

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
AUGUST 15, 2017  
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Wilson.

ROLL CALL: Present: Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Marks and Strahan

Absent: Councilmember Garnes (excused)

Others Present: City Manager Knopp, Finance Director Woodcox, Interim Chief of Police Beauchaine, Community Development Director Caldwell, Water/Roadways Superintendent Jensen, City Clerk Dunham and Acting City Attorney Plotz

**PUBLIC PRESENTATIONS**

**Dave Griffith, Sr.** addressed the Council regarding his ongoing efforts to clean up cigarette butts along Wildwood Ave. and asked that City workers do their part by getting rid of the weeds along the sidewalks. He also donated two historical photos of Rio Dell to the City.

**Pat Higgins**, Managing Director of the Eel River Recovery Project addressed the Council and said he was present because of his interest in the access issue to the Eel River. He said he also wanted to apprise the Council of other things their organization does such as monitoring the fish population, river flows and algae so in the event there is going to be access to the river, this information is needed. He noted that they expect to have 50,000 Chinook in the Eel River this fall and they work with citizens to keep any eye on things and monitor the important vital signs of the river.

He shared some brochures and information on the Salmon runs in the Eel River basin.

**Nick Angeloff** provided a brief update on Chamber of Commerce activities and said they were in contact with sales representatives regarding LED Christmas lights and the possibility of solar noting there will be thousands of lights this holiday season; reported on the success of Wildwood Days; and commended the Fire Department for their quick response to a fire on Ash St. over the weekend with Chief Wilson being the real hero in saving the life of the resident in the home.

An Eeloa Ave. resident commented on vehicles exiting from Highway 101 onto Eeloa Ave./Wildwood Ave. and continuing right back on the 101 onramp because there is no signage identifying services downtown.

## **CONSENT CALENDAR**

Motion was made by Johnson/Marks to approve the consent calendar including:

1. Approval of Minutes of the August 1, 2017 Regular Meeting;
2. Approval of Pay Request No. 6 to Wahlund Construction in the amount of \$234,470.32 for work related to the Metropolitan Wells Project;
3. Receive and File the Measure Z Funding 4<sup>th</sup> Quarter Report and Year-End Summary;
4. Approval of Resolution No. 1349-2017 Amending the Operating and Capital Budget for FY 2017/18 to Include Additional Appropriations of \$17,750 in the Sewer Capital Fund for the Purchase of a Sewer Machine;
5. Approval of Resolution No. 1350-2017 Approving Billable Rates for Staff Time for FY 2017/18;
6. Approval of Resolution No. 1351-2017 Amending and Adopting the City Master Salary Table and Approval and Authorization for the City Manager to Sign the Wastewater Superintendent Trainee Contract and the Third Amendment to the Finance Director's Employment Agreement; and
7. Receive and File the Check Register for July 2017.

Motion carried 4-0.

## **SPECIAL PRESENTATIONS/STUDY SESSIONS**

Public Works Update and Approval of Resolution No. 1352-2017 to Increase FY 2017/18 Appropriations for Public Works and Authorizing the City Manager to Sign a Scope of Services for the Development of a Sanitary Sewer Evaluation Study (SSES) and Related Presentation from the City Engineer, GHD, Inc.

City Manager Knopp provided a staff report and explained the request for the increase in appropriation for Public Works is for a water treatment plant backwash drain realignment project (\$14,000), a preliminary engineering evaluation for upsizing the sewer line to the wastewater treatment plant (\$12,000), and also authorizes GHD to initiate a Sanitary Sewer Evaluation Study (SSES). He noted that these projects are necessary to improve the efficiency of the water and wastewater operating systems and the wastewater collection system and to be in compliance with the Regional Water Quality Control Board.

He stated that Rebecca Crow from GHD was present to provide a general project update.

Rebecca Crow provided a power point presentation with a City Engineer Update including the following: (Attachment 2 to these minutes)

- Water System
  - Metropolitan Wells Project
  - Drinking Water SRF Planning Project
  - Backwash Drain Realignment

- Wastewater System
  - Sanitary Sewer Evaluation Study Grant Application
  - Sewer Line Upsizing Evaluation
  
- Rio Dell Safety Improvement and Community Outreach Project

Related to the Metropolitan Wells Project, Rebecca noted that the project is nearing completion with the final completion date set for September 20, 2017.

