by the State, providing locally controlled funds for local services; and

WHEREAS, on November 8, 2018, the voters of the City of Rio Dell adopted Ordinance No. 368-2018 (Measure J), approving the imposition of a one-percent (1.00%) transaction and use tax for general purposes;

WHEREAS, the transaction and use tax approved by the voters on November 8, 2018 is scheduled to expire on December 31, 2024, in accordance with Section 3.11.160 of Chapter 3.11 of the Rio Dell Municipal Code, unless an extension is approved by the voters at an election called for that purpose;

WHEREAS, an extension of the City of Rio Dell's transaction and use tax will be submitted to the voters to eliminate the "Termination Date" of Section 3.11.160 of Chapter 3.11 of the Rio Dell Municipal Code; and

WHEREAS, approval of this Ordinance by the voters of the City of Rio Dell would not raise taxes but would lower the tax from 1.00% to 0.75% effective January 1, 2025, and continue thereafter until repealed by the voters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:

Section 1. Authority. The City Council enacts this ordinance in accordance with the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 2. Amendment. The definition of "termination date" in Chapter 3.11 of the Rio Dell Municipal Code is hereby amended to read as follows:

3.11.160. Termination date.

The authority to levy the tax imposed by this chapter shall have no termination date, unless the Ordinance is extended or repealed by the voters at a subsequent election.

Section 3. Approval by Voters. This Ordinance shall be submitted to the voters at an election to be held on November 8, 2022, and shall take effect only if approved by a majority of the qualified voters voting on the measure. If approved by a majority of the qualified voters of the City of Rio Dell, the Transaction and Use Tax set forth in Chapter 3.11 of the Rio Dell Municipal Code shall be reduced from 1.00% to 0.75% effective January 1, 2025, and shall thereafter continue until subsequently amended or repealed by the voters. The City Clerk is hereby directed to publish this ordinance at least once, within fifteen (15) days of its adoption, in a newspaper of general circulation published and circulated in the City of Rio Dell.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

PASSED AND ADOPTED by the City Council of the City of Rio Dell, State of California, on June 21, 2022, by the following vote:

AYES: Johnson, Carter, Wilson and Woodall
NOES: None
ABSENT: Garnes
ABSTAIN: None



Gordon Johnson, Mayor Pro Tem

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Ordinance No. 394-2022 adopted by the City Council of the City of Rio Dell on June 21, 2022.



Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Mayor and Members of the City Council

FROM: Karen Dunham, City Clerk

THROUGH: Kyle Knopp, City Manager

DATE: August 6, 2024

SUBJECT: Amendment to Employee Handbook Related to Jury Duty

RECOMMENDATION

Adopt Resolution No. 1615-2024 approving an amendment to the City of Rio Dell Employee Handbook, Section 5.11 related to Jury Duty.

BACKGROUND AND DISCUSSION

Section 5.11 *Jury Duty* of the City of Rio Dell Employee Handbook limits paid jury leave to 2 weeks over any two-year period. The proposed revision will eliminate this language and allow full pay to an employee serving as a juror with no time limitation.

Although the process for reporting to jury duty and potentially being selected to serve on a jury does not normally exceed 80 hours away from work, there is the possibility for a trial to last for weeks or even months. In this case, employees would have to use vacation time or take leave without pay to fulfill their obligation as a juror.

In researching the policies of other jurisdictions, with the exception of McKinleyville Community Services District that allows 40 hours, the remaining jurisdictions contacted have no limit on the amount of time covered for jury duty.

The proposed amendments are as follows:

- *The City of Rio Dell encourages you employees to fulfill you're their civic responsibilities by serving jury duty if they receive a summons. Employees in an eligible classification may request up to two (2) weeks of paid jury duty leave over any two (2) year period. Any employee who is required to report for jury duty shall receive full pay for such absence from jury duty provided*

the employee endorses to the City any checks or warrants received in payment for jury duty exclusive of mileage for a personal vehicle or other out-of-pocket expenses incurred due to jury duty. Upon being excused from jury duty, if ~~four~~ (4) two (2) or more hours are left in the employee's workday, the employee shall report back to work.

- *Regular full-time employees are eligible for jury duty. A full-time employee will be paid at their base rate of pay for the number of hours they would have normally worked that day.*
- ~~*If you stay on jury duty longer than paid jury duty allows, you may use any available paid time off benefits you have, such as vacation, to be paid for the unpaid jury duty leave.*~~
- *If ~~you~~ an employee gets a jury summons, they must show it to ~~your~~ their supervisor/department head as soon as possible. This will help the City plan for possible absences from work. The employee is expected to come to work whenever the court schedule permits.*
- *Either ~~you~~ the employee or the City may ask the court to excuse ~~you~~ an employee from jury duty if necessary. ~~We~~ The City may ask that ~~you~~ an employee be relieved from going to jury duty if they think that the absence of that employee would cause serious operational problems for the City of Rio Dell.*
- *Subject to the terms, conditions, and limitations of the applicable plans, the City of Rio Dell will continue to provide health insurance benefits for the full period of ~~unpaid~~ jury duty leave. Your vacation, sick leave, and holiday benefits will continue to accrue during ~~unpaid~~ jury duty leave.*

ATTACHMENTS:

Resolution No. 1615-2024
Attachment "A"



RESOLUTION NO. 1615-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ADOPTING AMENDMENTS TO THE EMPLOYEE HANDBOOK**

WHEREAS, the Employee Handbook is used as a fair and equitable rule book for personnel management in municipal government, and

WHEREAS, the intent of the Employee Handbook is to provide clear guidance to employees and management, and

WHEREAS, the Employee Handbook was approved by the Rio Dell City Council on July 10, 2012 via Resolution 1065-2012 and further amended as necessary, and

WHEREAS, rules in the handbook require amendment from time to time.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Rio Dell does hereby approve the amendment of Section 5.11 "Jury Duty" of the City of Rio Dell Employee Handbook attached hereto as "Attachment "A" to this resolution.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on August 6, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true, and correct copy of Resolution No. 1615-2024 adopted by the City Council of the City of Rio Dell on August 6, 2024.

