

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
JUNE 20, 2017  
MINUTES**

The closed session/regular meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Wilson.

ROLL CALL: Present: (Closed Session) Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Strahan, City Manager Knopp and City Attorney Gans

Present: (Regular Meeting) Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Strahan

Others Present: City Manager Knopp, Finance Director Woodcox, Community Development Director Caldwell, Chief of Police Hill and City Clerk Dunham

Absent: Water/Roadways Superintendent Jensen and Wastewater Superintendent Trainee Yaple (excused)

**CLOSED SESSION**

The Council recessed into closed session at 5:30 p.m. to discuss the following matters: ***Conference with Labor Negotiator – City Manager. Employee Organizations: Rio Dell Employees Association, Rio Dell Police Officers Association and all Contract Employees (Pursuant to §59457.6 of the Government Code)***

***Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation (Pursuant to paragraph (4) of subdivision (d) of §59456.9 of the Government Code) (one case)***

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

**PUBLIC PRESENTATIONS**

Mayor Wilson commented that he sits on several boards and committees as well as other councilmembers and there is a minority of boards and city governments that actually participate in the Pledge of Allegiance. He said he considers it an honor that the city upholds that tradition.

City Manager Knopp announced there was an error in posting of the agenda and said Item 0620.08 refers to adoption of Ordinance No. 355-2017 related to Cargo Containers but it was meant to be an amendment to the Medical Cannabis Commercial Land Use Regulations. He

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noted that the ordinance was introduced at the June 6, 2017 regular meeting and still needs its second reading and adoption whereas; Ordinance 355-2017 (Cargo Container Ordinance) was officially adopted at that meeting. As such, neither item will be discussed tonight. He said the Medical Cannabis Land Use Ordinance amendment will come back to the Council for adoption on July 6, 2017 which is a Thursday since the first Tuesday of the month falls on the 4<sup>th</sup> of July holiday.

**Jackie Wilson** addressed the Council regarding the proposed removal of the median adjacent to 770 Wildwood Ave. and said she was in attendance at the last meeting when it was discussed and was surprised at the action of the Council to allow the removal of a median that is very appealing and safe.

**Ranada Laughlin** addressed the Council once again about the Davis St. river access and apologized for bringing it up again but said it is a quality of life issue for her and something that she is very passionate about. She said she purchased her home at 570 Gunnerson Lane in 2007 and enjoyed unimpeded river access at Davis St. until recently when she was confronted and photographed and told she could no longer go down to the river from Davis St.

She said she attended a trails summit at the Warfinger Building on June 3<sup>rd</sup> and got a lot of very good information noting there was a huge amount of public support for trail access throughout the county. She said one of the things that stood out from the various presenters was the benefits of public safety as the result of having dedicated trail access. She said the idea is to have more eyes and ears as a deterrent to crime. She quoted a statement from the summit which was: "established public access trails that are actively used by the community improves safety and increases adjacent property values as has been shown by the Hammond Trail in the McKinleyville area." She added that keeping good people out doesn't mean bad people will go away; it just means there are fewer people to report incidents of crime.

She commented that dedicated access at Davis St. will offer increased public safety as well and that the river and its use are part of the history and fabric of the community. She stated that the City has an opportunity to develop something that will benefit the community now and for future generations.

She then provided a handout on the Humboldt Bay Trail, contact information for the speakers at the Trails Summit, and a petition with signatures of citizens who support river access from Davis St. (*Attachment 1 to these minute*)

**Andy Hahn** addressed the Council regarding water rates and said he owns multiple units in Rio Dell that he purchased approximately 12 years ago. He said at that time, his water bill was around \$480/month. Last month it was \$1,330. He commented that he checked around the state and most water bills are charged by hookup and pipe size with a commercial rate for apartment buildings. He said Rio Dell's rates are based on per dwelling unit with no commercial rate. He said in February one of his water bills with one unit of consumption (748

gallons) was \$667 yet another bill with the consumption of 60 units was billed \$658 which makes no sense. He noted that his rents have actually decreased in the last 12 years and water bills are taking up over 30% of his rental income and becoming unaffordable. He said the average bill for a 1-bedroom apartment is \$165/month.