The Drinking Water SRF Planning Project was reported to be lagging some due to the State. It was explained that the Scope of Work under the \$433,300 grant includes evaluation of the Painter Street Tank, the Redwood Douglas St., Redwood Tank No. 2, distribution system piping and improvements to the SCADA system, CEQA permitting and design.

Rebecca indicated the application is going through credit review and according to the State Water Resources Control Board (SWRCB) the final agreement should be complete by October 2017.

Next was discussion of the Backwash Drain Realignment. Rebecca commented that the City has to backwash its water filters regularly to keep them functioning to filter the City's raw water which is causing some operational issues during peak flows. She said the plan is to reroute the filter backwash to the existing unused concrete tanks left from the old wastewater plant which will allow solids to settle out before water is sent to the wastewater plant and also allow the City to control back flows to the plant and reduce peak flows.

Mayor Pro Tem Johnson asked how many thousands of gallons will be put into the tanks during the backwash process and whether the tanks will be adequate.

Water/Roadways Superintendent Jensen noted that it takes approximately 36,000 gallons for each backwash and they normally backwash four times depending on turbidity. He said the existing concrete tanks should be sufficient to handle the process.

Rebecca then reported that the State Water Resources Control Board (SWRCB) has been putting pressure on the City to evaluate stormwater inflow and groundwater infiltration (I & I) coming into the system which can cause overflows.

She noted that there is still Proposition 1 Planning 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 said the proposed Scope of Services will allow GHD to complete the SSES including preparation of the grant application at no cost to the City.

With regard to the Sewer line Upsizing Evaluation she reported that the I & I issues are causing serious collection system surcharging problems during wet weather at the manhole at the foot of Painter St. which needs to be addressed before the Sanitary Sewer Evaluation Study (SSED) is completed. She said the proposed Scope of Services is for the engineering evaluation for upsizing the sewer pipe from the Painter St. manhole to the treatment plant at a cost of \$12,000 for the evaluation.

The final update was on the Safety and Community Outreach Project. Rebecca reported that the City was awarded \$1.5 million of ATP Cycle 2 funds for this project out of the total \$6.7 million awarded for Humboldt County projects. She noted that the non-infrastructure phase of the project can be initiated anytime between now and the start of construction which is anticipated for April 2019 at the earliest. She also announced the next public meeting to review the project plans is scheduled for September 13, 2017 at 4:30 pm at the Rio Dell School prior to their 5:30 pm Board meeting.

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

Motion was made by Johnson/Marks to approve ***Resolution No. 1352-2017 For a Transfer of Reserve Amounts Amending the Operating Budget for the Fiscal-Year 2017-2018 for Water Backwash Drain Realignment Project, and Engineering Evaluation of Upsizing Sewer Line, with Further Authorization for the City Manager to Sign Scope of Services for Development of a Sanitary Sewer Evaluation Study (SSES)***. Motion carried 4-0.

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

### Evaluation of Minor Trail Alteration Improvements at the Foot of Davis Street to Preserve Pre-Existing Pedestrian Access to the Eel River via Public Right-of-Way

City Manager Knopp provided a staff report and said as the Council will recall, several complaints were received from citizens about the property owner of River's Edge RV Park restricting access to the river over his property. As such, staff has been working with various regulatory agencies to find a way to realign the existing historical public access to the Eel River at the foot of Davis St. He said the trail currently crosses private property and the owner has expressed his desire to terminate access to the river. He added that access to the river from the foot of Davis St. has been available to residents for decades.

He noted that a potential solution has been identified to move the trail over approximately 55 feet to the public right-of-way, creating a new trail adjacent to the current trail allowing for a pedestrian path to the river.

City Manager Knopp reported that the California Conservation Corp and the State Department of Fish & Game came down and looked at the area and that staff is currently consulting with the Army Corp of Engineers and the State Water Resources Control Board.

