A G E N D A
RIO DELL CITY COUNCIL
CLOSED SESSION – 5:30 P.M.
STUDY SESSION – 6:00 P.M.
REGULAR MEETING– 6:30 P.M.
TUESDAY, MAY 17, 2011
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME** . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

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

1) 2011/0517.01 - Anticipated Litigation – Significant Exposure to Litigation – 2 cases (Pursuant to Government Code Section 54957.9 (b))

E. PUBLIC COMMENT REGARDING CLOSED SESSION

F. RECESS INTO CLOSED SESSION - (5:30 P.M.)

G. RECONVENE INTO OPEN SESSION

H. ORAL ANNOUNCEMENTS

I. STUDY SESSIONS – (6:00 P.M.)

1) 2011/0517.02 - Review of Draft Capital Budget FY 2011-2012 1

J. PUBLIC HEARINGS

1) 2011/0517.03 - Obtain Citizen Input on Proposed Application Activities to be Included in the CDBG Funding Proposal 3

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS."

1) 2011/0517.03- Approve Minutes of the May 3, 2011 Regular Meeting **(ACTION)** 4
2) 2011/0517.04 - Approve Purchase of Lift Station Pump Controller in the Amount of $5,495.40 from Aqua Sierra Controls, Inc. **(ACTION)** 12
3) 2011/0517.05- Authorize the Chief of Police to Dispose of Surplus Weapons **(ACTION)** 15

L. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

1) "SPECIAL CALL ITEMS" from Consent Calendar

2) 2011/0517.06 - Consideration of Referral of Proposed Animal Control Ordinance to the Planning Commission **(ACTION** 17

3) 2011/0517.07 - Authorize the City Manager to Contract with Anderson Appraisal Service for Appraisal of APN 053-051-006 in an Amount not to Exceed $800.00 **(ACTION)** 18

4) 2011/0517.08 - Approve the Creation of a Community Development Director Position and Authorize the City Manager to Execute a Contract with Kevin Caldwell to fill the Position of Community Development Director **(ACTION)** 22

5) 2011/0517.09 - Final Engineering and Traffic Survey **(RECEIVE & FILE)** 37

M. ORDINANCES/SPECIAL RESOLUTIONS

1) 2011/0517.10 – Public Hearing/Conduct Second Reading by Title Only and Adopt Ordinance No. 275-2011 Prohibiting the Establishment of Medical Marijuana Dispensaries in the City of Rio Dell **(ACTION)** 46

N. 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. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds 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 5 minutes.

O. SPECIAL PRESENTATIONS

P. REPORTS/STAFF COMMUNICATIONS

1) City Manager
2) Finance Director
3) Chief of Police

Q. COUNCIL REPORTS/COMMUNICATIONS

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

1) 2011/0517.11 - Public Employee Performance Evaluation – Title: City Manager (Pursuant to Government Code Section 54957) 52

S. PUBLIC COMMENT REGARDING CLOSED SESSION

T. RECESS INTO CLOSED SESSION

U RECONVENE INTO OPEN SESSION

V. ORAL ANNOUNCEMENTS

W. ADJOURNMENT

The next Regular meeting will be on June 7, 2011

at 6:30 PM in the City Council Chambers

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

CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
May 17, 2011

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: May 12, 2011

SUBJECT: **Capital Budget Fiscal Year 2011-2012**

BACKGROUND AND DISCUSSION

Staff are in the process of developing the proposed Capital Budget for Fiscal Year 2011-2012. Although we have identified projects to be included, many of the detailed information is still unavailable.

The study session will include an outline and discussion of the current capital project list. Fiscal details will be provided as project financing develops, and pursuant to the City's policy and past practice, the Capital budget will likely be adopted separately from the operations budget after July 1st.

Capital Projects List

1. Projects
    a. Park Impact Fees
    b. Circulation Element
    c. Wastewater Facility and Effluent Disposal Phase II
    d. Riverside Service Line Project
    e. EECBG- Heating/Cooling System in City Hall
2. Debt Service
    a. Water Infrastructure Loan
    b. Public Works Utility Vehicle Loan
    c. Public Works Backhoe Loan
    d. RCAC Planning/Design Loan Interest
3. Asset Depreciation

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

CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
May 17, 2011

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson,City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: May 12, 2011

SUBJECT: **Public Hearing for CDBG PTA Application Submittal**

COUNCIL RECCOMENDATION
Open Public Hearing to receive public comments on the proposed application.