Karen Dunham, City Clerk

ATTACHMENT "A"

5.11 JURY DUTY

The City of Rio Dell encourages employees to fulfill their civic responsibilities by serving jury duty if they receive a summons. Any employee who is required to report for jury duty shall receive full pay for such absence from jury duty provided the employee endorses to the City any checks or warrants received in payment for jury duty exclusive of mileage for a personal vehicle or other out-of-pocket expenses incurred due to jury duty. Upon being excused from jury duty, if two (2) or more hours are left in the employee's workday, the employee shall report back to work.

Regular full-time employees are eligible for jury duty. A full-time employee will be paid at their base rate of pay for the number of hours they would have normally worked that day.

If an employee gets a jury summons, they must show it to their supervisor/department head as soon as possible. This will help the City plan for possible absences from work. The employee is expected to come to work whenever the court schedule permits.

Either the employee or the City may ask the court to excuse an employee from jury duty if necessary. The City may ask that an employee be relieved from going to jury duty if they think that the absence of that employee would cause serious operational problems for the City of Rio Dell.

Subject to the terms, conditions, and limitations of the applicable plans, the City of Rio Dell will continue to provide health insurance benefits for the full period of jury duty leave. Vacation, sick leave, and holiday benefits will continue to accrue during jury duty leave.



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

August 6, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize Staff to Amend Agreement with Redwood Community Action Agency
for Non –Infrastructure Work Related to the Eel River Trail Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to amend the agreement.

BACKGROUND AND DISCUSSION

The agreement is related to the Clean California Grant for the Eel River Trail and no City funds are being used for the project. Under the grant agreement the City has work to do related to the non-infrastructure portion of the grant, including a community clean up, art installation and Clean California related media campaigns. This amendment clarifies the final grant requirements with RCAA. At this time, there is no cost adjustment with RCAA related to the amendment, however a small adjustment is likely as we get closer to the finalization of the art component and the further defining of the mural installation.

Attachment: RCAA Project Outcome Proposal

///



Redwood Community Action Agency

ADMINISTRATION
Information & Referral
(707) 269-2001

8/1/24

COMMUNITY SERVICES
(707) 269-2052
AmeriCorps Programs
(707) 269-2047
TOOTH Program
(707) 269-2076
PACT Program
(707) 269-2013

Re: RCAA Non-Infrastructure Remaining CCLGP Project Outcome Proposal
Attn: City of Rio Dell, Kyle Knopp

ENERGY AND ENVIRONMENTAL SERVICES
(707) 444-3831
Weatherization, Ext. 204
Home Energy Assistance Program
(HEAP) Info (707) 444-3834
General Contractor
License #466777

NATURAL RESOURCES SERVICES
(707) 269-2061
Landscape Contractor
License # 518874

AFFORDABLE RENTALS
Managed by: Rural Communities
Housing Development Corp.
(707) 826-7312

YOUTH SERVICES BUREAU
24-Hour Youth & Family Hotline
(707) 444-CARE
YSB Administration
Launch Pad TLP
Our House Emergency Shelter
(707) 443-8322
Raven Street Outreach Program
(707) 443-7099

ZURETTI GOOSBY
Board President

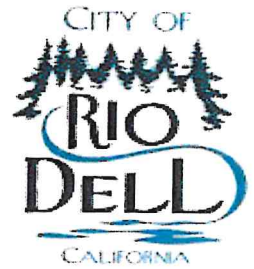
VAL MARTINEZ
Executive Director

7/26/24 Non-Infrastructure Remaining Outreach Tasks

RCAA 8/1/23 Outreach Tasks	RCAA 8/1/23 Outreach Deliverables	CCLGP 7/26/24 NI Tasks	REMAINING 7/26/24 CCLGP NI Project Outcomes
Task 2.1	Stakeholder Outreach (TBD)		
Task 2.2	Public outreach: Eel River Trail and GRT (TBD)		
Task 2.3	Public Guided Walks & Clean Ups	A1, A2, E4, E5	1) River Bar Cleanup: Collect ten cubic yards of litter, 7000 square feet
Task 2.4	VTS Development (TBD)		
Task 2.5	Mural Anti-litter Messaging	E1, E2, E4, E5, B, D2	2) Art Tiles: Child created art tiles related to clean California / river / parks. 3) Art installation mural: Artist submission, community event to select winning design.
Task 2.6	Kiosk, regulatory, wayfinding signage (In process)		
Task 2.7	Update Bike Map printed copies (TBD)	E1, E2	4) EDDM Mailer: One or two EDDM's could be issued about littering, the trail, or other qualifying topics to help cover the required 4 "campaigns."

RCAA Remaining Project Outcomes Proposal Narrative

RCAA 8/1/23 contractual deliverables noted above as Outreach Tasks 2.1-2.7. CCLGP 7/26/24 City of Rio Dell Project Outcomes noted as NI Tasks. RCAA PROPOSAL to prioritize remaining contracted budget of \$23,412.73 (\$17,312.73 Labor & \$6,100 Materials) for City of Rio Dell 7/26/24 NI CCLGP identified items 1-4, in addition to interpretive signage design and panel fabrication (pedestal cost TBD). Task 2.1 Stakeholder Outreach, Task 2.2 Public Outreach, Task 2.4 VTS Development suspended. **ASSUMPTIONS:** INCLUDED in remaining budget: 1) River bar clean up co-ordination, 2) mural artist competition and selection coordination, 3) art tile coordination & tile fabrication and 4) EDDM mailer development in addition to 3 interpretive sign designs/panels & misc. regulatory sign panels. Proposal to swap Bike Map development and printed copies deliverable for EDDM Mailer. NOT INCLUDED in remaining budget: 1) Mural costs at \$20/sq foot (includes all artist expenses: travel, accommodations, lift, pressure washing, insurance, permits, and paint TBD). 2) Interpretive pedestal materials and installation.



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

August 6, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize Staff to Periodically Close Vehicular River Access at Edwards Drive through December of 2024.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to periodically close vehicular access at Edwards Drive through December 2024.

BACKGROUND AND DISCUSSION

Construction is slated to begin on or before August 15th for the Eel River Trail. Construction will occur on the very northern turnaround on Edwards Drive, interfering with vehicular traffic at that location. It is recommended that the Council authorize staff to engage in closures in consultation with the project contractor to secure the site. Every effort will be made to open vehicular access on weekends and holidays while no work is being conducted and when such access does not negatively impact the project. Once completed the project will revitalize the turnaround, adding parking and other amenities and vehicular river access will continue as before.

///

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



August 6, 2024

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Authorize Amendment to Scope of Services with City Engineer GHD in the Amount of \$11,500 for the Eel River Trail project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to execute the agreement.