Mayor Wilson asked if he had come into the office and inquired about the charges in which Mr. Hahn said that he had.

Mayor Wilson stated that he as well as the finance director will pursue the issue and have a rational explanation of the charges by the next meeting.

**Nick Angeloff** provided a brief update on Chamber of Commerce activities and said the plywood was purchased for the Christmas cutouts, said he was looking into the possibility of obtaining a grant for art in the medians and possibly the Lodging Alliance will be a major funder; and said Aqua Dam is now activated in New York as part of North State Recovery as well as Louisiana so they are protecting areas from flooding throughout the nation.

## **CONSENT CALENDAR**

Motion was made by Johnson/Garnes to approve the consent calendar including approval of minutes of the June 6, 2017 regular meeting; and to receive and file the check register for May 2017. Motion carried 5-0.

## **SPECIAL PRESENTATIONS/STUDY SESSIONS**

### Presentation/Update on City Engineering Projects – City Engineer

Rebecca Crow, GHD Engineering provided a power point presentation and update on current engineering projects including:

- Metropolitan Wells
- Water System Drinking Water SRF Planning Project
- Sanitary Sewer Evaluation Study Grant Application
- Rio Dell Safety Improvement and Community Outreach Project

Rebecca noted that there was a construction hiatus on the Metropolitan Wells Project from mid-March to mid-May due to wet weather conditions however; construction resumed with September as the anticipated date for completion of the project.

Mayor Pro Tem Johnson stated that it seems there is a very healthy contingency remaining on the project and it has been his experience that once you're out of the ground there isn't a lot of big change orders. With almost \$90,000 remaining in contingency, he thought this would be the time for the City to decide how the money should be utilized whether it be to pave the

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entire area or something else. He suggested staff take a second look at the project and come up with potential options.

Rebecca explained that one of the items that staff suggested was to get generators out there. She agreed with pushing the dollars as far as possible to maximize the city's project but pointed out that there are multiple funders involved and two that are very detail oriented (the State Water Board and USDA) so any changes will need their approval.

Mayor Pro Tem Johnson expressed the need to get to them earlier than later so the City can argue the points.

Rebecca commented that the generator should be approved with no problem.

Next was review of the Water System Capital Improvement Funding.

Rebecca reported that GHD submitted a Drinking Water Planning Grant application to the State Water Resources Control Board (SWRCB) in March 2016. In February 2017, the Board responded with technical comments based on a site visit from the Division of Drinking Water representatives. She said a revised scope of work was submitted in March 2017 to SWRCB with a revised cost of \$433,300 and according to the Board the final agreement should be complete within a month.

With regard to the Sanitary Sewer Evaluation Study (SSES), Rebecca reported that the State Water Resources Control Board (SWRCB) still has {Prop 1 dollars in the Clean Water State Revolving Fund for a potential grant to evaluate the City's sewer collection system and develop a preliminary design for improvement projects. She pointed out that the City's collection system is aging and suffers from stormwater inflow and groundwater infiltration in the system which can cause overflows. As such, the recommendation is to authorize the City Manager to work with GHD to develop a scope for a Sewer Evaluation Study with the first phase to develop the grant application at no cost to the City.

The last project update was on the Active Transportation Plan (ATP) Safety and Community Outreach Project.

Rebecca provided an overview of the proposed improvements including reconfiguration of the Scenic Way and Eeloa Ave. intersection, Highway 101 off-ramp and Wildwood Ave. intersection, Belleview Ave. and Wildwood Ave. intersection, bike lanes on Wildwood Ave., Belleview Ave., and Davis St., and curb ramp improvements. She noted that the project will focus on improving pedestrian and bicycle connectivity and safety between the Monument Middle School and Eagle Prairie Elementary and the City's outlying neighborhoods combining the improvements with community and school outreach and education. She reported that construction was scheduled to begin in April 2019.