BACKGROUND AND DISCUSSION
The City of Rio Dell is applying for a planning grant in the amount of $105,000 under the Planning and Technical Assistance General Allocation grant program for the eligible activities of: Citywide GIS; and Belleview Ogle, and Riverside Preliminary Storm Drainage Study and Preliminary Conceptual Design.

BUDGETARY IMPACT
Required cash match of $3,150 at the time of application submission to be paid by the General Fund.

RIO DELL CITY COUNCIL
REGULAR MEETING
MAY 3, 2011
MINUTES

The Regular Meeting/Study Session of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Pro Tem Marks.

ROLL CALL: Present: Mayor Pro Tem Marks, Councilmembers Leonard, and Thompson

Absent: Mayor Woodall and Councilmember Barsanti

Others Present: City Manager Henrickson, Chief of Police Hill, Finance Director Beauchaine, (regular meeting only) Wastewater Superintendent Chicora (regular meeting only) and City Clerk Dunham

STUDY SESSIONS – 5:30 – 6:30 p.m.

Discussion of Draft Animal Control Ordinance
City Manager Henrickson reported this is the first of at least two workshops regarding the draft Animal Control Ordinance and informed the public that the draft would be on the City's web site for review; City Clerk Dunham announced that the first draft as submitted this evening was on the web site.

Chief Hill stated that rather than go over each section, he suggested he provide a brief overview and address any questions or concerns from the Council, staff or the public on the proposed draft ordinance.

Councilmember Thompson said he took the opportunity to look at ordinances from other jurisdictions and noted that the County of Humboldt seemed to have a more modernized version and suggested we model our ordinance around theirs; Chief Hill said the draft ordinance is modeled somewhat after the County ordinance.

Councilmember Thompson stated City Ordinance No. 146 addresses other animals such as horses and said if that ordinance is to be repealed with passage of this ordinance, language should be included to address other animals. Chief Hill referred to Article 12 titled " Horses, Poultry, Other" and stated the zoning ordinance has provisions in place regarding allowable land use in regard to animals.

Mayor Pro Tem Marks referred to the zoning ordinance section number referenced in the last paragraph of the draft ordinance under "Poultry/Livestock" and asked if this section would be nullified if the zoning ordinance is revised. City Manager suggested the reference to that section in the zoning ordinance be removed.

Mayor Pro Tem Marks then referred to page 1, Article 3 under "Chief Animal Control Officer" and asked if the City Manager should be the first person to receive a complaint before referring the matter to the Chief of Police rather than the Chief being the only person receiving the complaint. Chief Hill explained under the City's chain of command, the City Manager is over all department heads and has the authority to direct the Chief of Police on any matter. City Manager Henrickson referred to page 6 of the draft ordinance under "Animal Control Officer" for clarification.

Councilmember Thompson stated that in his opinion animals are not the problem; the owners are, and said there should be mention of the Public Works Department due to circumstances when they are needed to assist the police department on animal related call-outs. Chief Hill said there was a conflict in the past between the two departments and who was responsible.

City Manager Henrickson commented that animal control is typically a police department responsibility and not public works.

Mayor Pro Tem Marks referred to page 6, Article 5 and questioned the term "domestic cat." Chief Hill said he would change the word "domestic" to "farrow" and explained a domestic cat can be owned or stolen whereas a farrow cat cannot.

Mayor Pro Tem Marks asked if the goal of the City is to make it mandatory that all dogs and cats be spayed or neutered except for those reserved for breeding purposes; Chief Hill stated the ordinance encourages pet owners to have their animals fixed and imposes additional fees if they are not. He noted the fee structure would be brought forth in the form of a resolution at the next workshop.

Shannon Miranda, from Miranda's Animal Rescue asked what is going to happen to farrow cats when caught; Chief Hill stated they would be transported to his facility.

Alice Millington suggested farrow cats be referred to in the ordinance as "farrow/stray" cats. Chief Hill stated for clarification that every cat is considered a farrow cat unless it has a chip or collar to identify that it has an owner; nevertheless, they all will go to Miranda's Animal Rescue.

Shannon Miranda said he typically holds cats for 5 days however, they are rarely ever redeemed by an owner.

Councilmember Thompson referred to the last paragraph on page 2 stating that he felt incessant barking of dogs should be changed from 30 minutes to 15 minutes.

Tim Marks asked if there are consequences for people with problem animals; Chief Hill explained owners can be cited and fined and additionally an owner can be put on a "nuisance dog owner" list.

DRAFT

Alice Millington said she would like to be involved with the establishment of an animal breeding ordinance if that's the direction the City Council decides to take.

