



RIO DELL CITY COUNCIL AGENDA
REGULAR MEETING - 6:00 P.M.
TUESDAY, SEPTEMBER 17, 2024
City Council Chambers
675 Wildwood Avenue, Rio Dell

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

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

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

Public Comment by Email:

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

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

Zoom Public Comment:

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

- [1.](#) 2024/0917.01 - Proclamation Declaring September 17-23 as Constitution Week - Pg. #4

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.](#) 2024/0917.02 - Approve Minutes of September 3, 2024 Regular Meeting **(ACTION)** - Pg. #6
- [2.](#) 2024/0917.03 - Authorize the Purchase of a Grundfos Dosing Pump for Chlorination/Disinfection of the Wastewater Effluent in the Amount of \$10,960.91**(ACTION)** - Pg. #9
- [3.](#) 2024/0917.04 - Approve Total Compensation Study Cost Proposal from Gallagher (formerly Koff & Associates) **(ACTION)** - Pg. #13
- [4.](#) 2024/0917.05 - Authorize the Mayor to Sign a Letter to the Governor Requesting a Veto of SB 1037 **(ACTION)** - Pg. #25
- [5.](#) 2024/0917.06 - Authorize the Mayor to Sign a Letter to the Governor Requesting a Veto of AB 2561 **(ACTION)** - Pg. #29
- [6.](#) 2024/0917.07 - Authorizing the Mayor to Sign a Letter to the Governor Requesting a Veto of AB 98 **(ACTION)**- Pg. #34
- [7.](#) 2024/0917.08 - Receive and File Check Register for August - Pg. #42

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. REPORTS/STAFF COMMUNICATIONS

[1.](#) 2024/0917.09 - City Manager/Staff Update (**RECEIVE & FILE**) - Pg. #46

I. SPECIAL PRESENTATIONS/STUDY SESSIONS

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

[1.](#) 2024/0917.10 - Introduction and first reading (by title only) of Ordinance No. 407-2024 Amending Chapter 13.20 “Water Wells” of the Rio Dell Municipal Code (RDMC) to clarify the County Department of Environmental Health administers the City’s water well-permitting process (**DISCUSSION/POSSIBLE ACTION**) - Pg. #51

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, October 1, 2024 at 6:00 p.m.*



*675 Wildwood Avenue
Rio Dell, CA 95562*

STAFF REPORT

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Karen Dunham, City Clerk

DATE: September 17, 2024

SUBJECT: Proclamation Declaring September 17-23 as
Constitution Week

RECOMMENDATION

Read and present the Proclamation declaring September 17-23 as Constitution week.

BACKGROUND AND DISCUSSION

Catherine Culver, from the National Society of the Daughters of the American Revolution Eel River Valley Chapter, requested the proclamation be placed on the agenda. She will be present at the meeting to accept the proclamation.

ATTACHMENTS: Proclamation

PROCLAMATION
Designating September 17-23, 2024 as
Constitution Week

WHEREAS, it is the privilege and duty of the American people to commemorate the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE I, Debra Garnes by virtue of the authority vested in me as Mayor of the City of Rio Dell, State of California on behalf of the Rio Dell City Council do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Rio Dell to be affixed this 17th day of September 2024.

Attest:

Karen Dunham
City Clerk, City of Rio Dell

Debra Garnes
Mayor, City of Rio Dell

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 3, 2024**

Mayor Garnes called the regular meeting of the Rio Dell City Council to order at 6:00 p.m.

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

Others Present: City Manager Knopp, Interim Police Chief Landry, Wastewater Superintendent Kelly, City Attorney Gans, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Finance Director Sanborn, Community Development Director Caldwell, and Water Superintendent Jensen (excused)

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters. No public comment was received.

CONSENT CALENDAR

Mayor Garnes asked if any council member, 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 August 20, 2024 Regular meeting;
- 2) Resolution No. 1614-2024 Adopting without revision, the City's Conflict of Interest Code;
- 3) Resolution No. 1619-2024 Adopting the City of Rio Dell Debt Management Policy pursuant to Government Code 8855(i); and
- 4) Resolution No. 1620-2024 Authorizing Examination of Sales or Transactions and Use Tax Records Repealing Resolution No. 1613-2024.

Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and began by giving a special shout-out to Finance Director Sanborn and Wastewater Superintendent Kelly. He said as the Council is aware, following the December 2022 and January 2023 earthquakes, there were a series of other disasters throughout the state including a hurricane so some of the

SEPTEMBER 3, 2024 MINUTES
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processes on the state end were to some extent diverted. With the help of Finance Director Sanborn and Wastewater Superintendent Kelly working diligently over the past 18 months with the California Office of Emergency Services (OES), staff received word today on approval of some of the larger ticketed items on the City's disaster-related projects.

He also reported that work began today on the Monument slip-out project which resulted from the 2017 federally declared storm disaster. The City and the County of Humboldt have struggled for years dealing with the agency to get the project moving forward and staff had to enlist the support of Congressman Huffman to gain traction on the project. He said the local cost share would be split between the City and the County.

Councilmember Wilson asked what the City's cost share would be.

City Manager Knopp indicated that the City's cost share would be approximately \$250,000.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Carter reported upcoming meetings and said there would be a Rio Dell-Scotia Chamber of Commerce meeting on Friday at noon in Scotia, and meetings of the Rio Dell School Board and Rio Dell Fire District next week.

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Conference with Legal Counsel – Potential/Anticipated Litigation

Significant exposure to litigation Gov't Code §54956-9(b): One case

Public Employee Performance Evaluation

Gov't Code §54957: Title: City Manager

Conference with Labor Negotiator

Gov't Code §54957.6: Agency Negotiator: City Manager- Employee
Organizations: Rio Dell Employees Association and Rio Dell Police Officers Association

PUBLIC COMMENT REGARDING CLOSED SESSION

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

RECESS INTO CLOSED SESSION

The Council recessed into closed session at 6:10 p.m. with City Manager Knopp and City Attorney Gans.

SEPTEMBER 3, 2024 MINUTES
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RECONVENE INTO OPEN SESSION

The Council reconvened into open session at 8:10 p.m. Mayor Garnes announced that there was nothing to report out of the closed session.

ADJOURNMENT

The meeting adjourned at 8:11 p.m. to the September 17, 2024, regular meeting.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk



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

September 4, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

THROUGH: Sunshine Kelly, Wastewater Superintendent

SUBJECT: Authorize the purchase of a Grundfos Dosing pump for chlorination/disinfection of the wastewater effluent, a Total Amount of \$10,960.91

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to proceed with the quote for purchase of the Grundfos Dosing pump.

BACKGROUND AND DISCUSSION

The Wastewater treatment plant currently has two Grundfos Dosing pumps to feed aqueous chlorine as a disinfectant into our final effluent. During the wet season two pumps are required to feed together to adequately dose chlorine to the increased hydraulic load. There is currently no back up if and when one of these pumps fails during the wet season, the wastewater treatment plant would not have an adequate feed rate to disinfect the effluent in accordance with our NPDES permit. Total estimated costs for a replacement/backup Grundfos Dosing pump \$10,960.91

The amount exceeds the City Manager’s authority to purchase, and it is requested that the City Council authorize said purchase.

///

ESTIMATE

Muniquip LLC
2017 Opportunity Dr STE 4
ROSEVILLE, CA 95678

sales@muniquipllc.com
916-787-5641



RIO DELL, CITY OF

Bill to
SUSIE TOWNSEND
CITY OF RIO DELL
675 WILDWOOD AVE
RIO DELL, CA 95562

Ship to
SUSIE TOWNSEND
RIO DELL, CITY OF
CITY OF RIO DELL
675 WILDWOOD AVE
RIO DELL, CA 95562

Estimate details
Estimate no.: 25840
Estimate date: 08/29/2024

Estimated Lead Time: 1-2weeks

#	Product/service	Description	Quantity	Rate	Amount
1.	Grundfos Dosing - E (deleted)	Grundfos - DDA 200-4 FCM-PVC/V/C-F-31A7A7BG, 99159490	1	\$10,079.00	\$10,079.00
2.	Freight	Pre-pay and Add Freight	1	\$0.00	\$0.00
				Subtotal	\$10,079.00
				Sales tax	\$881.91
				Total	\$10,960.91

Note to customer

It's been great to meet and work with you! Thanks for the opportunity.

Accepted date

Accepted by



TERMS AND CONDITIONS

1. Acceptance of this Order is final only upon written approval by MuniQuip, L.L.C. ("MQ").
2. The total sale price, as set forth on the first page hereof, including all tax, is payable by Purchaser as follows: One-Hundred percent (100%) within 30 days of notice of availability for shipment by the manufacturer. Any amount not paid when due shall bear interest at the rate of 18% *per annum*. Purchaser agrees to pay reasonable attorney's fees and all collection costs incurred by MQ if payment is not timely received. All payments by Purchaser shall be made without offset or deduction.
3. All prices are FOB source shipping point. MQ is not responsible for any loss during transit. Breakage or shortage claims arising from shipments shall be made by the Purchaser directly against the carrier. Purchaser will accept shipment within five (5) days of notice of availability from MQ.
4. Purchaser understands and acknowledges that the Equipment is not manufactured by MQ, and that MQ offers no representations or warranties of any kind or nature with respect to the Equipment. **SPECIFICALLY, MQ DOES NOT OFFER ANY EXPRESS OR IMPLIED WARRANTY OF DESCRIPTION, TITLE, OR CONDITION OF LIEN OR SECURITY INTERESTS, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE.** The only warranties with respect to the Equipment shall be those offered by the manufacturer, if any. The sole obligation of MQ shall be to assist Purchaser in connection with the presentation of any warranty claim to the Manufacturer. If applicable, MQ will assign all manufacturers' warranties to Purchaser or end user. Purchaser shall be responsible for all costs and labor for installation and start-up assistance of the Equipment.
5. MQ shall not be responsible for any loss, claim or damages resulting from any force majeure, including but not limited to strikes, accidents, unavailability of labor or materials, acts of God, weather conditions, inability of carrier to deliver, legislative, administrative, or executive law, order or requisition of any governmental entity, or any event not under the direct control of MQ. Any delay in delivery from the Manufacturer caused by a force majeure or action or inaction of the Manufacturer or carrier shall not be the responsibility of MQ.
6. In no event shall MQ be responsible for any liquidated, consequential or special damages arising from breach of this Agreement, any delay of delivery or any other cause.
7. Purchaser shall pay any sales, excise, or other government charge payable by MQ to federal, state or local authorities. Any such taxes now or hereafter imposed upon sales or shipments will be added to the purchase price. Purchaser agrees to reimburse MQ for any such tax or to provide MQ acceptable tax exemption certificates.