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Mayor Wilson questioned the delay in funding.

Rebecca explained that it's partly due to Caltrans processing and the manner in which they can request funding.

Mayor Wilson noted that the bulk of the project is paving and striping and it seems like the timeline for funding is longer than normal.

Rebecca indicated that she would verify the process and report back to the city manager.

Mayor Wilson stated that he didn't make it to the open house on June 8th but one of the issues that have come up by members of the community is with regard to sidewalks and the assumption that there were more sidewalks included in the original plan than what is being proposed now.

He questioned the section of sidewalk on Eeloa Ave. near the stop sign that was removed to satisfy a property owner.

City Manager Knopp said his understanding is that the property owner is now possibly interested in having the sidewalk installed at that location. He noted that the property owner was in attendance at the open house and spoke to him and the city engineer about the situation and that is certainly something they will be looking at.

Mayor Wilson expressed concern about the 240 foot sections of sidewalks on Eeloa Ave. going east on both sides of the street that apparently go nowhere noting there are no ramps for wheel chairs to get off. He said the same situation applies to the 300 foot section of sidewalk in front of the vacant parcel on Eeloa Ave. since it only extends approximately one-half of the length of the parcel. He said it seems it would make more sense to have fully connected sidewalks down Eeloa Ave. and suggested the possibility of modifying the design to incorporate the extra sidewalks to benefit pedestrian traffic and accommodate persons in wheel chairs.

He also commented on the problem with visibility for traffic coming from the south off ramp and going north.

Councilmember Strahan commented that the plan includes moving that sidewalk back to improve visibility.

City Manager Knopp noted that the Council will have the opportunity to comment on the final design of the project later on. He pointed out that there are certain aspects of the project that may be difficult to deviate from.

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Mayor Wilson reiterated that it makes no sense to put in sidewalk improvements that go nowhere.

Mayor Wilson called for public comment on the proposed project.

**Cheryl Short** stated that the map included in the City Newsletter was ridiculous in that there were no names on the streets. She asked what the logic is behind altering Eeloa Ave.

Mayor Wilson stated that in his opinion it is a big intersection with a lot of foot traffic and for people crossing the intersection it is dangerous.

**Cheryl Short** also asked if the stop sign is going to be relocated, questioned how large trucks are going to get around and asked if residents in the neighborhood were notified.

Councilmember Strahan explained that as she understands it the stop sign will be moved back but also the plan is to move back the grass area by the cyclone fence next to the highway off ramp so that area will be larger. She indicated that there will also be another stop sign installed so vehicles will have to stop before turning on Eeloa making it a 3-way stop.

She commented that regarding public notification that is the reason for having the open house /community outreach meeting which was held on June 8<sup>th</sup>, to allow citizens the opportunity to provide input on the project.

**Cheryl Short** commented that she parks in the grassy area where the stop sign is going to be placed.

Councilmember Strahan stated that the project is funded as part of the Safe Routes to School program and the premise is to put in bike lanes to improve safety for kids going to and from school. She said she personally is advocating for sidewalks everywhere rather than bike lanes.

City Manager Knopp noted there will be another meeting to discuss the project sometime before September 1<sup>st</sup>.

Mayor Wilson asked if residents in the neighborhood will be notified.

City Manager Knopp indicated that the meeting notice was put in the last City Newsletter and that staff will include information on the next meeting in the same manner.

**Cheryl Short** asked if the Council has considered how the project will decrease property values.

Mayor Pro Tem Johnson suggested staff send out individual notices to property owners with parcels abutting areas with proposed improvements.