Shannon Miranda said adoption of such an ordinance is the only solution for taking care of the animal control problems in the City. He said if an owner refuses to have their animal spay or neutered, they should pay an annual fee which would go into a special fund to be used in the event they decide to have the animal altered in the future. Another incentive would be to have provisions in place to waive redemption fees if the owner agrees to have their animal altered.

Kay Holder, from Canine Angels offered to meet with Chief Hill and share her notes and ideas on breeding ordinances stating that she would like to see the City of Rio Dell be the first jurisdiction in the County to adopt such an ordinance.

Consensus of the Council was that language be added to the Animal Control Ordinance regarding altering of animals.

Mayor Pro Tem Marks referred to page 10 regarding the removal of fecal matter and suggested language is included which exempts owners with seeing eye dogs the requirement to remove fecal matter from public places.

Councilmember Thompson asked if there could be restrictions on the size and weight of dogs within a parcel; Chief Hill stated it would be very difficult to enforce.

Mayor Pro Tem Marks stated she felt temporary residents should be required to license their dogs; City Manager Henrickson referred to the top of page 13 where it states that a dog is required to be licensed if it has been in the city limits for ten 10 days.

Mayor Pro Tem Marks asked for an explanation of penalties as discussed on page 14 and asked if there is any proration of license fees; Chief Hill explained the fees are established by resolution which will be brought forward at the next study session and that currently license fees are not pro-rated.

There being no further discussion, the public hearing closed at 6:25 p.m. and Mayor Pro Tem Marks adjourned the meeting for a short recess.

The regular meeting reconvened at 6:30 p.m.

CEREMONIAL

Proclamation – Older Americans Month 2011
City Clerk Dunham read the proclamation proclaiming May 2011 as Older Americans Month and urging citizens to take time to honor our older adults and those who care for them.

DRAFT

Mayor Pro Tem Marks presented the proclamation to Dr. George Ingraham, a representative from the Area 1 Agency on Aging.

CONSENT CALENDAR

Mayor Pro Tem Marks announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion.

Councilmember Marks asked that the Minutes of April 19, 2011 be removed from the consent calendar for separate discussion under *Special Call Items*.

Motion was made by Leonard/Thompson to approve the consent calendar including approval of Revenue and Expense Budget Amendments for revenue received from Humboldt Redwood Company's Community Action Team Contribution. Motion carried 3-0.

SPECIAL CALL ITEMS

Approve Minutes of the April 19, 2011 Regular Meeting
Mayor Pro Tem Marks stated in regard to approval of the April 5, 2011 minutes (page 6 of the April 19, 2011 minutes) the intent of her correction to those minutes was that a period be placed after *previous city manager* and everything after the period be removed.

Motion was made by made by Leonard/Thompson to approve the minutes of April 19, 2011 as revised. Motion carried 3-0.

Approve Appointment of Gary Chapman to the Rio Dell Planning Commission to fill the Unexpired Term Ending December 31, 2013
City Manager Henrickson stated there is currently one (1) vacancy on the Rio Dell Planning Commission as the result of the resignation of Andrew Gonzales. Mr. Chapman introduced himself stating that he moved to Rio Dell with his family approximately 9 months ago and purchased a home, and was interested in serving on the commission.

Motion was made by Thompson/Leonard to approve the appointment of Gary Chapman to the Rio Dell Planning Commission to fill the unexpired term ending December 31, 2013. Motion carried 3-0.

ORDINANCES/SPECIAL RESOLUTIONS

Public Hearing/Introduce Ordinance No. 275-2011/Conduct First Reading by Title Only of Draft Ordinance Prohibiting the Establishment of Medical Marijuana Dispensaries in the City of Rio Dell

City Manager Henrickson reported the City Council back in March adopted Ordinance 274-2011 imposing a temporary moratorium on the establishment of medical marijuana dispensaries in the City. The proposed ordinance would prohibit the establishment of medical marijuana dispensaries. He stated the matter was discussed at the Planning Commission meeting on April 27, 2011 at such time the Commission recommended adoption of a ban on dispensaries in the City by a vote of 3-0.

City Manager Henrickson said he recommended adoption of the ordinance based on information presented at the Planning Commission meeting and because of the reduction in the size of the police force.

Mayor Pro Tem Marks opened a public hearing 7:40 p.m. to receive public testimony on the proposed ordinance.

There being no public comment, the public hearing closed.