2017 Opportunity Drive # 4, Roseville, CA 95678, (916) 787-5641 office, (916) 787-5642 fax

www.muniquipllc.com



8. Purchaser may not cancel this Order without the prior written consent of MQ, and in any event Purchaser shall be responsible for all costs, charges and fees caused by such cancellation, including labor expended, material procured, and reasonable overhead expenses applicable thereto.
9. Any failure of MQ to insist upon the performance of any term or condition of this Agreement or any prior quotations, agreements, orders, and acceptances or orders related thereto shall not be deemed to be a waiver of such term, condition, or any other right in the future. Initial _____
10. The provisions hereof shall apply to all addendums or changes hereto although not specifically set forth therein, all of these terms and conditions being considered to be additional terms and conditions to any such addendum or change.
11. Purchaser agrees to inspect the Equipment immediately upon delivery. Any claim for shortages must be made to MQ within ten (10) days after shipment or shall be deemed waived. Any other claim by Purchaser, other than warranty claims against the manufacturer, shall be made within thirty (30) days after receipt of shipment, and if not made, shall be waived.
12. Purchaser agrees to provide and maintain adequate insurance against loss of or damage to the Equipment until the purchase price to MQ has been fully paid. Any loss or damage to the Equipment after transfer of possession shall not relieve the Purchaser from obligations under this Agreement.
13. This Agreement represents the final and complete understanding of the parties with respect to all terms and conditions of the sale of Equipment as contemplated hereby, and there are no other representations, promises or agreements, whether written or oral, made in connection herewith. Purchaser specifically understands and acknowledges that no agent, employee or representative of MQ has the authority to or has made any other representation, promise or agreement except as specifically set forth in this Agreement. No amendment to this Agreement shall be effective unless it is in writing and executed by both parties.
14. This Agreement shall be construed under the laws of the State of California, and any action arising hereunder shall be commenced in that state.

Customer Signature: _____
Print Name: _____
Title: _____
Company Name: _____
Date: _____
Purchase Order #: _____

Best Wishes,
 Eric Larson
 Sales Application Engineer
 2017 Opportunity Drive, Suite 4
 Roseville, CA 95678
 916-778-7781 cell
 www.muniquipllc.com

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



DATE: September 17, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Travis Sanborn, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Total Compensation Study Cost Proposal from Gallagher (formerly Koff & Associates)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Staff recommends consideration of Gallagher's proposal for the Total Compensation Study.

BACKGROUND AND DISCUSSION:

This report presents a cost proposal from Gallagher (formerly Koff & Associates) for a Total Compensation Study for the City of Rio Dell. The City previously contracted with this firm for a compensation study completed and adopted on September 28, 2020.

Gallagher proposes utilizing the same 13 comparators surveyed in the 2020 study. This decision is based on the low likelihood of significant labor market changes within the past four years and the advantages of maintaining consistency.

Gallagher, a seasoned public-sector human resources and recruitment services firm with over four decades of experience, is well-equipped to undertake this compensation study. Their proven track record of completing such studies on time and within budget, coupled with their emphasis on client-centricity, integrity, and finding optimal solutions, makes them a strong contender.

The proposed study timeline spans four months, beginning in October 2024 and concluding by February 2025, aligning with the FY 2025/2026 budgeting cycle. A comprehensive project timeline is available for review.

The total cost of the compensation study is \$29,820, encompassing all project expenses. All meetings and presentations will be conducted virtually unless the City requests on-site meetings, which would incur additional per diem costs. The billing structure involves three installments: one-third of the project fee upon contract execution (\$9,940), a second invoice for \$9,940, and the remaining project fee (\$9,940) upon completion.

ATTACHMENTS:

- City of Rio Dell Total Compensation Study Cost Proposal

City of Rio Dell

TOTAL COMPENSATION STUDY COST PROPOSAL

September 5, 2024

Gallagher, formerly known as Koff & Associates

GEORG S. KRAMMER

Managing Director, Compensation and Rewards Consulting

2835 Seventh Street
Berkeley, CA 94710

georg_krammer@ajg.com

Tel: 510.658.5633

Fax: 510.652.5633



Gallagher

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Gallagher

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September 5, 2024

Mr. Travis Sanborn
Finance Director
675 Wildwood Avenue
Rio Dell, CA 95562

Dear Mr. Sanborn:

Thank you for the opportunity to respond to your Request for Proposals for a Total Compensation Study for the City of Rio Dell ("City") for approximately 22 job classifications. We are most interested in assisting the City with this important study and feel that we are uniquely qualified to provide value to your organization based on our experience working with other cities, counties, special districts, joint-powers associations, and other public agencies.

Gallagher, formerly known as Koff & Associates, ("Gallagher/K&A") is an experienced Human Resources and Recruitment Services firm providing human resources services to cities, counties, special districts, courts, educational institutions, and other public agencies for over 40 years. Our team has achieved a reputation for working successfully with management, employees, employee representation, and governing bodies. We believe in a high level of dialogue and input from study stakeholders and our proposal speaks to that level of effort. Our team's extra effort has resulted in close to *100% implementation* of all our classification and compensation studies.

Gallagher/K&A ensures that each of our projects is given the appropriate resources and attention, resulting in a high level of quality control, excellent communication between clients and our office, commitment to meeting timelines and budgets, and a consistently high-caliber work product.

As a Managing Director of Gallagher/K&A, I would assume the role of Project Director and be responsible for the successful completion of project. I can be reached at our Berkeley address and the phone number listed on the cover page. My email is georg_krammer@ajg.com.

This proposal will remain valid for at least 90 days from the date of submittal. Please call if you have any questions or wish additional information. We look forward to the opportunity to provide professional services to the City of Rio Dell.

Sincerely,

Georg S. Krammer
Managing Director, Compensation and Rewards Consulting



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Firm Qualifications

Gallagher, formerly known as Koff & Associates, (“Gallagher/K&A”) is a full-spectrum, public-sector human resources and recruitment services firm; Gallagher/K&A has been assisting cities, counties, special districts, joint powers associations, courts, educational institutions, and other public agencies with their human resources needs for over 40 years and we have offices all throughout California, the Western Region, as well as across the nation.

We are familiar with the various public sector organizational structures, agency missions, operational and budgetary requirements, and staffing expectations. We have extensive experience working in both union and non-union environments, working with City Councils, County Commissions, Boards of Directors, Boards of Supervisors, Boards of Trustees, Boards of Education, Merit Boards, and Joint Power Authorities.

The firm's areas of focus are classification and compensation studies (approximately 70% of our workload); executive search and staff recruitments; and organizational development/assessment studies.

Without exception, all our classification and compensation studies have successfully met all our intended commitments; communications were successful with employees, supervisors, management, and union representatives; and we were able to assist each agency in successfully implementing our recommendations. All studies were brought to completion within stipulated time limits and proposed budgets.

Our long list of clients (please see <https://koffassociates.com/our-clients/>) is indicative of our firm's reputation as being a quality organization that can be relied on for producing comprehensive, sound, and cost-effective recommendations and solutions. Gallagher/K&A has a reputation for being “hands on” with the ability and expertise to implement its ideas and recommendations through completion in both union and non-union environments.

Gallagher/K&A relies on our stellar reputation and the recommendations and referrals of past clients to attract new clients. Our work speaks for itself and our primary goal is to provide professional and technical consulting assistance with integrity, honesty and a commitment to excellence. We are very proud of the fact that in working with hundreds of public agency clients and completing hundreds of classification and/or compensation and other types of studies, we have only had a handful of formal appeals in our entire history.

Especially when it comes to compensation, we know we are dealing with people's livelihoods and we take that very seriously. We are human resources professionals by trade and at heart and always keep the human aspect at the forefront of our problem solving methodologies. Our guiding principle of assisting public agencies for the greater good of their people and the communities they serve has been the backbone of our culture of integrity and ethics. Our values of being public-spirited, resourceful, curious, and courageous help us succeed in being very client- centric, fully invested in our work and finding the best solutions for our clients, and in applying a synergistic approach to all of our projects.



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About the Larger Gallagher

Value Proposition: The ability to deliver comprehensively structured human capital solutions to clients is Gallagher's signature in the marketplace. At Gallagher, we want to know what makes your organization unique. We listen intently to learn about your culture and priorities and delve deeply into all the details that matter when balancing human capital needs with financial sustainability. This single-minded focus on excellence — characterized by innovation and creativity — is the driving force behind every Gallagher engagement.

Company History: Arthur J. Gallagher & Co. opened its doors for business in 1927 and is still “growing strong” because of a practiced ability to help clients think ahead. Founded by its namesake who was previously the leading producer for Chicago’s largest insurance brokerage, Gallagher is now one of the world’s largest human capital, insurance brokerage and risk management services firms. Headquartered in Rolling Meadows, IL, we have operations in 33 countries, and extend our client-service capabilities to more than 90 countries through a global network of correspondent brokers and consultants.

Since 1961, we’ve been helping clients overcome business barriers and create new opportunities to cost-effectively attract, retain and productively engage the best performers in their field. Gallagher started trading on the NYSE under the symbol AJG in 1984.