BACKGROUND AND DISCUSSION

The agreement is related to the Clean California Grant for the Eel River Trail and no City funds are being used for the project. Under the grant agreement the City has work to do related to the non-infrastructure portion of the grant, including a community art installation. Originally the art installation was proposed to be located on the cement wall of the Chlorine Contact Basin, adjacent to the trail. The basin was damaged during the December 2022 earthquakes, additionally the trail alignment was moved and is no longer adjacent to the basin.

A new "art wall" will be needed to complete this portion of the grant requirements. The scope amendment will allow the necessary design work to be completed for the wall. As we get closer to the final design, a final change order with the contractor will return to the Council to amend the project budget for construction. The cost of this is expected to be minimal and the grant will be able to pay for construction. Staff, GHD and our consultants with RCAA agreed it would be a good opportunity to combine the seating requirements with an art wall. The basic concept is for the wall to be covered in art tiles produced by Rio Dell Elementary School children, include seating and also have space for a central professional mural. Concepts for the mural will be developed by local qualified artists and then voted on and selected by the community at large through a social media campaign.

Attachments: Scope Amendment with GHD
Art wall concept image

///



Reference No. 12592002

Amendment to
Agreement between Client and Consultant

Amendment No. 5 to original Agreement dated September 23, 2022 between GHD Inc. (Consultant) and City of Rio Dell (Client).

Project: Eel River Trail.

Client hereby requests and authorizes Consultant to perform additional and/or revised services as set forth in this Amendment.

Scope of services as set forth below or in specified attachment(s).

See Exhibit A.

Terms of compensation as set forth below or in specified attachment(s).

See Exhibit A.

All provisions specified in the original Agreement executed September 23, 2022 and subsequent Amendments are in effect. No other agreements, guarantees, or warranties are in effect.

IN WITNESS WHEREOF, the parties hereby execute this amendment upon the terms and conditions stated above.

Client City of Rio Dell
By
Print Name Kyle Knopp
Title City Manager
Date

Consultant GHD Inc.
By [Signature]
Print Name Josh Wolf
Title Business Group Leader/Project Director
Date 6/14/2024

Table with 2 columns: Description and Amount. Rows include Original Agreement (\$355,000), Amendments 1-4, Amendment No. 5 (\$11,500), and TOTAL (\$526,000).



EXHIBIT A
Scope of Work
For
City of Rio Dell's Eel River Trail Project
Amendment 5 – Extra Work to Revise the Community Art Installation

UNDERSTANDING

This Amendment 5 Scope of Work augments the original Scope of Work executed by the City of Rio Dell (City) on September 21, 2022 for the Eel River Trail project through the Clean California Local Grant Program (CCLGP).

During the design phase of the project City expressed interest in expanding on the community art installation element of the project by adding a vertical wall to the currently designed seat wall to provide a space to accommodate a mural provided by a local community artist. However, during design it was anticipated based on the engineering cost estimate that the bids for the project may come in high and therefore not be able fund the added engineering and construction costs to expand on the art installation. Therefore, it was recommended that this work be held until the bid results came in to determine if the grant allocation can afford the expanded art installation requested by the City.

Bids were open on April 30, 2024, and the total low bid exceeded the available construction budget. As such the City awarded the Base Bid plus Additive Alternate Bid Item B, where the alternate item was the minor trail transition work necessary to terminate the trail without installing the work associated with Additive Alternate Bid Item A. This approach allowed the project to proceed with constructing a portion of the project while leaving sufficient contingency to proceed with the expanded art installation.

This amendment covers the additional work necessary to design the expanded art installation and to provide associated construction engineering support.

SCOPE OF WORK

Task 6 – Additional Engineering Design and Construction Engineering Support

The art installation seat wall design shown on the bid set of plans will be revised to include a vertical wall with adjoining seating to accommodate the community art tiles as well as a provide a space for a community art mural. It is anticipated that this wall will be approximately 8-feet tall. This task includes developing the structural design of the wall as well as revising the civil site plan to accommodate the wall style change.

This task also covers the additional construction engineering effort associated with the change, including facilitating the contract change order for additional work, submittal and RFI reviews, and associated construction inspections.

Deliverables:

- Civil and structural plan sheets with the revised art wall design in PDF format, to be issued as a change order to the Contractor.
- Standard construction management and inspection documentation associated with the work.

COMPENSATION

These additional services will be provided through an augmentation of the existing project scope and budget as follows:

Task	Compensation
Task 6 – Additional Engineering Design and Construction Engineering Support	\$11,500
Total	\$11,500





Staff Highlights – 2024-08-06

City Council

City Manager

The elections office intends to open an in person voting center in Rio Dell at the Middle School for the upcoming election. It will be open on Saturday November 2nd through to election day on Tuesday, November 6th and will be open to any registered voter, living in Rio Dell or not. The elections office has indicated that it will need volunteers to operate the voting station. Staff will provide more information as it becomes available.

Candidates for the position of Chief of Police will be meeting with the Department staff on Thursday, August 8th.

On Wednesday July 17th, a ceremonial groundbreaking ceremony was held at the Douglas Street Tank Site for the long awaited Water Capital Improvement Project. The event included Senator McGuire, Supervisors Bushnell and Bohn, Former CalOES Director and Rio Dell native son Mark Ghilarducci, among others. The event went very well.

A news article entitled "*CalFire is Planning to Move Its North Coast Headquarters to Rio Dell, So Why Are City Officials Worried?*" on the Lost Coast Outpost. Councilmembers and residents are encouraged to read the article.

City Clerk

Processed Seven (7) Building Permit Applications:

185 Wildwood Ave. – Demolition of Unpermitted Addition (last permit for 7-16)
168 Birch St. – Perimeter Foundation on ADU – (Earthquake Damage)
188 Douglas St. – Re-Roof Residence and Garage
270 Monument Rd. – Seismic Retrofit Foundation – Brace & Bolt
227 Dublin Ct. – Re-Roof Residence
300 Woodland Ave. – 30' x 50' Steel Building
548 Third Ave. – Metal Roof on Detached Garage

Processed Two (2) Business License Applications:

Velasco's Electrical – Non-Resident Solar & Electrical Contractor
Martin Construction – Non-Resident General Contractor



Processed Three (3) Encroachment Permit Application:

AT&T – New Ground Rods on Existing Pole at 125 Columbus St.