Motion was made by Leonard/Thompson to introduce Ordinance 275-2011, conduct first reading by title only of a draft ordinance *Prohibiting the Establishment of Medical Marijuana Dispensaries in the City of Rio Dell.*

Councilmember Thompson questioned the possibility of the Federal Government withholding funding to cities who allow 215 cards or dispensaries including possible penalties or fines; staff was unable to answer the question therefore Finance Director Beauchaine agreed to contact other cities regarding the issue.

Motion then carried 3-0.

PUBLIC PRESENTATIONS

Christy Hines, addressed the Council regarding the HOME Program stating she was one of the four families approved for a new mobile home under the HOME Program and was very disappointed to learn that the project was cancelled. She said she has questions that are still unanswered. Mayor Pro Tem Marks stated that because of potential litigation, the Council could not answer any questions regarding the project.

Clara Diffin, also expressed disappointment about the HOME Program and said she has lived in Rio Dell for over 30 years and lives in a 1955 mobile with holes in the floor and no insulation. She said the City Council voted to approve the project and was looking forward to getting a new mobile and now it's not going to happen.

Larry Crnovich, Meadowbridge Dr. resident, addressed the Council regarding a traffic safety issue stating that on the south side of Mingo's Bar (Edwards Dr.) big trucks and pick-up trucks

are parking next to the bar on the one-way street making it impossible to drive down the street without driving off in the dirt or going around the block. Chief Hill said his concerns were duly noted and he would follow up.

Lowell Wallace, W & W Mobile Home Sales, stated he spent countless hours on the HOME Program Mobile Home Project and said the money was allocated 29 months ago. He said when it got down to the eleventh hour, the City handed him a Hold Harmless Agreement to sign and asked if it is common practice to issue those agreements to everyone. He said he felt the project was handled poorly and pointed out the project provided jobs, new homes and taxes to the City. Once again Mayor Pro Tem Marks stated that the City Council was not a liberty to discuss the matter due to potential litigation.

SPECIAL PRESENTATIONS

Review of Draft Operations Budget FY 2011-2012
Finance Director Beauchaine stated the draft budget as presented represents the revisions discussed at the last meeting. She reviewed the revisions beginning with Timber Yield Tax Revenue (4035) and reported that she contacted the County Auditor's office and learned that the monies are collected by the State Board of Equalization and the County proportions the revenue out to the cities. She said the allocation factor created for the City is .00000938 compared to the County's proportion of 38%.

Councilmember Thompson questioned the proportion going to other cities; Finance Director Beauchaine said she was uncertain but said she understood the College of the Redwoods received 10%.

The next revision was in regard to inclusion of Franchise Fees for Gas and Electric (4110 & 4115), omitted in error from the previous draft budget.

In regard to Animal Control Fees, Beauchaine said the projected revenue was increased when we had an animal control officer but since we did not have an officer for the full fiscal year, it was unable to see it parallel.

Council asked if the revenue from redemption fees was enough to offset the $1,200 monthly expense for Miranda's Animal Rescue; City Manager Henrickson stated the fees collected do not cover the expense since the fees are outdated and need to be updated to help cover the expense.

Finance Director Beauchaine then referred to Interest Income (4310) stating that the amount fluctuates from year to year depending on the City's Cash on Hand and the type of investments. She updated that line item to include proposed revenue of $716.00 based on the previous year's data.

Beauchaine further reported that she increased the Public Works Sewer Fund Budget by $1,982 to cover the cost of sludge disposal.

She said she left the COPS funding out of the budget however there is a bill being proposed by both democrats and republicans that will reinstate COPS funding on a temporary basis. She said if and when that happens she will revise the budget. With inclusion of COPS funding, the budget would reflect a $50,000 - $70,000 surplus.

City Manager Henrickson asked Council to keep in mind that the budget was still subject to change. He said he was still exploring the idea of changing the Housing Director position to a Community Development Director although the cost would be revenue neutral with the added expense coming from planning consultant fees.

Councilmember Leonard questioned the expense accounts 5035 (ICMA 457) and 5040 (Health Insurance) in the City Manager Department and if that covered just the City Manager or the City Manager and the City Clerk; Beauchaine explained the ICMA was for both employees and the Health Insurance expense covered both employees and their spouses.

Sharon Wolfe asked if the City pays for dependent coverage for health insurance; Beauchaine explained the City pays 100% for the employee and 70% for dependents.

City Manager Henrickson reported that the City's health insurance rates would actually be reflecting a reduction of 1 ½% from the previous year due to fewer claims.

Finance Director Beauchaine stated that she recently did a comparison of rates between the current provider and the City's liability/workers comp carrier to see if it would be cost effective to change coverage and found that their rate structure was higher.