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He noted that the proposed trail improvements are very moderate involving typical shovel work and it was determined that the area is filled with invasive species. He said the City was however; advised to not conduct any work until August 15<sup>th</sup> due to the bird nesting season. He said staff would like to work with the City Engineer to identify any issues, identify the CEQA exemption and return to the Council on September 5, 2017.

Mayor Wilson questioned the cost to develop the trail.

City Manager Knopp stated that the cost will be relatively minor unless a full Environmental Impact Report (EIR) is required and in that case, staff would bring it back to Council for further discussion and consideration.

Mayor Wilson called for public comment on the matter.

**Pat Higgins** expressed support for public access to the river and said people need to have access noting that many other areas along the Eel River already have restricted access. He said the Eel River Recovery Project is a membership based organization formed out of community concern about decreasing flows, water quality and toxic algae that threaten our water supply, dwindling recreation opportunities, and fisheries that are so important to our culture and economy.

**Karen Underwood** addressed the Council and said that although she lives in Hydesville, she belongs to the Fortuna Senior Hiking Group and they have hiked on the river bar. She strongly encouraged the Council to keep the access open and mentioned the idea of eco-tourism noting that when they access the river they frequent the local businesses.

**Ranada Laughlin** thanked the City for agenizing the item because access to the river is something that she is very passionate about. She also thanked Chief Hill and Water/Roadways Superintendent Jensen for opening up access. She added that there are volunteers available to help with whatever the City needs and pointed out that this is a quality of life issue and is really important to residents. She indicated that she recently walked to the river and observed that there wasn't an abundance of trash on the river bar.

**Dave Reid** expressed support for opening access to the river and stated that more citizens would probably be in attendance to speak on this matter if they knew about it. He said when they have visitors come and stay they mention the beautiful Eel River that people basically can't access.

**Kim Reid** said as an artist she enjoys going down to the river to paint and in fact just finished a painting of the old abandoned train trestle. She commented that she also likes to walk and that it would be nice to be able to walk a complete loop of the river bar.

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**Julie Woodall** questioned the City's prescriptive rights and said historically there was vehicular access to the river from Davis St. She commented that some people are not able to hike down to the river and if they could drive down it would provide access to more people.

**Nick Angeloff** spoke on behalf of the Chamber of Commerce and said the access absolutely needs to be open. He said he likes the idea of being able to drive down to the river but pedestrian access is also good. He commented on the recreational aspect of the river and the health benefit to kids.

Mayor Pro Tem Johnson commented on historical access to the river and said when his son was growing up he went fishing and swimming there and they would launch the boat at Stafford and Paul Grundman would pick them up at Davis St.

He said he also has jogged on the river bar for years and looks forward to continuing that.

Mayor Wilson asked if the plan is to abandon the right-of-way through the RV Park.

City Manager Knopp said this is perhaps a discussion for closed session but did explain that the City needs to weigh the cost to litigate prescriptive rights. As an affordable alternative the plan is to blaze a trail through the City's right-of-way to provide pedestrian access.

Mayor Wilson noted that there currently is some vehicular access at Edwards Dr. as well as a pedestrian trail from Eeloa Ave.

Councilmember Strahan commented that the RV Park was actually put in by her father and at that time there was full access to the river. She said vehicular traffic does create a problem at Davis St. and agreed with pedestrian access at Davis St. and Eeloa Ave. She noted that there is access at Edwards Dr. but agreed it needs some improvements made to make it more accessible for vehicles.

Mayor Wilson said there was discussion in the past regarding the installation of a man gate at the foot of Painter St. and asked why that project did not move forward.

Water/Roadways Superintendent Jensen explained that there were discussions with the property owner but there was little or no cooperation. He said the existing gate was installed within the City's right-of-way by the property owner without consent of the City.

**Muriel Spencer** commented that when she was denied access to the river at Davis St. she went to Edwards Dr. and found it to be too dangerous to walk there.

Consensus of the Council was to direct staff to evaluate minor trail alterations at the foot of Davis St. to preserve pre-existing pedestrian access to the Eel River via public right-of-way and return to the Council for further discussion of the matter on September 5, 2017.