Company Culture and Philosophy: The ideals, principles and values embodied by the founder whose name still appears on our door are part of our corporate DNA.

Gallagher’s approach to business, cultivated through three generations of family leadership, has always centered on creating relationship value as true partners to our clients.

Gallagher’s interactions with you will be straightforward and candid. By earning the trust of our clients, we’ve sustained a reputation for ethics and a commitment to transparency that continue to contribute to our growth. In fact, Gallagher was the first insurance broker named to the Ethisphere® Institute’s annual list of the World’s Most Ethical Companies in 2012 — and has earned this recognition for twelve consecutive years, through 2023. This is a tremendous achievement: annually, less than 150 companies based in 24 countries and

FAMILY RUN
Founded in 1927

GLOBAL REACH. LOCAL PRESENCE
Shared values
Passion of excellence
Promises delivered

39,000+
Employees worldwide

850+
Offices in
98 countries

150+
Countries
served

2023 **WORLD'S MOST ETHICAL COMPANIES™**
ETHISPHERE

\$6.9B
Total Adjusted
Brokerage & Risk
Management Revenues
(2021)



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representing 57 industry categories received this honor. Gallagher is the only insurance broker to have ever been recognized (World’s Most Ethical Release).

The high standards of conduct we've set for our external professional relationships are the same rules we follow internally. The Gallagher Way, a one-page document that outlines our 25 shared values, was written in 1984 but is just as culturally relevant today. It speaks to the value of relationships and several tenets set guidelines for ethical behavior. Gallagher combines innovative solutions, thoughtful advice, and honest business practices to minimize risk and help fuel your success.

Human Resource and Compensation Consulting Practice: Gallagher’s Human Resources & Compensation Consulting practice, of which the former K&A team is now a part, empowers clients to attract talent, manage staff, develop leaders, and reward success—leveraging the power of Gallagher and wisdom of experience to produce an engaged and productive workforce. Tapping into expertise that spans the spectrum of human resources at every level, we can assemble flexible compensation and consulting solutions that improve efficiency and fiscal sustainability.

Our practice is a combination of some of the most respected names in human resources and compensation consulting. Bringing together experts from compensation, performance, search, survey, and leadership fields, Gallagher empowers clients with tools for the entire lifecycle of employment management.

With an experienced team of 205 consultants located in 14 offices across the United States and Canada, our services include:

- Classification and Compensation
- Employee Engagement
- Executive Compensation
- Organizational Development
- HR Management
- Search and Interim Placement
- Custom Salary and Benefit Surveys
- Governance Consulting



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Time Requirements

Our professional experience is that compensation studies of this scope and for this size organization take approximately four months to complete, allowing for adequate compensation data collection and analysis, review steps by the City, the development of final reports, any appeals, and presentations.

We understand that the City would like to complete the study by the end of February in time for its FY 2025/2026 budgeting cycle. In order to provide the City with the most current 2025 data, we propose commencing the project in October 2024 and completing it per the City's desired timeline.

The following is a suggested timeline (which can be modified based on the City's needs):

MILESTONES	TOTAL COMPENSATION STUDY	COMPLETION BY
A.	Project Kickoff Meetings, Initial Documentation Review, and Determination of Survey Elements	Weeks 1-2
B.	Market Survey Delivery	Week 3-10
C.	Draft Compensation Findings/Stakeholder Review and Feedback	Week 11-13
D.	Development of Recommendations, Final Reports, and Presentations	Week 14-16



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Cost Proposal

Due to a shift in our industry to conducting studies virtually and our own efforts to be as green a business as possible (which our public agency clients always appreciate), our cost proposal assumes that all meetings and presentations will be conducted virtually/remotely and no onsite travel to City offices will occur. Should the City desire onsite meetings, we will be happy to provide our per diem cost for onsite meetings based on travel time and market rate travel cost at the time.

MILESTONES	TOTAL COMPENSATION STUDY	AMOUNT	BILLING STRUCTURE
Ongoing Project Status Meetings throughout the Study		\$2,100	Invoice #1: One Third of Project Fee upon Contract Execution - \$9,940
A.	Project Kickoff Meetings, Orientations, and Determination of Survey Elements	\$1,680	Invoice #2 - \$9,940
B.	Market Survey Delivery (this assumes the same 13 comparators from the 2020 study, up to 16 benchmark classifications, and total compensation including benefits)	\$17,640	
C.	Draft Compensation Findings/Stakeholder Review and Feedback	\$4,200	N/A
D.	Development of Recommendations, Final Reports, and Presentations	\$4,200	Remaining Project Fee: Invoice #3 - \$9,940
Total Fee for Compensation Study		\$29,820	\$29,820
Expenses are included in the project fee		N/A	N/A
<i>Expenses include but are not limited to duplicating documents, binding reports, phone, supplies, postage</i>			
TOTAL PROJECT COST		\$29,820	\$29,820

Our cost proposal does not include time to support the City during any labor negotiations that may follow this study. If we are needed for this work, our composite hourly rate will apply and we will charge on a time-and-materials basis.



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Contractual Considerations

We will be pleased to sign the City's professional services agreement for a Compensation Study. We respectfully request that the City will allow for a period of negotiation of certain terms in the professional services contract related to liability, indemnity, insurance, and other terms. We have found that we have always come to an agreement with all our clients in the past and appreciate the City's flexibility in reviewing certain terms in a collaborative fashion between our legal counsels.

It is our practice to provide the coverage below in lieu of the City contract insurance language. We therefore propose to replace the insurance language in the RFP's sample agreement with coverage language provided by Gallagher as follows:

Gallagher shall at all times during the term of this Agreement and for a period of two (2) years thereafter, obtain and maintain in force the following minimum insurance coverages and limits at its own expense:

- Commercial General Liability (CGL) insurance on an ISO form number CG 00 01 (or equivalent) covering claims for bodily injury, death, personal injury, or property damage occurring or arising out of the performance of this Agreement, including coverage for premises, products, and completed operations, on an occurrence basis, with limits no less than \$2,000,000 per occurrence;
- Workers Compensation insurance with statutory limits, as required by the state in which the work takes place, and Employer's Liability insurance with limits no less than \$1,000,000 per accident for bodily injury or disease. Insurer will be licensed to do business in the state in which the work takes place;
- Automobile Liability insurance on an ISO form number CA 00 01 covering all hired and non-owned automobiles with limit of \$1,000,000 per accident for bodily injury and property damage;
- Umbrella Liability insurance providing excess coverage over all limits and coverages with a limits no less than \$10,000,000 per occurrence or in the aggregate;
- Errors & Omissions Liability insurance, including extended reporting conditions of two (2) years with limits of no less than \$5,000,000 per claim, or \$10,000,000 in the aggregate;
- Cyber Liability, Technology Errors & Omissions, and Network Security & Privacy Liability insurance, including extended reporting conditions of two (2) years with limits no less than \$2,000,000 per claim and in the aggregate, inclusive of defense cost; and
- Crime insurance covering third-party crime and employee dishonesty with limits of no less than \$1,000,000 per claim and in the aggregate.
- All commercial insurance policies shall be written with insurers that have a minimum AM Best rating of no less than A-VI, and licensed to do business in the state of operation. Any cancelled or non-renewed policy will be replaced with no coverage gap, and a Certificate of Insurance evidencing the coverages set forth in this section shall be provided to Client upon request.



Gallagher

Insurance | Risk Management | Consulting

Signature Page

Gallagher, formerly known as Koff & Associates, intends to adhere to all of the provisions described.

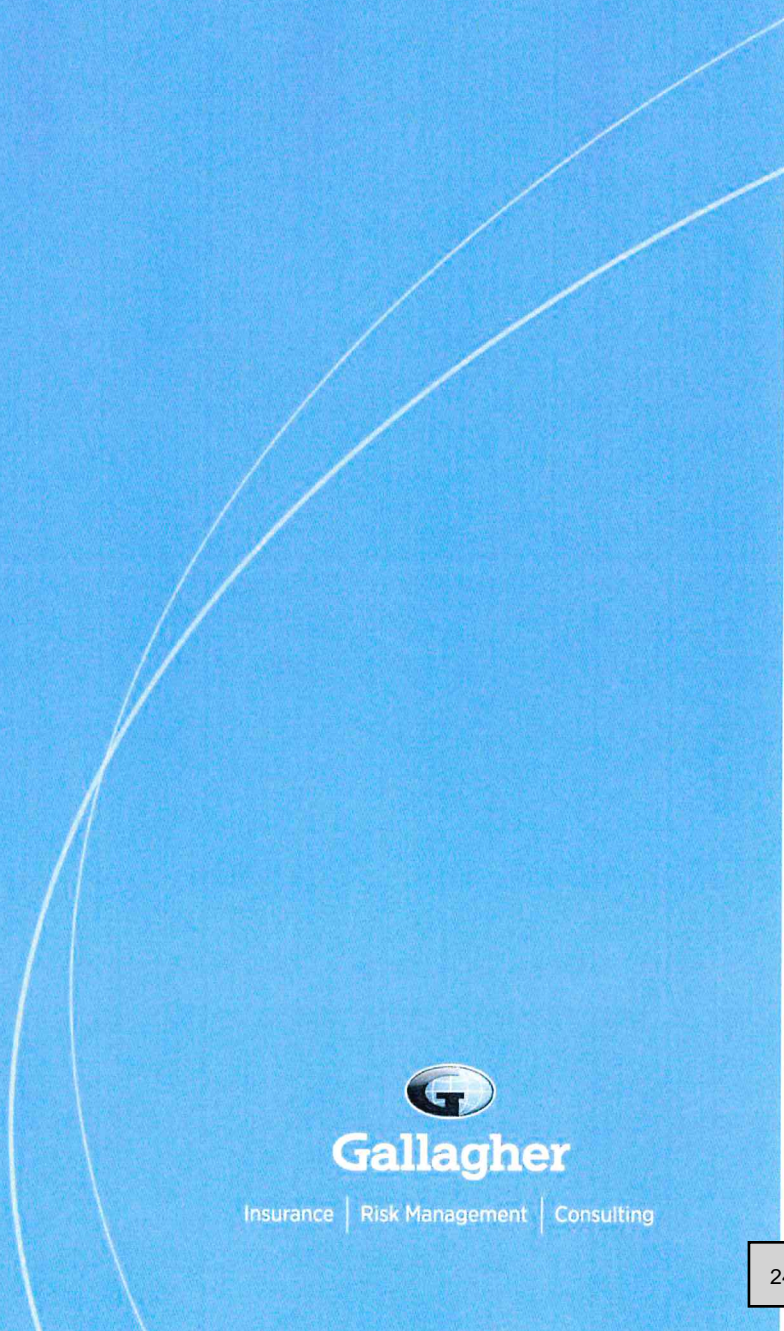
This proposal is valid for 90 days.