He commented that the intersection is way too large and the area of pavement needs to be reduced for safety purposes. He said when the project was first designed there was apparently not a lot of thought given with regard to crossing the street. He said the proposed plans provide adequate turning areas for trucks going to CC Market and back out on the highway and at the same time there won't be an excess amount of pavement for people to have to cross. He said the purpose of cutting down the pavement area is to avoid conflict between bicycles, pedestrians and vehicles and make the area safer for everyone.

Councilmember Strahan added that specified crosswalks will also be put in for additional pedestrian safety.

**Tim Stack** addressed the Council and said he lives at 1209 Eeloa Ave. and currently there is only one small crosswalk and he watches kids crossing the road to come up Wildwood Avenue. He said one of the big issues he sees is how fast vehicles drive on Eeloa Ave. He asked if the plan is to construct sidewalks on both sides of the street.

Mayor Wilson explained the plan is to construct 240 feet of sidewalks by the grassy area next to the off ramp and the same on the other side of Eeloa Ave.

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

### Consent to the Change of Control for Solid Waste Services

City Manager Knopp provided a staff report and said the City received notification from representatives of Recology Inc. requesting the Council; give consent to a change of control for Solid Waste services from Eel River Disposal Co. to Recology, Inc.

He introduced Linda Wise, General Manager for Recology Humboldt who was present to provide an overview of the change of control for solid waste services..

Linda Wise, present along with Brian Solomon, Operations Manager began by stating that Recology, Inc., is a larger employee-owned company based out of San Francisco but has operated in Humboldt county for over 40 years providing franchise hauling services mainly to the City of Eureka and certain parts of the County.

She provided an overview of the events leading up to the transfer and noted that last year when the owner of Arcata Garbage wanted to retire, they were able to work out a deal to take over the company which has worked out very well. She indicated that they had met with the County of Humboldt earlier in the day to try and come up with a way to consolidate and standardize some of the services that Arcata had provided which will be very beneficial.

She said similarly, Harry Hardin from ERD came to them to work out a similar agreement so he could also retire. She commented that they are very pleased to have reached an agreement and said if all goes well they be taking over the collection contracts as well as operating the

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transfer processing facility in Fortuna, the recycling processing facility in Samoa, the transfer station in Redway as well as the collection sites throughout Humboldt County. She said the goal of Recology, Inc. will be to continue providing the same good services Eel River Disposal has provided to the community for decades.

Mayor Pro Tem Johnson asked if their intent is to keep most of the ERD employees.

Ms. Wise explained that services should not change and employees will be retained. She noted that one of the operations that will be retained by ERD is the metal recycling scrap yard which Harry Hardin's son will be running.

Mayor Wilson commented that one thing that has been valuable to the City is the fact that ERD has been in operation for so long and something the City Council considered when the franchise agreement was extended for 10 years.

Mayor called for public comment on the subject. No public comment was received.

City Manager Knopp noted that the request is currently being reviewed by staff and the City Attorney and the matter will be coming back to the Council with a recommendation possibly at the July 6, 2017 meeting.

Third Quarter Financial Report

Finance Director Woodcox provided a power point presentation on the *FY 2016/17 Third Quarter Financial Report*.

She explained that the Quarterly Financial Report is a benchmark for budgeted versus actual amounts and to explain significant variations below or above the 75% target.

She stated that when the budget was adopted, \$4.9 million in expenditures were approved by the Council and at the end of the third quarter, 45% of appropriations were spent totaling \$2.2 million.

She continued with review of budget variances by department. Overall revenues and expenditures were reported to be on target with no significant variances anticipated with the exception of the Capital Projects Budget based on the completion dates of the Metropolitan Wells Project and the CDBG Architectural Barrier Removal Project that will fall over into the next fiscal year.

Finance Director Woodcox then reviewed the budget amendments noting that revenues were increased by \$701,425 to include Measure Z funding as well as the SDWSRF Grant for the Metropolitan Wells Project. Overall, expenditures were increased by \$23,996.