Discussion and Review of Employee Handbook Update

City Manager Knopp provided a staff report and said staff has been talking about updating the Employee Handbook for some time and noted that the last major update was in 2012. He said what is being presented tonight is a draft document from the City Attorney. He noted that there will be ample time for the employee groups to review and comment on the proposed changes before the final adoption of the handbook, possibly on September 5<sup>th</sup>.

He commented that Ryan Plotz from City Attorney Gans office was present to review the proposed changes and answer any questions.

Ryan provided a brief overview of the proposed changes and said the main thrust of the revisions was to further elaborate on what the federal and state statutes require related to discrimination; disability leave and other related statutes as well as some updated definitions.

He noted that the handbook is by no means intended to be an exhausted or complete recitation of what the federal and state laws require but rather general information to provide to employees on such things as the definition of harassment and what the entitlements are of the pregnancy disability statute. Also some of the revisions were to provide some additional consistency in terms of structure and formatting. He added that most of the policies of the City are retained in the revised handbook however; they did move around some things within the document.

Councilmember Strahan asked if the employees had reviewed the draft handbook.

City Manager Knopp said the City is required to provide a 5-day noticing period so employees have had access to the document since publication of the agenda packet. He said they will also have an additional three weeks until the next regular meeting on September 5<sup>th</sup> to review and comment on the revisions.

Mayor Wilson asked the City Manager if he would be sitting down with the employees and discussing the proposed revisions.

City Manager Knopp noted that he is required to meet and confer on any issues involving employment practices and if he receives a request by the employee groups to meet and discuss the revisions he will do so.

Mayor Wilson also questioned the removal of the grievance procedure.

Ryan explained that the grievance procedures were deleted for a number of reasons and said under the City Manager form of government the City Manager is ultimately responsible for all employment decisions. To the extent there is a dispute between employees, the former handbook allowed grievance procedures in which the City Council conducted fact finding adjudication. He said in the revised handbook the language is more consistent with the City

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City Manager Ordinance in allowing the City Manager to retain authority over employment matters.

He noted that in addition, there is the Whistleblower Policy that allows employees to bring forward complaints or disputes. Under the general provisions, an employee shall first contact his/her supervisor to make a complaint or dispute. If that dispute involves that supervisor then the employee goes to the City Manager. If the City Manager is involved in the dispute, the employee then goes to the Mayor.

Ryan further clarified that in terms of labor disputes, there are provisions under the meet- and-confer provisions that essentially say that those types of negotiations shall be done in accordance with State law and the meet-and-confer provisions of the Government Code.

He said as the Council may recall, there was an issue last year where a grievance was filed regarding wages and ultimately determined by the Brown Act that the right of the Rio Dell Employees Association to have a closed session with the City Council was not consistent with the Brown Act which was another reason for deleting the grievance procedures from the handbook; to make it consistent with the Brown Act.

Mayor Wilson referred to the deleted provision for outside employment and asked for clarification on whether employees are allowed to have outside employment.

Ryan said that part of the task in revising the handbook was to take out things that are not necessary and that particular provision essentially allowed employees to engage in outside employment so long as it did not affect their job performance. He said it wasn't necessary to include it in the handbook as other provisions, particularly the disciplinary provision states that inadequate performance is grounds for disciplinary action and/or termination. The same applied to carelessness on the job.

Mayor Wilson noted that under ***Vacation Benefits***, it states that an employee may accrue vacation up to a maximum of 120 hours and said he recalled that being changed.

City Manager Knopp commented that it was modified in some of the employee contracts noting that if language in the contracts differs from the handbook, the language in the contract supersedes.

Mayor Wilson called for public comment on update of the employee handbook.

**Sharon Wolff** encouraged the Council to keep something in the handbook related to outside employment and said at the County employees are required to report any outside employment with their supervisor due to disclosure rules and potential conflicts of interest. She added that Rio Dell has had firsthand experience where staff has utilized city equipment to do outside jobs.



Mayor Wilson clarified that there was a lot of added language regarding conflicts of interest to the proposed handbook as well as added language regarding improper use of city equipment.