Respectfully submitted,

By: **GALLAGHER, FORMERLY KNOWN AS KOFF & ASSOCIATES,**
State of California

Georg S. Kramer
Managing Director, Compensation and Rewards Consulting

September 5, 2024



Gallagher

Insurance | Risk Management | Consulting



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

September 17, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Sign a Letter to the Governor Requesting a Veto of SB 1037

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to sign the attached letter.

BACKGROUND AND DISCUSSION

At the Request of the League of California Cities, it is recommended that the Council authorize the Mayor to sign the attached veto request for SB 1037.

SB 1037 (Wiener) Planning and Zoning: Housing Element: Enforcement.

This measure would fine jurisdictions up to \$50K a month for either not having a compliant housing element or for disregarding any state law regarding the ministerial approval process of an affordable housing project, even if the jurisdiction is acting in good faith. This measure would establish a \$50K per month fine after a court rules a city is out of compliance with housing element law and has not adopted a certified housing element after 120 days and continue until a housing element is certified by HCD.

Attachments:

- Draft Letter
- CalCities Material

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

September 17, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

**RE: SB 1037 (Wiener) Planning and zoning: housing element: enforcement
Request for VETO**

Dear Governor Newsom,

The City of Rio Dell regrestfully requests a **veto** on SB 1037 (Wiener), which would allow the Attorney General to take legal action against a city and seek fines up to \$50K a month for failure to adopt a compliant housing element or if the city does not follow state laws that require ministerial approval of certain housing projects.

Under existing law cities can be subject to significant fines and penalties for violating certain housing laws. However, before fines are imposed, a city has the ability to correct the action. Additionally, enhanced fines are not imposed unless the city fails to follow a court's order or acts in bad faith.

Unfortunately, as currently drafted, SB 1037 does not provide an opportunity for cities to correct an honest mistake or address a genuine difference in interpreting the law. Even those jurisdictions acting in good faith could be subject to significant fines and be required to pay the Attorney General for all costs investigating and prosecuting the action, including expert witness fees and attorney's fees.

The City of Rio Dell believes that instead of creating new fines and penalties, lawmakers and the Department of Housing and Community Development should provide cities with clear guidance and technical assistance to help them finalize their housing elements and put those plans to work so much-needed housing construction can occur.

For these reasons, the City of Rio Dell requests your **veto** on **SB 1037**.

Sincerely,

Debra Garnes
Mayor
City of Rio Dell

Cc: The Honorable Scott Wiener (Via
email:
senator.wiener@senate.ca.gov)
Sara Sanders, CalCities
League of California Cities



ACTION ALERT

SB 1037 (Wiener) and AB 1886 (Alvarez)

Together, these measures would unfairly subject cities acting in good faith to fines up to \$50k per month for violating unspecified housing laws and encourage builder's remedy projects that do not adhere to local zoning standards.

OPPOSE

ACTION

Voice your **CITY'S OPPOSITION TODAY** by submitting a letter to your Senator on SB 1037 and submitting a letter to your Assembly Member on AB 1886.

A sample oppose letter for SB 1037 can be found [HERE](#) and a sample oppose letter for AB 1886 can be found [HERE](#).

Click [HERE](#) to find your Senator and Assembly Member.

Background:

SB 1037 and AB 1886 are the newest addition to the state's annual barrage of overreaching housing bills that make it harder for cities to help achieve the state's housing goals.

Instead of pursuing legislation that seeks to punish local jurisdictions — even those working diligently to follow ever-changing housing laws — lawmakers should partner with local officials to provide clear guidance and technical assistance that helps them finalize their housing elements and put those plans to work so that much-needed housing construction can occur.

What do SB 1037 and AB 1886 specifically do?

SB 1037 (Wiener)

- Allows the Attorney General to take legal action against a city and seek fines up to \$50K a month for violating unspecified state housing laws that require ministerial approval of certain housing projects or for failing to adopt a housing element that substantially complies with the law, even if the jurisdiction is acting in good faith.

AB 1886 (Alvarez)

- Subjects cities to builder's remedy projects unless the California

Department of Housing and Community Development or a court determines that the local agency's housing element substantially complies with the law. The builder's remedy allows a developer to construct a project that is inconsistent with both the city's general plan and zoning standards, except for sites that are identified for very low-, low-, or moderate-income housing.

- Eliminates local government's ability to "self-certify" their housing element.

Talking points:

SB 1037 (Wiener)

- Under SB 1037, Cities acting in good faith to certify their housing element could be subject to significant fines and be required to pay the Attorney General for all costs investigating and prosecuting the action, including expert witness fees and attorney's fees.
- SB 1037 does not provide an opportunity for cities to correct an honest mistake or address a genuine difference in interpretation of the law.
- New fines and penalties for cities will not build much-needed housing. Permanent, ongoing funding will. That is why YOUR CITY NAME is calling on the Governor and lawmakers to invest \$3 billion annually in the state budget to help cities prevent and reduce homelessness and spur housing development.

AB 1886 (Alvarez)

- Encouraging builder's remedy projects is counterproductive and could result in homes being built on sites never considered for residential uses.
- What cities really need is for HCD to provide clear guidance and technical assistance to help them finalize their housing elements and put those plans to work so that much-needed housing construction can occur.



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September 17, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Sign a Letter to the Governor Requesting a Veto of AB 2561

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to sign the attached letter.

BACKGROUND AND DISCUSSION

At the Request of the League of California Cities, it is recommended that the Council authorize the Mayor to sign the attached veto request for AB 2561.

AB 2561 (McKinnor) Local Public Employees: Vacant Positions.

This measure would require all local agencies to hold an annual public hearing on the status of vacancies before their governing board at least once per fiscal year.

Attachments:

- Draft Letter
- CalCities Material

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Rio Dell City Hall
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September 17, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: AB 2561 (McKinnor) Local public employees: vacant positions.
Request for VETO (As Amended 08/23/2024)

Dear Governor Newsom,

The City of Rio Dell, respectfully requests a **veto** on 2561 (McKinnor), which would require all local agencies to hold a public hearing on the status of vacancies before their governing board at least once per fiscal year. This will inherently create an expensive reimbursable state mandate, adding needless pressure on the state budget at a time of significant budget challenges. Based on conservative estimate of costs, AB 2561 will result in annual reimbursable costs of up to \$13.5 million, or more - not including the additional reporting costs imposed upon agencies with bargaining units that experience vacancy rates exceeding 20%.

The City of Rio Dell, agrees with the author - the status quo is not sustainable. However, the measure does not address the root causes of low labor force participation rates in California across all sectors. Instead, the measure would create additional layers of bureaucracy that distract from meaningful efforts to recruit and retain the public sector workforce.

Labor Force Participation Rates and Barriers to Work

Vacancies are unavoidable for both the public and private sectors. A nonexistent vacancy rate for any duration of time is an unreasonable expectation in our modern labor market, particularly for public agencies that lack the financial resources to encourage recruitment and remote work flexibility enjoyed by many employers in the private sector. Public agencies have been frustrated by persistent high vacancy rates in certain fields despite genuine efforts to bolster the public sector workforce. It is an unfortunate reality that many of the contributing factors that affect public sector hiring are forces of the market that are outside of our immediate control. California's growing workforce needs are constrained by the labor supply.

Local Public Agencies Are Addressing Labor Shortages Directly Every Day

Local government decision makers and public agency department leaders recognize the impact that long-term vacancy rates have, both on current employees and those who receive services from those departments. The City of Rio Dell is also competing with both the private sector and other government agencies to attract new talent.

Despite these efforts, vacancies persist. If the true intent of AB 2561 is to provide a path for public agencies to reduce staff vacancies, diverting staff away from core service delivery and mandating they spend time preparing for public hearings on their vacancy rates will not achieve that goal. Adding another mandate on public agencies will not solve the problem this bill has identified. It is just as likely to create even more burn-out from employees that will be tasked with producing the very report this bill mandates.

Cities Are Committed to Partnership to Identify Better Solutions

Local agencies are committed to continuing the work happening now between all levels of government and the workforce to expand pipeline programs, build pathways into public sector jobs, modernize the hiring process, and offer competitive compensation. The City of Rio Dell cannot close its workforce shortages overnight. It will take investment from educational institutions, all levels of government, and the private sector to meet the workforce demands across the country. We must use our limited human resources staff to hire and train employees rather than diverting resources to prepare for unnecessary public hearings that will tell us what we already know.

For these reasons, the City of Rio Dell requests **a veto** on AB 2561.

Sincerely,

Debra Garnes
Mayor
City of Rio Dell

cc: The Honorable Tina McKinnor (Via email:
assemblymember.McKinnor@assembly.ca.gov)
Sara Sanders, CalCities
League of California Cities



ACTION ALERT

AB 2561 (McKinnor) Local Public Employees: Vacant Positions.

OPPOSE

ACTION

AB 2561 would require local agencies with bargaining unit vacancy rates exceeding 15% for more than 180 days to promptly meet and confer with the representative of the recognized employee organization within 21 days and hold a public hearing within 90 days, diverting staff away from core service delivery.