PG&E – Replacing Gas Service at 410 Painter St.

Wendt Construction – Water Service and Sewer Lateral at 120 Berkeley St.

Misc:

Submitted CHF/CIRB Building Permit Report for June

Submitted Employment Data Report for July

Corresponded with the County Assessor regarding the status of various building permits

Attended Beautification, Walkability & Pride Committee meeting on 7/19/24

Prepared Amendment to Employee Handbook Re: Jury Duty

City Attorney

Human Resources, Risk & Training

Finance Department

- **Per Capita Park Development Grant:** Finalizing project components with City staff and contractors for the development of the Dog Park.
- **Rio Dell Water Infrastructure Project:** The quarterly report and associated invoicing were successfully completed and submitted to the State Water Board.
- **Gateway Beautification Clean California Grant:** Completed grant closeout procedures in collaboration with Caltrans representatives.
- **Rio Dell RSTP Claim:** Submitted the required claim form to the County of Humboldt.
- **Rio Dell Earthquake Recovery:** Actively coordinating with the California Office of Emergency Services (CDAA/CalOES) to expedite the processing of earthquake-related work and claim requests.
- **Community Development Block Grant (CDBG):** Collaborating with the California Department of Housing and Community Development (HCD) to ensure accurate reporting of Program Income (PI) and maximizing fund utilization through strategic planning and coordination with HCD, the County, and City staff.
- **Eel River Crossing Pipeline Seismic Retrofit Project:** Completed required quarterly reporting.



- **Rio Dell Police Department (RDPD):** Successfully closed out grants from the Alcoholic Beverage Control (ABC) and California Highway Patrol (CHP).
- **Cannabis Business Taxes:** Collected all quarterly taxes from cannabis businesses to finalize the fiscal year 2023-24.
- **Local Coastal Program (LCP):** Filed the required annual report in accordance with Proposition 84 guidelines.

Public Works Water

Leak on 2" main on Monument starting to develop

Delivered vector to Trinity diesel for repair and service

Meter read

Public Works Wastewater

Collection system checked weekly, system is much dryer.

Weekly Jetting occurs on Thursdays.

3 Wastewater DSR's for CAL-OES Completed.

Aero Mod Training First week of August, hosting Fort Bragg Wastewater Operators.

Public Works Streets, Buildings and Grounds

Remark and measure list of road repairs

Weed and feed city hall

Clean tree brunches from speed limit street signs on Belleview

Repaired irrigation valve solenoid on Memorial park

Replaced two broken sprinkler heads on North Gate island

Weed wip around trees for mowing

Painted retaining wall on Edwards St.



Public Works City Engineer

Public Works Capital Projects

Police Department

The statistical portion that is normally a part of this report is not available due to an issue with our case management system.

On July 12, 2024, Corporal Landry spoke with a young woman who believed she had been raped by an older man. She could remember what occurred prior to the assault, but could not recall the assault itself. The victim participated in a Sexual Assault Response Team (SART) physical exam that served a dual purpose in that it both collected evidence and made sure that she had not been injured. Corporal Landry then set up a Child Abuse Support Team (CAST) forensic interview for the victim and she was provided with resources from Victim Witness, Rape Crisis and other organizations. Corporal Landry wrote a search warrant for the suspect's DNA and he was asked to come to the station. He was interviewed and claimed that he barely knew the victim and that no assault had taken place. His DNA was collected, but he still claimed that it would not match anything on the victim's body or clothing. The case has been forwarded to the District Attorney's Office and is waiting for the results of the laboratory work. Possible charges include sexual battery, false imprisonment, annoying and/or molesting children, and contributing to the delinquency of a minor.

On July 13, 2024, Corporal Landry was contacted by the mother of a ten-year-old girl. Her daughter had disclosed that her mother's ex-boyfriend had touched her inappropriately. Another CAST interview was arranged where the victim provided additional information to the forensic interviewer and prosecution team. The suspect was arrested on a ruse and is currently in custody, charged with the continual sexual abuse of a child. A search warrant was served at his residence and additional information was gathered.

On July 14, 2024, Sergeant Beauchaine responded to a report of a man down by the Resource Center that may have been the victim of an assault. He contacted a man who he had seen often at this location using the free WiFi offered by the Center. He had been struck repeatedly by what is believed to be a metal pipe during an argument over property. He drifted in and out of consciousness, but Sergeant Beauchaine was able to obtain the identity of the man's attacker. He broadcast a Be On the Look Out (BOLO) to the other law enforcement agencies in the County and the suspect will be arrested if and when he is contacted. He has yet to be apprehended and the Department has heard that he may have left the County. The victim was transported by ambulance to St. Joseph's Hospital where he was admitted.

On July 22, 2024, Interim Chief Conner received a phone call from a woman who was concerned about fraud involving her bank account. Chief Conner learned that a man, identifying himself as Jeff Conner from the Rio Dell Police Department had called the woman and informed her that her bank account had been fraudulently accessed. The phone number that showed on the woman's phone was that of the Police Department. The caller had requested that she purchase \$2000 in Dollar General gift cards, which the woman had done. The caller then demanded that she read him the numbers on the back of the cards so that he could confirm that the woman's money was safe. She did this also. The victim had not heard from the man in some time so she had called the station and asked for him. Chief Conner was



able to determine that the gift cards had been redeemed the same day that they had been purchased at a location within Humboldt County. The investigation is ongoing to determine the identity of the scam artist. The victim has contacted her financial institution to determine if she is eligible for a refund, since her bank card was used to purchase the gift cards.

Community Development Department

Intergovernmental

Humboldt-Rio Dell Business Park



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

For the Meeting of August 6, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director

A blue handwritten signature, appearing to be "K Caldwell", written in a cursive style.

Through: Kyle Knopp, City Manager

Date: July 31, 2024

Subject: Text Amendments to the Rio Dell Municipal Code (RDMC) amending Chapter 15.05 "Construction Codes" to establish construction activity noise regulations and Chapter 2.60 Planning Commission regulations of the Rio Dell Municipal Code (RDMC) to elect the Chair and Vice-Chair on a biannual (every other year) basis.