**Julie Woodall** said she was glad the Mayor brought up the issue of grievances as the Council did have problems in the past regarding a grievance involving the City Manager so there needs to be outlined procedures with regard to resolving disputes.

She also referred to Section 2.06 ***Immigration Law Compliance*** and said it might be worthwhile to add the E-Verify Policy which is an internet based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility. She noted that the program is authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA).

City Manager Knopp confirmed that e-verify is something that staff can look into if that is the direction of the Council.

He commented that the Employee Handbook is a living document and can be modified from time to time to be consistent with federal and state law.

Mayor Wilson stressed the importance of having the ability to resolve employee disputes without taking legal action.

**Joanne Farley** addressed the Council and noted that at the last meeting, the Council approved the Rio Dell Peace Officers Association MOU and in that contract it specifically states that sick leave shall be in accordance with the Rio Dell Employee Handbook. She said there is the same reference regarding the Grievance Policy and if those items are taken out of the Employee Handbook those sections of the contract are basically null and void.

Ryan Plotz stated that to the extent of a conflict between the MOU and the Employee Handbook, the MOU controls. He also noted for clarification that the revised handbook doesn't strike the sick leave provision but rather re-categorizes it under Section 5.

City Manager Knopp stated that the idea was to present the draft document, receive input from the Council and the public, make any necessary modifications and bring it back on the consent calendar on September 5<sup>th</sup> for adoption.

Draft Scope of Services between the City of Rio Dell and Dan McCauley, Dan's Custom Metals Related to Wildwood Ave. Sculpture Exhibit

City Manager Knopp provided a staff report and said the Council, at their meeting of August 1<sup>st</sup> discussed the draft agreement with artist Dan McCauley. He said at that time, the Council asked that the City Attorney review the agreement and make some amendments.

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He said the item is back on the agenda because partial funding has been identified through a grant from PG&E. He noted that staff has not yet received a formal written letter of commitment although has received a series of emails indicating \$2,000 in grant funding is expected. He said in addition, Harry Smith from Root 101 committed another \$1,000 for the sculptures.

He said in terms of the City executing the contract, there appears to be a funding commitment of \$3,000 toward the \$4,000 fee proposed by Mr. McCauley and at this point the City has not made a commitment of funds toward the project. He noted that Mr. McCauley expressed willingness to contribute to the cost of constructing the two additional pedestals but he would need to make a formal proposal to the City with a specified dollar amount. He said this will allow staff to put together a budget amendment for construction of the pedestals and bring it back to the Council for consideration.

City Manager Knopp commented that the City Attorney added standard liability and indemnity provisions to the agreement as discussed and at this time the recommendation is to authorize the City Manager to execute the agreement pending the identification of funding.

Mayor Pro Tem Johnson asked if staff had discussed the draft agreement with Mr. McCauley.

City Manager Knopp commented that Mr. McCauley was ill and unable to attend the meeting but had no problem with the proposed agreement.

Councilmember Strahan said she would like to see the actual cost for constructing the pedestals.

Councilmember Marks asked who will be raising the money for the additional \$1,000.

City Manager Knopp said staff did apply for the grant through PG&E however; would not be raising additional funds noting that it is basically a function of the Sculpture Committee.

Mayor Wilson agreed and said the artist is very committed and has donated to several events such as Safe and Sober Grad Night and the Beer Fest in Fortuna. He said he was very amenable to do whatever possible to promote the project including a possible fund raiser.

Mayor Wilson called for public comment.

**Nick Angeloff** commented that the McLean Foundation Fund already expressed support for the project and willingness to provide funding but wanted to see other committed funds. He noted there were other possible grant opportunities so was confident the project could be funded.

Motion was made by Johnson/Marks to authorize the City Manager to execute the agreement pending the identification of funding. Motion carried 4-0.

Discussion on Wildwood Avenue Median Trees

City Manager Knopp provided a staff report and said the City has been in discussions with the owner of Root 101 regarding the planting of the five replacement trees in the City as a result of the removal of the median in front of his business.

He said staff invited Doug Duppe, a landscape architect with Miller Farms Nursery to advise the City and provide an analysis of the trees in the center median in which he responded through a letter, recommending that trees not be planted in the gateway unless they are Cypress or Palm trees, or without significant modification to the soil.