AB 2561 has been referred to the Senate Appropriations Committee Suspense File and will be heard on August 15. Voice your opposition to AB 2561 in the following ways:

- 1) If you have a Senator on the Senate Appropriations Committee, **CALL** and request their NO vote on AB 2561.
- 2) All cities should send in a **city letter of opposition** to AB 2561 as soon as possible (sample attached).

SENATE APPROPRIATIONS		
Member	District	Phone
Ashby, Angelique	8	(916) 651-4008
Becker, Josh	13	(916) 651-4013
Bradford, Steven	35	(916) 651-4035
Caballero, Anna (Chair)	14	(916) 651-4014
Jones, Brian (Vice-Chair)	40	(916) 651-4040
Seyarto, Kelly	32	(916) 651-4032
Wahab, Aisha	10	(916) 651-4410

You can find your Legislator's contact information here:
<https://findyourrep.legislature.ca.gov/>

Background:

Sizable vacancy rates exist in the public sector — for both state and local employers. In fact, the vacancy rate for the state of California has consistently been above 10 percent statewide for the past 20 years.

Local government decision-makers and public agency department heads recognize the impact of long-term vacancy rates on both current employees and those who receive city services. Many specialty positions like planners are experiencing nationwide workforce shortages and a dwindling pipeline for new entrants, driven by both an expansion of services and an aging workforce. To further complicate recruitment, local

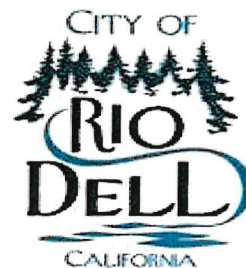
governments are competing with both the private sector and other government agencies. Local governments are implementing innovative ways to try to boost recruitment and incentivize retention, including sign-on bonuses and housing stipends.

What does AB 2561 specifically do?

- Requires each public agency exceeding a vacancy rate of 15% for more than 180 days to:
 - Meet and confer with the recognized employee organization within 21 days about strategies to fill the vacancies. Such requests are limited to once per calendar year for each bargaining unit.
 - Hold a public hearing within 90 days about high vacancy rates, any obstacles in the hiring process, and the public agency's strategies to fill vacancies.
- Entitles the employee organization to make a presentation at the public hearing.
- Specifies that the meet and confer obligation imposed by these provisions are in addition to the meet and confer responsibilities of existing law.

Talking Points:

- AB 2561 does not address the root causes of low labor force participation rates in California. Instead, the measure will create additional layers of bureaucracy that detract from meaningful efforts to recruit and retain the public sector workforce.
- Local agencies are carrying out initiatives to expand pipeline programs, build pathways into public sector jobs, modernize the hiring process, and offer competitive compensation.
- If the true intent of AB 2561 is to provide a path for public agencies to reduce staff vacancies, diverting staff away from core service delivery and mandating they spend time producing reports on their vacancy rates will not achieve that goal.
- We welcome a partnership on workforce strategies and believe there is a more productive and economical pathway than AB 2561. AB 2561 is the wrong approach.



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(707) 764-3532
cityofriodell.ca.gov*

September 17, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Sign a Letter to the Governor Requesting a Veto of AB 98

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to sign the attached letter.

BACKGROUND AND DISCUSSION

At the Request of the League of California Cities, it is recommended that the Council authorize the Mayor to sign the attached veto request for AB 98.

AB 98 (Carrillo, J., Reyes): Planning and Zoning: Logistic Use: Truck Routes

This measure would mandate statewide standards for the design and build of a new or expanded warehouse or logistic use, including 300 to 500 foot setback for either existing or rezoned sites, 50 to 100 foot wall/landscape buffer, building design, including photovoltaic systems, zero emission onsite equipment, electric charging parking stations, loading bays, and truck route location on site, and signage. All cities and counties would be required to update their circulation element by 2026 or 2028, depending on region to address mandated truck routes, if not completed the Attorney General may fine \$50,000 per six months.

Attachments:

- Draft Letter
- CalCities Material

///

Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
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September 17, 2024

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

RE: AB 98 (Carrillo J., Reyes): Planning and zoning: logistic use: truck routes
REQUEST FOR VETO (As Amended August 28, 2024)

Dear Governor Newsom,

On behalf of the City of Rio Dell, we **strongly urge your veto of AB 98** (Carrillo J., Reyes), related to warehouse and logistic use standards and truck routes.

While the bill aims to address air quality related concerns adjacent to warehouse operations, this problematic gut-and-amend includes stringent requirements that will severely impact the ability for local jurisdictions to site based on unique geographic and community characteristics, and stifles economic and workforce development in their communities.

The interests and perspectives of those most intimately involved at the local level and responsible for implementation efforts were not involved in crafting AB 98. We believe that a more robust, inclusive, and transparent process leads to more informed policy solutions and AB 98 did not meet this mark. Instead, the bill was a gut-and-amend in the 11th hour of the legislative session. The bill could not be amended due to the 72-hour in print rule, preventing substantive and meaningful public input.

For these process and procedural reasons alone, we request AB 98 be vetoed; however, the City of Rio Dell has serious concerns regarding the substantive policy solution that AB 98 would mandate for all cities and counties if chaptered into law.

1) AB 98 takes local community-based solutions completely off the table.

We are extremely concerned that this measure overly constrains local governments by outright limiting a city's ability to site a new or expanded use of a logistic use development or warehouse that are within 900 feet of a sensitive receptors. Local decision making is essential to ensure zoning regulations are tailored to the unique needs and concerns of various communities. Cities and counties have good neighbor policies and local ordinances that make them better equipped to determine appropriate setback requirements and conditions for logistic use developments based on the specific geographic and regional factors in their communities and allows local governments the ability to engage the public. Cities are actively siting and zoning to prepare for community growth and development. Cities are already planning for housing, lowering vehicle miles traveled, updating climate action plans, zoning for

open space and greenbelts, and more. We believe that local governments should retain their abilities to exercise local discretion when siting logistic use developments prior to any state-mandated conditions being required.

2) AB 98 creates an uneven playing field for local governments, creating winners and losers based on geography, hampering employment opportunities, and limiting future economic growth.

AB 98 establishes a tiered framework that applies different setback requirements and warehouse conditions depending on existing industrial or re-zoned sites across the state. This would make logistic use and warehouse developments in certain cities or counties more attractive compared to other cities or counties. This uneven playing field will benefit certain local governments to the detriment of others, in some cases solely based on geographic differences, hindering the ability of cities and counties to provide future job opportunities for their communities.

Additionally, several definitions in the bill would make the implementation of the measure extremely complex and remain problematic. The definition of 'logistic use' would include that the development may incidentally serve retail customers for onsite purchases and the bill also states that a logistic use development may not sell directly to consumers. This is contradictory and misleading. Similarly, the definition of 'sensitive receptor' would include schools. Local governments are not responsible for the siting of schools and therefore would have no control should a school re-locate directly adjacent to a logistic use development or warehouse.

3) AB 98 proposes a cart-before-the-horse approach that lacks science-based evidence for the standards imposed.

AB 98 would require the South Coast Air Quality Management District (SCAQMD) to deploy mobile air monitoring systems within the counties of Riverside and San Bernardino beginning January 1, 2026 to January 1, 2032 and after conducting an air modeling analysis to evaluate the impact of air pollution on sensitive receptors from logistic use development operations, submit findings to the legislature by January 1, 2033. It is pre-emptive to require such stringent statewide standards, including setback distances, when sound scientific data hasn't been collected and isn't available to justify these prescriptive requirements. Further, it is unclear why the statewide setback standards would be based on air quality monitoring and analysis from only one region of the state. Therefore, the absence of air quality monitoring and modeling across the state to ensure such setback standards are in fact based on the appropriate regional data another foundation element of AB 98 that is extremely problematic.

The stringent standards in the bill are new and compounding on existing laws and regulations that local governments are already complying with. Without sound science backing the need for additional requirements, AB 98 would simply provide greater constraints that will hurt local communities. As noted, cities are already addressing environmental impacts by complying with existing regulatory frameworks such as 1) implementing the California Environmental Quality Act (CEQA), 2) developing regional transportation and land use plans through regional council of governments, 3) implementing the Advanced Clean Fleet (ACF) regulations promulgated by the California Air Resources Board, and 4) meeting existing rules related to air quality standards, such as by the SCAQMD, which has established regulations to limit emissions

from certain types of businesses, including logistics and warehouse facilities. Ultimately, this bill would set a precedent of usurping local control without a sound scientific basis.

4) The required circulation element update is extensive and triggers existing statutorily required updates to the circulation element to now meet the deadlines included in AB 98.

AB 98 would require all local governments to update their circulation element with truck routing information by either January 1, 2028 or, if located in San Bernardino and Riverside counties, by January 1, 2026. This would require a local government to make these updates within several years and for the Inland Empire region, within one year of the statute coming into effect. The circulation element update would be required, even if a local government is not approving warehouse or logistic use development and would result in costly fines, if the element update is not completed within the deadline. The bill thrusts these extensive provisions onto local governments with no regard to the actual development of logistic uses and warehouses in their communities, which is a fundamental flaw in the bill.

An unintended consequence of AB 98 would trigger that, based on the deadlines in the bill, existing statute that requires cities and counties to update their circulation element with protective safety measures for bicyclists and pedestrians must also meet the January 1, 2026 and January 1, 2028 deadlines, as prescribed in the bill. This would double down on the requirement for local governments to complete both updates in the circulation element in this time frame, otherwise the enforcement provisions and costly fines would apply.

The circulation element update would also require that truck traffic avoid residential areas and sensitive receptors. The bill would limit trucks traveling from highways to industrial zoned areas to only use major and minor collector streets and roads that predominantly serve commercially oriented uses. Communities are uniquely situated and not all regions and roadway networks look the same and certainly many cannot meet these restrictive requirements. Further understanding of the potential implications in small to mid-size communities, and suburban, rural and urban communities must be a first step taken to further analyzed unintended consequences before imposing such one-size-fit-all restrictions.