Recommendation:

That the City Council:

1. Allow staff to introduce Ordinance No. 405-2024 amending the Rio Dell Municipal Code (RDMC) to amend Chapter 15.05 "Construction Codes" of the Rio Dell Municipal Code (RDMC) to establish construction activity noise regulations and Chapter 2.60 Planning Commission regulations of the Rio Dell Municipal Code (RDMC) to elect the Chair and Vice-chair on a biannual (every other year) basis; and
2. Receive comments from the public; and

3. Continue the second reading and adoption of the Ordinance to the meeting of July 16, 2024.

Discussion:

Every so often the City is contacted by contractors and neighbors regarding construction noise and allowed hours and days of construction. Currently there is nothing in the Rio Dell Municipal Code (RDMC) regarding allowed hours and days of construction. Below is the suggested language:

15.05.060 Construction noise.

(1) Hours of construction. No construction activity shall commence prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday. No work is permitted on Saturday unless prior written approval is granted by the Chief Building Official. The term "construction activity" shall include any physical activity on the construction site or in the staging area, including the delivery of materials. In approving modified hours, the Chief Building Official may specifically designate and/or limit the activities permitted during the modified hours. No construction activity is allowed on Sunday or recognized holidays.

(2) Modification. At any time before commencement of or during construction activity, the chief building official may modify the permitted hours of construction upon twenty-four (24) hours written notice to the contractor, applicant, developer or owner. The chief building official can reduce the hours of construction activity below the 7:00 a.m. to 6:00 p.m. time frame or increase the allowable hours.

(3) Sign required. If the hours of construction activity are modified, then the general contractor, applicant, developer or owner shall erect a sign at a prominent location on the construction site to advise subcontractors and material suppliers of the working hours. The contractor, owner or applicant shall immediately produce upon request any written order or permit from the chief building official pursuant to this section upon the request of any member of the public, the police or city staff.

In regards to modifying the election of the Planning Commission Chair and Vice-Chair, the current regulations require that the election be held each January. Staff discussed the current election requirements with the Planning Commission at their June 2024 meeting and the consensus of the Commissioners was to elect the Chair and Vice-Chair every other year in January or as soon thereafter. As such, staff is recommending amending Section 2.60.030(3) as follows:

2.60.030 Powers, duties and procedures.

(3) The Commission shall elect a chairperson and vice chairperson from among the appointed voting members every other year (biannually) at their first meeting in January ~~of each year or~~ as soon thereafter.

Attachment 1: Draft Ordinance No. 405-2024

ORDINANCE NO. 405-2024



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING CHAPTER 15.05 "CONSTRUCTION CODES" OF THE RIO DELL
MUNICIPAL CODE (RDMC) TO ESTABLISH CONSTRUCTION ACTIVITY NOISE
REGULATIONS AND CHAPTER 2.60 PLANNING COMMISSION REGULATIONS OF
THE RIO DELL MUNICIPAL CODE (RDMC) TO ELECT THE CHAIR AND VICE-CHAIR
ON A BIENNIAL (EVERY OTHER YEAR) BASIS.**

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

WHEREAS every so often the City is contacted by contractors and neighbors regarding construction noise and allowed hours and days of construction; and

WHEREAS currently there are no regulations in the Rio Dell Municipal Code (RDMC) regarding allowed hours and days of construction; and

WHEREAS staff believes it is in the public interest to establish allowed hours and days of construction; and

WHEREAS the current regulations regarding the election of the Planning Commission Chair and Vice-Chair, require that the election be held each January; and

WHEREAS staff discussed the current election requirements with the Planning Commission at their June 2024 meeting and the consensus of the Commissioners was to elect the Chair and Vice-Chair every other year in January or as soon thereafter; and

WHEREAS the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment under Title 14 of the California Code of Regulations, Section 15061(b)(3). No further environmental review is necessary.

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

Section 1.

Chapter 15.05 is hereby amended as follows:

Sections:

15.05.010 Administration.

15.05.020 Building codes.

15.05.030 Work exempt from permit.

15.05.040 Fees for permits and inspections.

15.05.050 Person may do own work.

15.05.060 ~~Penalty~~ [Construction noise.](#)

15.05.070 [Penalty.](#)

15.05.060 ~~Penalty~~ Construction noise.

(1) Hours of construction. No construction activity shall commence prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday. No work is permitted on Saturday unless prior written approval is granted by the Chief Building Official. The term "construction activity" shall include any physical activity on the construction site or in the staging area, including the delivery of materials. In approving modified hours, the Chief Building Official may specifically designate and/or limit the activities permitted during the modified hours. No construction activity is allowed on Sunday or recognized holidays.

(2) Modification. At any time before commencement of or during construction activity, the chief building official may modify the permitted hours of construction upon twenty-four (24) hours written notice to the contractor, applicant, developer or owner. The chief building official can reduce the hours of construction activity below the 7:00 a.m. to 6:00 p.m. time frame or increase the allowable hours.

(3) Sign required. If the hours of construction activity are modified, then the general contractor, applicant, developer or owner shall erect a sign at a prominent location on the construction site to advise subcontractors and material suppliers of the working hours. The contractor, owner or applicant shall immediately produce upon request any written order or permit from the chief building official pursuant to this section upon the request of any member of the public, the police or city staff.

Section 2.

Chapter 2.60, Section 2.60.030(3) is hereby amended as follows:

2.60.030 Powers, duties and procedures.

(3) The Commission shall elect a chairperson and vice chairperson from among the appointed voting members every other year (biannually) at their first meeting in January ~~of each year or~~ as soon thereafter.

Section 3 Severability

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

Section 4. Limitation of Actions

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

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on August 6, 2024, and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on August 20, 2024, by the following vote:

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

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 405-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on August 20, 2024.

Karen Dunham, City Clerk, City of Rio Dell

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



For Meeting of: August 6, 2024

TO: Rio Dell City Council

FROM: Sunshine Kelly, Wastewater Superintendent

THROUGH: Kyle Knopp, City Manager

DATE: August 6, 2024

SUBJECT: Amendment of Chapter 13.10 Sewer Rates and Regulations, Section 13.10.170, Prerequisites to multiple service connections, Section 13.10.210, Sewer system required, Section 13.10.220, Building sewers, laterals and connections, 13.10.467, Transfer of Property and Testing.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- 1) Receive a brief staff presentation regarding the proposed sewer amendments; and
- 2) Introduce (first reading) Ordinance No.406-2024 amending Chapter 13.10, "Sewer Rates and Regulations", Sections 13.10.170, 13.10.210, 13.10.220 and 13.10.467.
- 3) Open the public hearing, receive public input and deliberate; and
- 4) Continue consideration, approval and adoption of the proposed Ordinances to your meeting on August 20th, 2024 for the second reading and adoption.