He further stated that at the last meeting, a suggestion was made to look around the City and identify other potential sites for planting of the trees. Suggested sites included:

- The Community Garden
- CalTrans Right-of-Ways on Painter St.
- Rio Dell School District Property
- Fireman's Park
- City Hall or Blue Star Park
- City Owned Properties on Monument Road and Belleview Ave.

City Manager Knopp pointed out that only the last two suggestions involve properties that the City owns and all other suggested locations will require outside approval and coordination.

He said staff is looking for direction from the Council regarding the location for planting the trees and possibly the type(s) of trees.

Mayor Wilson provided pictures of some suggested trees (Attachment 2 to these minutes) located at the Christian School behind Westside Pizza on Newburg Road in Fortuna commenting that they are very attractive and easy to grow.

Mayor Pro Tem Johnson expressed support for planting the trees at City Hall.

Mayor Wilson stated that Councilmember Garnes championed this item and since it is not time sensitive suggested the Council table the item until Councilmember Garnes is present so she can be involved in the decision.

He then called for public comment; no public comment was received.

Consensus of the Council was to table the item as suggested.

**ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

Second Reading (by title only) and Adoption of Ordinance No. 358-2017 Establishing Personal Cannabis Cultivation Regulations, Section 17.030.235 of the Rio Dell Municipal Code (RDMC)  
Community Development Director Caldwell provided a staff report and said the ordinance was introduced at the Council meeting of July 18, 2017 which establishes personal recreational cannabis regulations consistent with the Adult Use Marijuana Act (AUMA). He said included in the ordinance is the **Personal Cannabis Cultivation Application and Acknowledgement** which all applicants must complete, agreeing to the conditions as set forth in Section 17.30.235(6) of the Rio Dell Municipal Code (RDMC).

He continued with review of the performance standards for the cultivation of cannabis for personal use. He noted key factors are that outdoor cultivation, cultivation in a greenhouse or residence is prohibited; indoor cultivation shall be limited to detached accessory buildings only and shall not exceed six (6) plants and one-hundred-fifty (150) square feet or less per parcel with a maximum interior ceiling height of ten (10) feet; no odor of cannabis shall be detectable from the property boundaries with the cultivation area properly ventilated; there shall be no sale, trading or dispensing of cannabis; the cultivation of personal recreational cannabis must comply with all applicable state and county laws including building and fire codes; and an annual permit and acknowledgement is required including the consent for on-site compliance and Life-Safety inspections.

Mayor Pro Tem Johnson commended staff and the Planning Commission for bringing forth a well written ordinance.

Mayor Wilson opened a public hearing to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Marks to adopt **Ordinance No. 358-2017 Establishing Personal Cannabis Cultivation Regulations, Section 17.30.235 of the Rio Dell Municipal Code (RDMC)**. Motion carried 4-0.

Second Reading (by title only) and Adoption of Ordinance No. 360-2017 Establishing Chapter 15.25 of the Rio Dell Municipal Code (RDMC) to Establish Expedited Permit Procedures for Electric Vehicle (EV) Charging Stations

Community Development Director Caldwell provided a staff report and explained that AB 1236, adopted in October 2016, requires jurisdictions with a population of less than 200,000 to establish procedures for expedited, streamlined processes for permitting of electric vehicle (EV) charging stations. He said under this legislation, jurisdictions must adopt an ordinance for this process on or before September 30, 2017. The ordinance must include a requirement to adopt a checklist or guidelines of requirements with which a permit application for an electric vehicle charging station will be eligible for expedited review. He noted that staff prepared "**Submittal Guidelines**" which are included as Attachment 2 to the draft ordinance.

Councilmember Strahan asked if this applies to EV charging stations in new residential structures.

Community Development Director Caldwell explained that this ordinance only applies to free standing electric vehicle charging stations however; under the new 2017 California Building Code it is a requirement for new residences to install at least a level 1 EV charging station.

Mayor Wilson opened a public hearing to receive public comment on the proposed ordinance. There being no public comment the public hearing closed.