5) The requirements of AB 98 will impose costly, unfunded mandates on local governments.

AB 98 would require local governments to comply with the extensive standards included in the bill and does not offer any form of cost reimbursement based on these mandates. Local governments work hard to comply with existing statute and regulations, such as CEQA, ACF, among many other state-mandated requirements. By adding new and complicating requirements, without including a mechanism for local governments to receive reimbursement for such mandated costs is unreasonable. This would make it more challenging for local governments to meet the demands in the bill which should ultimately be the intent of the legislation, should be to encourage local governments to achieve the proposed requirements, not make it harder with greater unfunded mandates.

Cities and counties estimate the circulation element update alone would be an additional cost on local governments, outside of their existing general plan updates, of

approximately \$54 million to \$749 million for all 58 counties and 483 cities to comply, roughly anywhere between \$100,000 to the low millions for each city or county to comply. Some cities will have greater costs due to the complexities of incorporating traffic patterns and fewer choices to de-conflict freight movement with residential traffic on a city's road network. AB 98 disregards the enormous local costs that would likely be quadrupled from additional legislation this year that will require a safety element update, a conservation element update, and bicycle safety update, along with the circulation element in AB 98.

6) The enforcement provisions are overly harsh, aiming to punish all local governments.

AB 98 would authorize the Attorney General to impose a fine of \$50,000 every six months on local jurisdictions that do not complete their circulation element updates. Other legislation that has included similar fines, have been contingent upon a court order or litigation prior to such fines being imposed. With a 'no-questions-asked' approach to enforcement, local governments are being targeted with this punitive provision. Furthermore, this provision singles out local governments based on the completion of their circulation element update, rather than focusing on the implementation of all of the standards included in the bill. It should be noted that there are no other enforcement provisions in the bill for any of the other standards that are proposed.

For these reasons, the City of Rio Dell **strongly request your veto** on AB 98 (Carrillo, J., Reyes).

Sincerely,

Debra Garnes
Mayor
City of Rio Dell

cc: The Honorable Juan Carrillo (assemblymember.juancarrillo@assembly.ca.gov)
The Honorable Eloise Gomez Reyes (assemblymember.reyes@assembly.ca.gov)
Sara Sanders, CalCities
League of California Cities



ACTION ALERT

Anticipated Gut-and-Amend AB 98 (Carrillo, Reyes) Warehouse Design and Build Standards

OPPOSE

ACTION

AB 98 is set to be gutted-and-amended and swiftly heard on the Senate Floor. **AB 98** would propose stringent warehouse and logistic use standards and mandate setbacks, buffer zones, and trucking routes. The bill would also require a circulation element update with enforcement measures and thrust additional fines on local governments.

Voice your opposition to **AB 98** by calling your Senator **TODAY** to vote 'NO' when the bill is heard. A sample letter is also attached.

Background: In 2023, AB 1000 (Reyes) and AB 1748 (Ramos) were introduced to circumvent local development rules and establish statewide standards — including mandated setback distances from sensitive receptors — on qualifying logistics use projects. These bills were held in January 2024, and Speaker Rivas tasked Assembly Member Juan Carrillo (Chair of the Assembly Local Government Committee) with forming a working group of stakeholders to develop a new framework for a bill this year. The working group excluded local governments and other key stakeholders from the policymaking process, and negotiated a deal behind closed doors. **We anticipate AB 98 to be gutted-and-amended as the vehicle for the new warehouse bill.**

What does AB 98 propose to do?

- The bill would limit new or expanded logistics use developments and warehouses on existing and rezoned industrial sites within 900 feet of sensitive receptors (including homes, hospitals, schools, and public recreational areas) by requiring a 300-to-500-foot setback, 50-to-100-foot buffer zones, and required trucking routes.
- The bill would also require all local governments to update their circulation elements to include truck routes, signage, parking, and idling, and would authorize the Attorney General to fine local jurisdictions \$50,000 every six months if they are not in compliance.
- The bill imposes specific air quality monitoring requirements within San Bernardino and Riverside Counties.

Talking points:

- We ask you to **OPPOSE AB 98**.
- **The warehouse bill was negotiated behind closed doors and excluded key stakeholders, including cities and counties.**
 - The policy presented in the warehouse bill goes far beyond previous legislative efforts, including AB 1000 (Reyes) from earlier this year. Not only is the legislation far-reaching, but it has not been fully vetted through the legislative process.
 - No policy committee has deliberated on this bill. Only hand-picked stakeholders were able to have their positions heard. There have been zero public hearings or opportunities for public comment on this substantial policy matter that forces a "one-size-fits-all" approach on communities.
- **The warehouse bill takes local community-based solutions completely off the table.**
 - The measure limits a city's ability to site a new or expanded use of a logistic use development or warehouse.
 - Local decision-making is essential to ensuring zoning regulations are tailored to the unique needs and concerns of our communities.
 - Cities and counties have good neighbor policies and local ordinances that make them better equipped to determine appropriate setback requirements and conditions for logistic use developments.
- **The warehouse bill creates an uneven playing field for local governments by creating winners and losers based on geography, hampering employment opportunities, and limiting future economic growth.**
 - The bill's tiered framework applies different setback requirements and warehouse conditions depending on existing industrial or re-zoned sites across the state.
 - This uneven playing field will benefit certain local governments to the detriment of others — in some cases solely based on geographic differences — and hinder the ability of cities and counties to provide future job opportunities for their communities.
- **The warehouse bill proposes a cart-before-the-horse approach that lacks science-based evidence for the standards imposed.**
 - It is pre-emptive to require such stringent standards — including setback distances — when sound scientific data is not available to justify such prescriptive requirements.
 - Without evidence backing the need for additional requirements, the warehouse bill would simply provide greater constraints that will hurt local communities.
 - Cities are already complying with existing regulatory frameworks to addressing environmental impacts in their communities.

- **The required circulation element update is extensive and must be completed within one to two years depending on your region of the state.**
 - The bill thrusts extensive and costly circulation element update provisions onto local governments with no regard to the actual development of logistic uses and warehouses in their communities.
 - The warehouse bill would also conflict with existing circulation element statutes. The bill would trigger the deadlines in this bill to apply to existing statutory requirements to update bicycle and pedestrian safety measures in the circulation element. This is problematic as it is not germane to the warehouse bill issues but would impose additional updates in an unreasonable timeline.

- **The bill imposes costly, unfunded mandates for local governments.**
 - The bill sets new, complicated, and unreasonable requirements without including a mechanism for local governments to be reimbursed for the mandated costs.

- **The enforcement provisions are overly harsh and punish all local governments.**
 - The warehouse bill would authorize the Attorney General to impose a fine of \$50,000 every six months on local jurisdictions that do not complete their circulation element updates.
 - With a 'no-questions-asked' approach to enforcement, local governments are being targeted with this punitive provision.

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

Ref #	Date	Vendor	Description	Amount
13396	8/08/2024	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR JULY 2024 - City Hall & COPIER CHARGES FOR JULY 2024 - PD	655.64
13397	8/08/2024	[3975] AT&T - 5709	FAX LINE EXPENSES FOR JULY 2024 - PD, FAX LINE EXPENSES FOR JULY 2024 - City Hall	68.60
13398	8/08/2024	[2293] CITY OF FORTUNA	Police Dispatch for August 2024	8,483.33
13399	8/08/2024	[2304] COLLEGE OF THE REDWOODS	Advance Officer Classes	340.00
13400	8/08/2024	[2386] EUREKA RUBBER STAMP CO.	Name Plate	20.29
13401	8/08/2024	[5052] GHD, INC	Professional Services Rendered Through 4/27/2024, Professional Services Rendered Through 7/27/2024 - Rio Dell Eel River Trail	16,111.77
13402	8/08/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	Paint Roller, Batteries, Thread Bushing	44.22
13403	8/08/2024	[2447] HILFIKER PIPE CO.	Picnic Table	1,305.00
13404	8/08/2024	[6414] HUMBOLDT VETERINARY MEDICAL GROUP	Cat Euthanasia	30.00
13405	8/08/2024	[2474] HUMMEL TIRE & WHEEL, INC	Tire Repair on '23 Ford Maverick	100.00
13406	8/08/2024	[2501] KEENAN SUPPLY	Clamp	270.26
13407	8/08/2024	[2569] MICROBAC LABORATORIES, INC.	Aqueous Sample Digestion, ELAP Certification Fee, ICP-OES Metals, Nitrate and/or Nitrite, Organochlorine Pesticides and PCBs, THM by EPA 624, Total Dissolved Solids, Total Nitrogen, BOD/NFR, ELAP Certification Fee	1,055.00
13408	8/08/2024	[2551] MIRANDA'S ANIMAL RESCUE	Animal Control for July 2024	1,900.00
13409	8/08/2024	[3006] MISSION LINEN SUPPLY, INC	Maintenance & Cleaning of PW Shirts, Clean Mop Head, Clean Mop Head, Maintenance & Cleaning of PW Shirts, Clean Mop Head, Paper Towels, Maintenance & Cleaning of PW Shirts, Clean Mop Head, Clean Mop Head, Maintenance & Cleaning of PW Shirts, Clean Mop Head	281.58
13410	8/08/2024	[5101] NORTH VALLEY LABOR COMPL SERVICES	Prepared Annual Labor Compliance Report	75.00
13411	8/08/2024	[6943] PACE SUPPLY CORP	Paints, Paint	1,636.71
13412	8/08/2024	[7542] POINT EMBLEMS LLC	Double Domed Pin Clasp Shiney Nickel	139.63
13413	8/08/2024	[6349] RECOLOGY EEL RIVER	Trash Bags for July 2024	97.96
13414	8/08/2024	[7716] RESTORATION FIRST RESPONDER NETWORK	Monthly Contracted Rate - for Therapy	315.38
13415	8/08/2024	[2659] RIO DELL PETTY CASH	Cleaning Supplies	11.96
13416	8/08/2024	[5931] ROBERT COLBURN ELECTRIC, INC.	Replace Overload Blocks for New Pumps	1,347.47
13417	8/08/2024	[2715] STEWART TELECOMMUNICATION	Phone Lines PD - September 2024, Phone Lines City Hall - September 2024	557.95
13418	8/08/2024	[6373] THATCHER COMPANY, INC.	Sierra Sani-Chlor - 330 G Tote	2,847.29
13419	8/08/2024	[2735] TIMES-STANDARD	Classified: Police Chief & Officer (Lateral)	99.00
13420	8/08/2024	[2772] WENDT CONSTRUCTION, INC	Roadside Mower	962.00
13421	8/08/2024	[2779] WILDWOOD SAW	Fuel Spout	32
13422	8/14/2024	[5562] CALIF STATE LANDS COMMISSION	Lease Application A0000004743; City of Rio Dell Eel River Crossing Water Main	2,525
13423	8/14/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 8/9/2024	60