BACKGROUND AND DISCUSSION

It has been brought to the attention of the Wastewater Superintendent that with the adoption of Chapter 13.10 Sewer Rates and Regulations created by Freshwater environmental in 2013, Articles from the past Chapter were not included and as such the language of Chapter 10.13 is vague in its descriptions.

With current projects and those that may happen in the future, Staff is looking for clearer language in Chapter 13.10 for clarity in designating boundaries for present and future wastewater customers.

Staff ask that you approve the suggested amendments below to the regulations.

13.10.170 Prerequisites to multiple service connections.

No sewer shall be served to two or more parcels of property separately owned through a common service pipe. When more than one occupancy is placed on the same parcel of property and each is conducting a separately established residence or business, a separate sewer line shall be required and installed for each occupancy.

Where there is a pre-existing multiple use sewer service, the City shall establish additional accounts and charges for each additional commercial, professional, dwelling, or living unit situated upon the premises not served by an individual sewer. [Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 17, 1987.]

Where there is a pre-existing unknown shared lateral that becomes known and two sewer services utilize the lateral, each of the property owners must establish their own lateral on their respective property parcels. The City shall establish a lower lateral to the sewer main once each property owner has indicated where their respective sewer lateral and lower cleanout will be installed.

13.10.210 Sewer system required.

It shall be unlawful to maintain or use any residence, place of business or other building or place where persons reside, congregate, or are employed which is not provided with means for the disposal of sewage, either by flush toilet connected with a sewage system approved by the City of Rio Dell City Manager or designee or, when it is judged permissible by the County Health Officer, for a site that is greater than 300 feet from a public sewer, an on-site wastewater treatment (septic) system which meets the requirements of the County Health Department. With respect to the use of on-site wastewater treatment systems within the City of Rio Dell, the City of Rio Dell adopts the Humboldt County Code, its regulations and, when approved and implemented, its local agency management program for the siting, design, operation and maintenance of on-site wastewater treatment systems.

It shall be unlawful for any person to construct or maintain any on-site wastewater treatment system, sewage treatment works, sewer pipes or conduits, or other pipes or conduits for the treatment or discharge of sewage or impure waters or any matter or substance offensive, injurious or dangerous to health whereby they shall do any of the following:

- (1) Overflow any lands whatever;
- (2) Empty, flow, seep, drain into or affect any springs, streams, rivers, lakes or other waters within the City of Rio Dell. With respect to existing on-site wastewater treatment systems if it would be impossible to comply with all the requirements of the County Health Department, the County Health Officer may authorize repairs that are in

substantial conformance, to the greatest extent practicable, with the requirements of the County Health Department.

It shall be unlawful for any person, firm or corporation to construct, build, or rebuild any place of residence or other building or place where persons congregate, reside or are employed which is not to be connected to an approved public sanitary sewer without first obtaining a permit to do so from the County Health Department. [Ord. 351 § 1, 2016; Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 21, 1987.]

13.10.220 Building sewers, laterals and connections.

- (1) Permit Required. No person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the City and paying all fees and connection charges as required.
- (2) Design and Construction Requirements. Design and construction of building sewers and lateral sewers shall be in accordance with the requirements of the City and to the approval of the City Manager or designee.
- (3) Separate Sewers. No two adjacent buildings fronting on the same street shall be permitted to join the use of the same side sewer. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property. However, two or more buildings located on property belonging to the same owner may be served with the same side sewer provided the property cannot be subdivided into smaller legal-sized lots.
- (4) Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the City Manager or designee, to meet all requirements of the City.
- (5) Cleanouts. Two Cleanouts in building sewers shall be provided in accordance with the rules, regulations and ordinances of the City. A cleanout and backflow device shall be required at or near the building structure, and a double sweep cleanout installed at or near the property line. All cleanouts shall be maintained watertight.
- (6) Down Spouts/Roof Drains. Down spouts or roof drains shall not discharge rain water or storm runoff into the building lateral or any sewer connection.
- (7) Sewer Too Low. In all buildings hereafter constructed in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the City Manager or designee, and discharged to the public sewer at the expense of the owner.
- (8) Connection to Public Sewer. The connection of the building sewer into the sewer system shall be made at the applicant's expense. The applicant shall extend the building sewer to the property line, at which point it shall be the responsibility of the City to connect the building sewer to the City system lateral. Any damage to the lateral

sewer shall be repaired at the cost of the applicant to the satisfaction of the City Manager or designee.

(9) Maintenance of Building Sewer. Building sewers shall be free of infiltration and be maintained by the owner of the property served thereby.

(10) Public Sewer Construction – Permit Required. No person shall construct, extend or connect to any public sewer without first obtaining a written permit from the City and paying all fees and connection charges and furnishing bonds as required. The provision of this section requiring permits shall not be construed to apply to contractors' construction sewers and appurtenances under contracts awarded and entered into by the City.

(11) Plans, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by three complete sets of plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of the City prepared by a registered civil engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications, shall be examined by the City Manager or designee, who shall within 20 days approve them as filed or require them to be modified as he deems necessary for proper installation. When the City Manager or designee is satisfied that the proposed work is proper and the plans, profiles, and specifications are sufficient and correct, he shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds as required by the City. The permit shall prescribe such terms and conditions as the City Manager or designee finds necessary in the public interest.

(12) Subdivisions. The requirements of this section shall be fully complied with before any final subdivision map shall be approved by the City Council. The final subdivision map shall provide for the dedication for public use of streets, easements or rights-of-way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the City Council may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the sub divider.

(13) Easements or Right-of-Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the City a proper easement or grant of right-of-way having a minimum width of 10 feet sufficient in law to allow the laying and maintenance of such extension or connection.

(14) Persons Authorized to Perform Work. Only properly licensed contractors and City forces shall be authorized to perform the work of public sewer construction within the City. All terms and conditions of the permit issued by the City to the applicant shall be binding on the contractor.

(15) Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all State, County or City laws, ordinances, rules and regulations pertaining to the cutting or pavement opening, barricading, lighting, and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit of the City.

(16) Design and Construction Standards. Design and construction of sewers within the City must be approved by the City Manager or designee. Three complete sets of as-built drawings showing the actual location of all mains, structures, wyes, and laterals shall be filed with the City before final acceptance of the work.