Motion was made by Johnson/Marks to adopt ***Ordinance No. 360-2017 Establishing Chapter 15.25 of the Rio Dell Municipal Code (RDMC) to Establish Expedited Permit Procedures for Electric Vehicle (EV) Charging Stations.*** Motion carried 4-0.

Introduction and first Reading (by title only) of Ordinance No. 361-2017 Prohibiting Recreational Cannabis Sales, Chapter 5.40 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report and said under Proposition 64 and the Adult Use Marijuana Act (AUMA), adults 21 years of age or older may legally grow, possess and use cannabis for non-medical purposes with certain restrictions. In addition, beginning on January 1, 2018 AUMA makes it legal to sell and distribute cannabis through a regulated business unless jurisdictions adopt regulations to prohibit the sale and distribution.

He said the draft ordinance prohibits the sale of recreational cannabis within the City but does not prohibit the delivery of recreational cannabis to the residents of the City.

Mayor Pro Tem Johnson asked if the draft ordinance was reviewed by the Planning Commission.

Community Development Director Caldwell indicated that it was not since it is not a land use issue.

Mayor Wilson opened a public hearing to receive public comment on the proposed ordinance. There being no public comment the public hearing closed.

Motion was made by Johnson/Marks to introduce and conduct the first reading (by title only) of ***Ordinance 361-2017 Prohibiting Recreational Cannabis Sales, Chapter 5.40 of the Rio Dell Municipal Code (RDMC)*** and continue consideration, approval and adoption of the proposed Ordinance to the meeting of September 5, 2017. Motion carried 4-0.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp distributed a written City Manager Update of recent activities and events (Attachment 3 to these minutes) and announced the September 13<sup>th</sup> date for the Open House on the Safe Routes to School project; provided an update on the ADA City Hall Porch Project; provided an update on the Metropolitan Wells Project; announced the hiring of two new Public Works employees including a Wastewater Superintendent Trainee and a Utility Lead; and reported on plans for replacement of the Council Chambers Audio System.

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He noted that with regard to the ADA Porch Project, transplanting of the Rhododendron's and other plants in front of City Hall were not part of the DCI Project so at the Council's direction, staff will work with the landscape architect to make a proposal to the City Council which will need to happen very soon if the plants are to be transplanted.

Councilmember Strahan felt it was poor planning on the part of the City and the plants should have been taken into consideration when the project was approved.

Mayor Wilson commented that it was discussed and at that time Councilmember Garnes expressed support in saving the Rhododendron's.

City Manager Knopp commented that the ADA Project is funded by Housing and Community Development (HCD) as part of the CDBG Program and removal of the plants is not covered under the project.

Councilmember Strahan also questioned the removal of the cement and the use of heavy equipment on site.

Community Development Director Caldwell commented that the materials consist mostly of wood although there are some concrete pier blocks below the deck itself.

City Manager Knopp further explained that there likely will be some heavy equipment involved in the porch removal and said the plan is to keep City Hall open during construction but there will be some unavoidable disruptions.

Finance Director Woodcox reported on recent activities and events in the finance department and said with the new auditors here, she and her staff were very busy.

Water/Roadways Superintendent Jensen reported that it was "business as usual" in the public works department.

Interim Chief of Police Beauchaine reported on recent activities and events in the police department and said Wildwood Days activities were pretty quiet with only one arrest to report. He said they utilized additional patrol where they anticipated there may be problems. He also reported the new patrol vehicle was in the Wildwood Days parade but the lights were not yet operable noting that the vehicle was expected to be fully equipped and online by the end of the week.

**COUNCIL REPORTS/COMMUNICATIONS**

Mayor Pro Tem Johnson reminded Councilmembers of the August 18<sup>th</sup> quarterly League of California Cities meeting in Fortuna at the River Lodge with a tour of Clendenen's Cider Works and encouraged anyone that can, to attend.

**ADJOURNMENT**

Motion was made by Johnson/Marks to adjourn the meeting at 8:25 p.m. to the September 5, 2017 regular meeting. Motion carried 4-0.

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Frank Wilson, Mayor

Attest:

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Karen Dunham, City Clerk