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Ref #	Date	Vendor	Description	Amount
13424	8/14/2024	[3782] EUREKA-HUMBOLDT FIRE EXTINGUISHER	ANNUAL FIRE EXTINGUISHER MAINTENANCE SERVICE AND TRAINING FOR PW, ANNUAL FIRE EXTINGUISHER MAINTENANCE SERVICE AND TRAINING FOR CITY HALL & PD	1,394.33
13425	8/14/2024	[2465] HUMBOLDT TRANSIT AUTHORITY	JPA Member Assessment RTS - FY 2024-2025	54,932.00
13426	8/14/2024	[2569] MICROBAC LABORATORIES, INC.	ELAP Certification Fee, Total Coliform Bacteria 3X5	100.00
13427	8/14/2024	[7631] REMY MOOSE MANLEY, LLP	Confidential Attorney - Client Privileged	245.00
13428	8/14/2024	[7819] JOHN A RODRIGUEZ	Reimbursement: Travel for Chief of Police Candidate Visit/Interview	4,668.20
13429	8/14/2024	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR AUGUST 2024	156.00
13430	8/14/2024	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR JULY 2024, LEGAL SERVICES FOR JULY 2024, LEGAL SERVICES FOR JULY 2024, LEGAL SERVICES FOR JULY 2024	5,035.50
13431	8/29/2024	[0576] 101 AUTO PARTS	WD40, Coil, Coil	24.09
13432	8/29/2024	[6038] ACCURATE TERMITE & PEST SOLUTIONS	RODENT & INSECT CONTROL @ 475 HILLTOP DR	220.00
13433	8/29/2024	[5750] AERO-MOD	On-Site Support, Skimmer Weir, Skimmer Weir Replacement, Bearings, Inlet Screen Plug	5,244.53
13434	8/29/2024	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 8/23/2024	82.50
13435	8/29/2024	[2283] COASTAL BUSINESS SYSTEMS	Contract Base Rate Charge for 8/8/2024 to 8/7/2025	2,106.00
13436	8/29/2024	[3782] EUREKA-HUMBOLDT FIRE EXTINGUISHER	Co2 FireExtinguishers, Spring Brackets	846.08
13437	8/29/2024	[2407] FORBUSCO LUMBER	Bolts, Washers, Nuts, Corner Iron, Anchors	21.61
13438	8/29/2024	[2405] FORTUNA ACE HARDWARE	Kitchen Bags, Cleaning Cloth, Foam Kneepads, Kneeler	115.15
13439	8/29/2024	[5052] GHD, INC	Professional Services Rendered Through 7/27/2024 - Rio Dell City - Engineer Services, Professional Services Rendered Through 7/27/2024 - Rio Dell Painter Line Sewer Upsizing	7,776.35
13440	8/29/2024	[6486] GREEN TO GOLD ENTERPRISES LLC	Hammer Bit, Quikrete Concrete, Threaded Plug, Check Valve, Refund on Toilet Ballcock	28.98
13441	8/29/2024	[3943] HUMBOLDT COUNTY DEPT OF PW	Around Food Care Contract	2,961.00
13442	8/29/2024	[2474] HUMMEL TIRE & WHEEL, INC	Service Call on '17 Ford Police Interceptor Tire	100.00
13443	8/29/2024	[7475] LEAF CAPITAL FUNDING LLC	Lease of Kyocera TA 308ci Copier System	204.41
13444	8/29/2024	[7792] LOZIER OIL COMPANY	Paratherm	1,876.00
13445	8/29/2024	[6008] SABRINA M LUMPKIN	Reimbursement: Grocery Outlet: Water Plates Napkins for Department; Autozone: Headlights for Officer's Patrol Car	60.32
13446	8/29/2024	[7195] METER, VALVE & CONTROL, Inc	Registers	1,510.27
13447	8/29/2024	[2569] MICROBAC LABORATORIES, INC.	Coliform Presence/Absence, ELAP Certification Fee, BOD/NFR, BOD/NFR, ELAP Certification Fee	290.00
13448	8/29/2024	[5968] MOBLEY CONSTRUCTION	Rio Dell Dog Park - Change Order, Pot Hole, Water Valve on Cherry Lane	231,212
13449	8/29/2024	[7635] NAPA AUTO PARTS FORTUNA	Can 1551	28
13450	8/29/2024	[6100] NORTHERN CALIFORNIA GLOVE	Gloves	179
13451	8/29/2024	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR SEPTEMBER 2024	3,230
	8/29/2024	[6621] PAPE MACHINERY	Returned Sprayer, GL5 80-90, Service on Mower	877

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

Ref #	Date	Vendor	Description	Amount
13453	8/29/2024	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserves on 8/12/2024	400.00
13454	8/29/2024	[2619] PITNEY BOWES, INC.	QUARTERLY LEASING PAYMENT 6/30/2024-9/29/2024	180.85
13455	8/29/2024	[6349] RECOLOGY EEL RIVER	Dumpsters Behind City Hall	38.40
13456	8/29/2024	[7662] NATHAN R SCHEINMAN	Reimbursement Boot Allowance: Work World	300.00
13457	8/29/2024	[7185] STAPLES ADVANTAGE	Drum, Toner, Pens, Note Pads, Envelopes, Binder Clips, Note Pads	454.68
13458	8/29/2024	[6373] THATCHER COMPANY, INC.	Aqua Ammonia 25% Tech - 375 # Drum, Sierra Sani-Chlor 330 G Tote	5,012.56
13459	8/29/2024	[2750] USA BLUEBOOK	Sludge Judge Ultra Complete, 3/4" Polycarbonate Tube, PVA Strainer, OR Hach Nitrate	1,013.95
13460	8/29/2024	[3917] VERIZON WIRELESS	TNT, TNT Ammonia Tests, HM CalGas 58L	1,160.28
13461	8/29/2024	[2771] WECO INDUSTRIES	Safety Phones PD & PW (& Mayor): July 17- August 16; and New PD Equipment	2,199.29
13462	8/29/2024	[6037] WELLS FARGO VENDOR FIN SERV	Sewer Hose, Leader Hose	391.07
13463	8/29/2024	[2787] WYCKOFF'S	KYOCERA COPIER PAYMENT FOR SEPTEMBER 2024	212.71
Total Checks/Deposits				378,264.23

Ref #	Date	Vendor	Description	Amount
6381484	8/01/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 07/26/2024	-11,968.75
932-944	8/05/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 07/26/2024	-3,259.58
1924179	8/05/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 07/26/2024	-17,378.14
9837353	8/08/2024	ELECTRONIC FUNDS TRANSFER	EFT: ALLIED ADMINISTRATORS-DELTA DENTAL PAYMENT FOR SEPT. 2024.	-2,227.05
8908814	8/09/2024	ELECTRONIC FUNDS TRANSFER	EFT: WEXBANK/SHELL FUEL CO PAYMENT FOR JULY/AUG FY2024-2025.	-4,214.56
9837352	8/09/2024	ELECTRONIC FUNDS TRANSFER	EFT: ONLINE FIBER OPTIMUM BILL FOR AUGUST 2024. SPLIT W/ P.D & ADMIN.	-900.00
9837351	8/09/2024	ELECTRONIC FUNDS TRANSFER	EFT ONLINE OPTIMUM PUBLIC WORKS PAYMENT FOR AUGUST 2024.	-208.25
ACH/E-CHECK	8/15/2024	WITHDRAWALS	DEPOSITED ITEM RETURNED	-505.99
ACH/E-CHECK	8/15/2024	WITHDRAWALS	DEPOSITED ITEM RETURNED	-282.06
9837354	8/15/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 08/09/2024.	-12,001.06
9837355	8/19/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR DEARBORN LIFE INSURANCE ONLINE PAYMENT FOR SEPTEMBER 2024.	-483.20
637-520	8/19/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 08/09/2024	-3,245.84
2092102	8/19/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 08/09/2024	-17,746.36
9837356	8/19/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR AUGUST 2024.	-27,731.38
9837357	8/20/2024	ELECTRONIC FUNDS TRANSFER	EFT: BENEFIT BRIDGE/PUBLIC AGENCY PAYMENT FOR SEPTEMBER 2024.	-30,743.68
9837358	8/20/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR VSP INSURANCE ONLINE PAYMENT FOR SEPTEMBER 2024	-414.
241495	8/23/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR AUGUST 2024. FY2024-2025	-1,131.
9837359	8/26/2024	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR AUGUST 2024 for Northwestern Street Lights	-127.
ACH/E-CHECK	8/29/2024	WITHDRAWALS	DEPOSITED ITEM RETURNED	-280.
9837360	8/31/2024	ELECTRONIC FUNDS TRANSFER	EFT: BANK OF AMERICA CREDIT CARD PAYMENTS FOR JULY & AUGUST 2024.	-4,670.