(17) Completion of Sewer Required. Before any acceptance of any sewer line by the City and prior to the admission of any sewage into the system, the sewer line shall be tested and shall be complete to the satisfaction of the City Manager or designee. [Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 22, 1987.]

13.10.467 Transfer of property and testing.

Whenever any property is to be sold or transferred to or vested in any other entity, the sewer lateral(s) to the property shall [have camera work done to inspect the sewer lateral for breaks and or tie-in's with neighboring laterals. Once camera work is complete and breaks are fixed and tie-in laterals are plugged/removed the lateral shall be tested for infiltration and all necessary repairs or replacements performed to prevent all infiltration. A backflow device will need to be installed up stream of the lower cleanout. A lower cleanout will need to be installed at the property line with sweep towards sewer main.](#)

This test will be set up by a licensed contractor, paid for by the property seller or buyer, and signed off by the City Manager or authorized representative. Test requirements are available at City Hall.

An inspection card signed by an authorized City inspector must accompany title transfer proceedings. It is the responsibility of the property buyer or seller to repair, replace and conform to all infiltration [and backflow](#) requirements prior to transfer of property connected to the City sewer system.

Exceptions: This section shall not apply to:

- (1) Condominium or cooperative apartment buildings;
- (2) To all buildings where the City Manager, or authorized representative, determines that testing and repair or replacement of lateral(s) has been performed to City standards within the last three years;
- (3) To all buildings where the City Manager, or authorized representative, determines that new sewer construction has been inspected and passed within the last three years.

This determination shall be made by a test performed by City staff. Except for standard permit costs, there will be no charge to the property owner for this test. In the event that the test fails, refer to RDMC 13.10.469. [Ord. 322 § 1, 2014; Ord. 286, 2012.]

Staff support the proposed amendments and recommends that the Council codify the changes. Ordinance No. 406-2024 amending Chapter 13.10, "Sewer Rates and Regulations", Section 13.10.170, Section 13.10.210, Section 13.10.220, and Section 13.10.467 of the Rio Dell Municipal Code (RDMC) is included in Attachment 1.

Attachment 1: Ordinance No. 406-2024, amending Chapter 13.10, "Sewer Rates and Regulations, Section 13.10.170, Section 13.10.210, Section 13.10.220, and Section 13.10.467 of the Rio Dell Municipal Code (RDMC)

ORDINANCE NO. 406-2024



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING CHAPTER 13.10, "SEWER RATES AND REGULATIONS", SECTION 13.10.170, SECTION 13.10.210, SECTION 13.10.220 AND SECTION 13.10.467 OF THE RIO DELL MUNICIPAL CODE (RDEMC)

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

WHEREAS the City's City Manager or authorized representative is tasked with enforcing and explaining the City's various sewer rates and regulations; and

WHEREAS one of the difficulties in enforcing the regulations regarding sewer regulations is the unclear language in Chapter 13.10; and

WHEREAS unclear language has caused issues, in that past lateral inspections performed by home owners, and realtors have not been clearly made aware of all the issues pertaining to the private lateral during an I&I inspection, due to other challenges such as no lower cleanout, lateral tie ins, shared lower laterals, and missing backflow devices.

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

Section 1.

Chapter 13.10.170 of the Rio Dell Municipal Code is hereby amended to read in as follows:

13.10.170 Prerequisites to multiple service connections.

No sewer shall be served to two or more parcels of property separately owned through a common service pipe. When more than one occupancy is placed on the same parcel of property and each is conducting a separately established residence or business, a separate sewer line shall be required and installed for each occupancy.

Where there is a pre-existing multiple use sewer service, the City shall establish additional accounts and charges for each additional commercial, professional, dwelling, or living unit situated upon the premises not served by an individual sewer. [Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 17, 1987.]

Where there is a pre-existing unknown shared lateral that becomes known and two sewer services utilize the lateral, each of the property owners must establish their own

lateral on their respective property parcels. The City shall establish a lower lateral to the sewer main once each property owner has indicated where their respective sewer lateral and lower cleanout will be installed.

Section 2.

Chapter 13.10.210 of the Rio Dell Municipal Code is hereby amended to read in as follows:

13.10.210 Sewer system required.

It shall be unlawful to maintain or use any residence, place of business or other building or place where persons reside, congregate, or are employed which is not provided with means for the disposal of sewage, either by flush toilet connected with a sewage system approved by the City of Rio Dell City Manager or designee or, when it is judged permissible by the County Health Officer, for a site that is greater than 300 feet from a public sewer, an on-site wastewater treatment (septic) system which meets the requirements of the County Health Department. With respect to the use of on-site wastewater treatment systems within the City of Rio Dell, the City of Rio Dell adopts the Humboldt County Code, its regulations and, when approved and implemented, its local agency management program for the siting, design, operation and maintenance of on-site wastewater treatment systems.

It shall be unlawful for any person to construct or maintain any on-site wastewater treatment system, sewage treatment works, sewer pipes or conduits, or other pipes or conduits for the treatment or discharge of sewage or impure waters or any matter or substance offensive, injurious or dangerous to health whereby they shall do any of the following:

- (1) Overflow any lands whatever;
- (2) Empty, flow, seep, drain into or affect any springs, streams, rivers, lakes or other waters within the City of Rio Dell. With respect to existing on-site wastewater treatment systems if it would be impossible to comply with all the requirements of the County Health Department, the County Health Officer may authorize repairs that are in substantial conformance, to the greatest extent practicable, with the requirements of the County Health Department.

It shall be unlawful for any person, firm or corporation to construct, build, or rebuild any place of residence or other building or place where persons congregate, reside or are employed which is not to be connected to an approved public sanitary sewer without first obtaining a permit to do so from the County Health Department. [Ord. 351 § 1, 2016; Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 21, 1987.]

Section 3.

Chapter 13.10.220 of the Rio Dell Municipal Code is hereby amended to read in as follows:

13.10.220 Building sewers, laterals and connections.

(1) Permit Required. No person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the City and paying all fees and connection charges as required.

(2) Design and Construction Requirements. Design and construction of building sewers and lateral sewers shall be in accordance with the requirements of the City and to the approval of the City Manager or designee.