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She reported enterprise funds for water and sewer service collections were at 74% and 77% respectively and provided a breakdown of water revenue allocations to the various water funds.

She noted that water and sewer revenues are kept track of separately so rate payers can have an accounting of what is going on with the water rate increase.

Mayor Wilson asked how revenue is allocated to the Metropolitan Wells Fund.

Finance Director Woodcox explained that it's based on a percentage of water revenue collected on water bills.

Mayor Pro Tem Johnson made an observation that out of the total \$4.9 million of budgeted expenditures, \$1.13 was allocated for salaries and benefits which is roughly only 23%.

Councilmember Strahan asked if the salaries and benefits appropriation was just the amount from the general fund or all funds.

Finance Director Woodcox noted that amount is for total operations from all funds.

**ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

Approve Resolution No. 1340-2017 Naming the Site Commonly Referred to as the Sawmill Annexation Area

City Manager Knopp provided a staff report and said the City Council met on March 21, 2017 to discuss the naming of the area commonly known as the "Sawmill Annexation Area." He said several possibilities were presented to the Council as well as additional possibilities during that discussion.

He commented that staff later held another stakeholder's meeting and met with the developers and presented the idea of naming the area "Humboldt Rio Dell Business Park" in which there were no objections or concerns received by staff. As such, staff is recommending the adoption of Resolution No. 1340-2017 to formalize the name of the business park.

Mayor called for public comment on the proposed resolution. No public comment was received.

Motion was made by Johnson/Garnes to adopt Resolution No. 1340-2017 Naming the Eel River Sawmills Annexation Area the "Humboldt Rio Dell Business Park". Motion carried 5-0.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp distributed a written City Manager Update of recent activities and events (Attachment 2 to these minutes) including a brief report on the ATP Safe Routes to School Project Open House held on June 8, 2017; announced street sweeping of Wildwood Ave., Davis St. and the City's main arteries will take place on June 23, 2017; reported on his attendance at the National Cannabis Industry Association with discussions on smell mitigation, federal compliance, local zoning, State regulations and a myriad of other topics; and announced Rio Dell will be holding an E-Waste event on Saturday, September 16, 2017.

Finance Director Woodcox stated that she wanted to commend her staff in the front office for the manner in which they handled some very irate and angry customers over the past few days and said things were very hectic.

Mayor Wilson questioned the reason for the unhappy customers.

Finance Director Woodcox commented that it was primarily due to high water/sewer bills or because of their water being shut off for non-payment. She commented that people need water and at times it's hard to come up with the money to pay the bill. She said when a service is shut off for non-payment there is an additional \$50.00 fee which makes it even more difficult. She noted that there are other times when a customer is upset over a late charge on the bill and wants it removed. She said because the ordinance doesn't allow relief from late charges, she has to enforce the ordinance which doesn't always go well either.

Mayor Pro Tem Johnson commented that the ladies in the office deserve all the credit in the world for what they do and said he noticed the Chief of Police driving around in a new Ford Taurus Patrol vehicle which is good.

Mayor Wilson reported on his attendance at the Humboldt Waste Management Authority (HWMA) meeting and said the board agreed to work on a way to allow Solid Waste of Willits to get out of their contract noting that Bettendorf Trucking will be going back to hauling the solid waste.

He also reported on his attendance at the Redwood Coast Energy Authority (RCEA) meeting and said the Community Choice Aggregation program is going well and it looks like electricity rates will be less than PG&E's rates and commented that the City of Ferndale also joined the program.

Mayor Pro Tem Johnson asked where the solid waste will be going.

Mayor Wilson responded that it will be going to White City, Oregon.

**ADJOURNMENT**

Motion was made by Johnson/Garnes to adjourn the meeting at 7:58 p.m. to the July 6, 2017 regular meeting. Motion carried 5-0.

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Frank Wilson, Mayor

Attest:

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Karen Dunham, City Clerk