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

Ref #	Date	Vendor	Description	Amount
9837361	8/31/2024	WITHDRAWALS	ANALYSIS SERVICE CHARGE FOR AUGUST 2024.	-269.47
Total EFT's/Bank Withdrawals				-139,789.92

Ref #	Date	Vendor	Description	Amount
TRX TO PR	8/01/2024	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 07/26/2024	-44,271.43
TRX TO PR	8/15/2024	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 08/09/2024	-46,039.47
TRX TO PR	8/29/2024	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 08/23/2024	-54,769.01
Total Transfer Between Accounts				-145,079.91

Ref #	Date	Vendor	Description	Amount
08/30/2024	8/30/2024	WITHDRAWALS	DEBIT CARD FOR POSTAGE TO MAIL U/B BILLS FOR AUGUST 2024	-537.44
Total Debit Card Withdrawals				-537.44

Section F, Item 7.



Staff Highlights – 2024-09-17

City Council

City Manager

Met with regulator from CalRecycle. Overall the City appears to be doing well, however we will need to procure approximately 100 tons of compost material before the end of the year. The City is exploring options to make this procurement and we expect to have a proposal for Council approval on October 1st.

Eel River Cleanup is scheduled for Saturday, September 28th 2024 from 9:30am to 11:30am. Volunteers are encouraged and will meet at City Hall before heading down to the river bar.

City Clerk

Processed Six (6) Building Permit Applications:

132 Painter St. – Sewer Lateral, Cleanout, and Backflow Device
103 Atlanta St. – Sewer Lateral and Cleanout
582 Wildwood Ave. – Rebrand Shell Station to Chevron
741 Pacific Ave. - Sewer Cleanout
859 Rio Dell Ave. – 200 Amp Service Panel Upgrade
186 Ogle Ave. – Laundry Room, Windows, Patio Door, Deck and Siding

Processed Two (2) Business License Applications:

Coast to Coast Plumbing – Non-Resident Contractor
Humboldt Electric – Non-Resident Contractor

Processed One (1) Encroachment Permit:

795 Pacific Ave. – Paving Restoration for Emergency Work

Misc:

Sent Business License letter to Coast to Coast Plumbing

Submitted CHF/CIRB Building Permit Report for August

Submitted Employment Data Report for September



Responded to a Public Records Request Re: Cell Tower Leases

Sent out past due Transient Occupancy Tax (TOT) reminder for Vacation Rentals

City Attorney

Human Resources, Risk & Training

Finance Department

State Water Board Compliance: Successfully established a SMARTS account to facilitate progress on the Eel River Trail project, ensuring compliance with SWPPP regulations.

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

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

Water Infrastructure Planning: Worked with stakeholders to develop a comprehensive Debt Management Policy for the City of Rio Dell, a crucial step in securing state funding for the CIP Water Infrastructure project.

Grant Closure: Completed the final closeout report for the ABC-OTS grant allocated to the Police Department.

Compensation Study: Initiated a quote request from Gallagher (formerly Koff & Associates) to conduct a comprehensive compensation study for the department.

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

Public Works Water

Monthly water sampling

Monthly water reporting to SWRCB

Schedule Infiltration gallery pump repairs for last week in September

Work with Freshwater Environmental on the Lead Service Inventory Survey

Work on Cross Connection Control plan with Freshwater Environmental.



door hangers for shutoff notices

Repair 2" water main leak on Monument rd. two repairs

Raised and replaced the old meter valve at 928 Bluff pl.

Mowed Douglas tank

Finish additional check for lead service / fittings list

Public Works Wastewater

Collection system checked weekly, system is much dryer.

Weekly Jetting occurs on Thursdays.

The Sewer Crew was called out on Saturday 9/7/24 in the evening for a plug in the sewer main on First Avenue. The crew was able to prep the street by opening lower cleanouts on that section of the plug and jet the F.O.G. plug free.

Sludge Dryer is still offline, working with BCR on "Boil out" Procedure.

Semi-Annual Monitoring Well sampling was completed.

Lateral Test at 172 Ogle, new private lateral with 2 cleanouts and backflow device installed. Passed test.

Lateral Test at 115 Dixie Street. Passed test.

Lateral Test at 741 Pacific, installed new cleanout west of sidewalk. Passed test.

Lateral Test at 132 Painter Street, new private lateral with 2 cleanouts and backflow device installed. Passed test.

CAL OES DSR approved: DSR 4120 Fern Street Left Station.

Power outage 9/10/24 TESLA batteries ran the plant from 10pm till 2am.

Public Works Streets, Buildings and Grounds

Mowed North and South gate

Replace broken sprinklers and readjust settings

cleaned up trash on Edwards Dr and at Northwestern



Mowed and Weed eat the North gateway, City Hall and Memorial Park

Morning routine go around town picking up trash

Public Works City Engineer

Public Works Capital Projects

Police Department

Community Development Department

Roof Inspections 348 Cherry Lane

Earthquake damage repair inspections 108 Painter Street

Create Park Poster

Correspondence with SpaceSaver regarding evidence lockers

Correspondence with TrafficGuard regarding traffic bollards

Framing, plumbing, electrical inspections 690 Gunnerson Lane

Electrical inspection, new service panel 415 Dixie Street

Modify Ridenour NEPA document

Final Earthquake Bolt and Brace retrofit 775 Pacific Ave

Insulation inspection 690 Gunnerson Lane

Email to Rich Vitale (Vitale Construction) re: status of Permit for 250 Willow Lane

Soils inspection 693 Side Street

Tear-off, deck inspection 548 Third Ave

Complete FEMA Floodplain Survey

Participate in Energy Code webinar

Review approved plans for Northwestern Flower Company, notify applicants

Foundation/slab inspection 693 Side Street



Prepare map/plans for small dog area at Dog Park

Complete Water Wells Text Amendment Staff Report & Ordinance

Electrical Inspection 548 Rigby Ave

Attend CDBG monthly meeting

Various reviews and correspondence regarding Saunders CDBG project.

Complete McGrath NEPA review/document

Review and comment on Preliminary Plans 1395 Eeloa Ave.

Review and approve plans for demolition/addition 188 Ogle Ave

Roof Inspections 548 Third Ave

Intergovernmental

Humboldt-Rio Dell Business Park



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

For the Meeting of September 17, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: September 4, 2024

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

Recommendation:

That the City Council:

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

4. Direct staff to make any changes to the draft ordinance if necessary; and
5. Continue the second reading and adoption of the Ordinance to the October 1, 2024 meeting.

Discussion:

The City was recently contacted by the Humboldt County Department of Environmental Health (DEH) in response to a well application. DEH has administered the City's well-permitting process for decades. The City's current regulations, Chapter 13.20 "Water Wells", are not clear that the County administers the City's well-permitting process. The proposed changes clearly identify the County as the permitting jurisdiction.

The changes also include definitions for "Agricultural wells" and the "County". See below.

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

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

Other recommended changes include the following additional provisions:

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

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

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

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

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

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

CEQA:

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

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

ORDINANCE NO. 407-2024



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

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

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

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

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

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

WHEREAS other changes include establishing definitions for “Agricultural wells” and “County” in addition to new provisions regarding agricultural wells, setbacks, backflow prevention devices and the sale and export of water; and

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

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

Section 1.

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

Chapter 13.20 WATER WELLS

Sections:

13.20.010 Intent of chapter.

13.20.020 Definitions and interpretations.

13.20.030 Permit applications.

13.20.040 Application procedure.

13.20.050 Filing fees.

13.20.060 Permit conditions.

13.20.070 Permit – Denial.

13.20.080 Permit – Expiration.

13.20.090 Permit – Suspension and revocation.

13.20.100 Well standards.

13.20.110 Variances.

13.20.120 Special ground water protection.

13.20.130 Inspections generally.

13.20.140 Initial inspection.

13.20.150 Inspection of well seal.

13.20.160 Final inspection.

13.20.170 Waiver of inspections.

13.20.180 Completion reports.

13.20.190 Appeals.

13.20.200 Right of entry and inspection.

13.20.210 Abatement of abandoned wells.

13.20.220 Violation a misdemeanor.

13.20.230 Civil enforcement – Notice of violation.

13.20.240 Civil enforcement – Nuisance.

13.20.250 Remedies cumulative.

13.20.260 Reports to regional board.

13.20.010 Intent of chapter.

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

13.20.020 Definitions and interpretations.

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

Resources Bulletin 74-81 and subsequent supplements or revisions.

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

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

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

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

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

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

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

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

13.20.030 Permit applications.

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

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

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

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

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

13.20.040 Application procedure.

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

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

13.20.050 Filing fees.

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

13.20.060 Permit conditions.

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

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

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

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

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

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

13.20.070 Permit – Denial.

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

13.20.080 Permit – Expiration.

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

13.20.090 Permit – Suspension and revocation.

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

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

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

13.20.100 Well standards.

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

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

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

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

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

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

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

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

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

13.20.110 Variances.

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

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

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

13.20.120 Special ground water protection.

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

13.20.130 Inspections generally.

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

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

13.20.140 Initial inspection.

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

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

13.20.150 Inspection of well seal.

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

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

13.20.160 Final inspection.

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

13.20.170 Waiver of inspections.

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

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

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

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

13.20.180 Completion reports.

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

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

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

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

13.20.190 Appeals.

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

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

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

13.20.200 Right of entry and inspection.

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

13.20.210 Abatement of abandoned wells.

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

13.20.220 Violation a misdemeanor.

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

13.20.230 Civil enforcement – Notice of violation.

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

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

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

(2) Appeal – Action by the City Council.

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

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

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

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

13.20.240 Civil enforcement – Nuisance.

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

13.20.250 Remedies cumulative.

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

13.20.260 Reports to regional board.

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

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

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

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

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

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 17, 2024, and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on October 1, 2024, by the following vote:

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

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 407-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on October 1, 2024.

Karen Dunham, City Clerk, City of Rio Dell