(3) Separate Sewers. No two adjacent buildings fronting on the same street shall be permitted to join the use of the same side sewer. Every building or industrial facility must be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve said property. However, two or more buildings located on property belonging to the same owner may be served with the same side sewer provided the property cannot be subdivided into smaller legal-sized lots.

(4) Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the City Manager or designee, to meet all requirements of the City.

(5) Cleanouts. Two Cleanouts in building sewers shall be provided in accordance with the rules, regulations and ordinances of the City. A cleanout and backflow device shall be required at or near the building structure, and a double sweep cleanout installed at or near the property line. All cleanouts shall be maintained watertight.

(6) Down Spouts/Roof Drains. Down spouts or roof drains shall not discharge rain water or storm runoff into the building lateral or any sewer connection.

(7) Sewer Too Low. In all buildings hereafter constructed in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the City Manager or designee, and discharged to the public sewer at the expense of the owner.

(8) Connection to Public Sewer. The connection of the building sewer into the sewer system shall be made at the applicant's expense. The applicant shall extend the building sewer to the property line, at which point it shall be the responsibility of the City to connect the building sewer to the City system lateral. Any damage to the lateral sewer shall be repaired at the cost of the applicant to the satisfaction of the City Manager or designee.

(9) Maintenance of Building Sewer. Building sewers shall be free of infiltration and be maintained by the owner of the property served thereby.

(10) Public Sewer Construction – Permit Required. No person shall construct, extend or connect to any public sewer without first obtaining a written permit from the City and paying all fees and connection charges and furnishing bonds as required. The provision of this section requiring permits shall not be construed to apply to contractors'

construction sewers and appurtenances under contracts awarded and entered into by the City.

(11) Plans, Profiles and Specifications Required. The application for a permit for public sewer construction shall be accompanied by three complete sets of plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of the City prepared by a registered civil engineer showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles and specifications, shall be examined by the City Manager or designee, who shall within 20 days approve them as filed or require them to be modified as he deems necessary for proper installation. When the City Manager or designee is satisfied that the proposed work is proper and the plans, profiles, and specifications are sufficient and correct, he shall order the issuance of a permit predicated upon the payment of all connection charges, fees and furnishing bonds as required by the City. The permit shall prescribe such terms and conditions as the City Manager or designee finds necessary in the public interest.

(12) Subdivisions. The requirements of this section shall be fully complied with before any final subdivision map shall be approved by the City Council. The final subdivision map shall provide for the dedication for public use of streets, easements or rights-of-way in which public sewer lines are to be constructed. If a final subdivision map of a tract is recorded and the work of constructing sewers to serve the tract is not completed within the time limit allowed in the permit, the City Council may extend the time limit or may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the sub divider.

(13) Easements or Right-of-Way. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the City a proper easement or grant of right-of-way having a minimum width of 10 feet sufficient in law to allow the laying and maintenance of such extension or connection.

(14) Persons Authorized to Perform Work. Only properly licensed contractors and City forces shall be authorized to perform the work of public sewer construction within the City. All terms and conditions of the permit issued by the City to the applicant shall be binding on the contractor.

(15) Compliance with Local Regulations. Any person constructing a sewer within a street shall comply with all State, County or City laws, ordinances, rules and regulations pertaining to the cutting or pavement opening, barricading, lighting, and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit of the City.

(16) Design and Construction Standards. Design and construction of sewers within the City must be approved by the City Manager or designee. Three complete sets of as-built

drawings showing the actual location of all mains, structures, wyes, and laterals shall be filed with the City before final acceptance of the work.

(17) Completion of Sewer Required. Before any acceptance of any sewer line by the City and prior to the admission of any sewage into the system, the sewer line shall be tested and shall be complete to the satisfaction of the City Manager or designee. [Ord. 322 § 1, 2014; Ord. 286, 2012; Ord. 190 § 22, 1987.]

Section 4.

Chapter 13.10.467 of the Rio Dell Municipal Code is hereby amended to read in as follows:

13.10.467 Transfer of property and testing.

Whenever any property is to be sold or transferred to or vested in any other entity, the sewer lateral(s) to the property shall [have camera work done to inspect the sewer lateral for breaks and or tie-in's with neighboring laterals. Once camera work is complete and breaks are fixed and tie-in laterals are plugged/removed the lateral shall be tested for infiltration and all necessary repairs or replacements performed to prevent all infiltration. A backflow device will need to be installed up stream of the lower cleanout. A lower cleanout will need to be installed at the property line with sweep towards sewer main.](#)

This test will be set up by a licensed contractor, paid for by the property seller or buyer, and signed off by the City Manager or authorized representative. Test requirements are available at City Hall.

An inspection card signed by an authorized City inspector must accompany title transfer proceedings. It is the responsibility of the property buyer or seller to repair, replace and conform to all infiltration [and backflow](#) requirements prior to transfer of property connected to the City sewer system.

Exceptions: This section shall not apply to:

- (1) Condominium or cooperative apartment buildings;
- (2) To all buildings where the City Manager, or authorized representative, determines that testing and repair or replacement of lateral(s) has been performed to City standards within the last three years;
- (3) To all buildings where the City Manager, or authorized representative, determines that new sewer construction has been inspected and passed within the last three years.

This determination shall be made by a test performed by City staff. Except for standard permit costs, there will be no charge to the property owner for this test. In the event that the test fails, refer to RDMC [13.10.469](#). [Ord. 322 § 1, 2014; Ord. 286, 2012.]

Staff support the proposed amendments and recommends that the Council codify the changes. Ordinance No. 406-2024 amending Chapter 13.10, "Sewer Rates and

Regulations”, Section 13.10.170, Section 13.10.210, Section 13.10.220, and Section 13.10.467 of the Rio Dell Municipal Code (RDMC) is included in Attachment 1.

Attachment 1: Ordinance No. 406-2024, amending Chapter 13.10, “Sewer Rates and Regulations, Section 13.10.170, Section 13.10.210, Section 13.10.220, and Section 13.10.467 of the Rio Dell Municipal Code (RDMC)

Section 5. Severability

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

Section 6. Limitation of Actions

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

Section 7. Effective Date

These ordinances become effective thirty (30) days after their approval and adoption

I HEREBY CERTIFY that the forgoing Ordinances were duly introduced at a regular meeting of the City Council of the City of Rio Dell on August 6th, 2024 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the August 20th 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 406-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on Aug.20th 2024.

Karen Dunham, City Clerk, City of Rio Dell