City Manager Henrickson added that several months ago he explored health insurance options for the City and because of demographics there are only two options for insurance providers available.

Finance Director Beauchaine then reviewed the budget calendar and said the next study session will include discussion of the Capital Budget

REPORTS/STAFF COMMUNICATIONS

City Manager Henrickson reported on the Annual Spring Clean-Up Event to take place on May 7, 2011 from 9:00-1:00 and said this was an opportunity for citizens to dispose of old furniture, yard trimmings, appliances, scrap wood, bulky items and burn barrels free of charge.

Finance Director Beauchaine reported on activities in the finance department and stated the Cal-Trans Audit on the Wildwood Ave. Paving Project was completed successfully.

Chief of Police Hill reported on recent activities in the police department and reminded citizens of the upcoming Animal Shot Clinic to take place on June 4, 2011 from 9:00-10:00 a m at City Hall. He announced that David Lungi was re-hired as a regular full-time sworn officer as a result of the resignation of another officer.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Thompson reported on his attendance at the RCEA meeting and stated the Board had set up a new checking system was moving forward with setting up guidelines for the payment of bills.

Mayor Pro Tem Marks announced the recent passing of Delores Parrish who worked as a volunteer at the Rio Dell Library for many years and said she will be greatly missed.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:13 p.m. to the May 17, 2011 regular meeting.

_____
Melissa Marks, Mayor Pro Tem

Attest:

_____
Karen Dunham, City Clerk

DRAFT

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

To: Mayor and Rio Dell City Council

Through: Ron Henrickson, City Manager

From: Rick Chicora, Wastewater Superintendent

Date: May 12, 2011

Subject: Back-up Lift Station Pump Controller Purchase

Recommendation

It is recommended that the City Manager authorize the purchase of a new Lift Station Pump Controller for the amount of $5,495.40.

Budgetary Impact

The costs for this project will be taken out of the current wastewater budget.

Discussion

Last month we had a pump controller failure that caused quite a bit of overtime for staff. We had to manually operate the pumps at the lift station until we got a loaner unit from our SCADA Company, Aqua Sierra. I'm requesting that we purchase a back-up unit so we are better protected from failures in the future.

Attachments:

1. Aqua Sierra quote.

Aqua Sierra Controls, Inc.
Engineering General and Electrical Contractor
Sales & Service (800) 649-4287

1650 Industrial Drive, Auburn, CA 95603
Cell (530) 305-3390 Fax (530) 823-3475
jlane@aquasierra.com www.aquasierra.com

SCADA – AUTOMATION – RADIO TELEMETRY – MOTOR CONTROLS
DESIGN BUILD PUMP STATIONS – UL508 PANEL SHOP – FLOW STUDIES
PUMP CONTROLLERS – RADIO STUDIES – CHEMICAL FEED EQUIPMENT

Rio Dell Public Works
675 Wildwood Avenue
Rio Dell, CA 95562

Attention: Mr. Rick Chicora
CC: Randy Jensen

Phone: 707-764-5754

Subject: Spare TCU with Radio

Quote # QJ02606
May 11, 2011

Dear Mr. Chicora,

The following is our proposal for the spare TCU001 Pump Controller with built-in Radio.

Equipment
(1) Data Flow Systems TCU001-LMR Pump Controller with Radio $5015.00

Quotation Total $5495.40

Items included: Shipping and Handling, Sales Tax

Items not included: Items not in our scope of work, specialty insurance beyond our standard two million dollars coverage, bonds, permits, installation, prevailing wage rates.

Warranty Statement
Data Flow Systems includes a three year return to factory warranty on all radios, PLCs, pump controllers, input and output modules, power supplies, communication modules and the Hyper SCADA Server modules including damage due to lightning and power surges.

If you have any questions please give me a call.

Thank you,

Josh Lane

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

To: Honorable Rio Dell City Council

Through: Ron Henrickson, City Manager

From: Graham Hill, Chief of Police

Date: May 17th, 2011

Subject: Disposal of surplus weapons

Council Action

By motion, authorize the Chief of Police to dispose of surplus weapons as recommended.

Background

In December of 2010 the police department requested authorization from the City Council to dispose of certain weapons in the manner described below. That action was approved; however we did not receive any offers on the weapons after publicizing the intended surplus. We received one offer for the inventory approved for disposal; however that offer was received after the deadline. I am asking the City Council to approve again the disposal of the weapons below with the addition of three (3) Beretta model 92F pistols.

Based on prior council discussion it is the intention of the police department to take the following action upon final approval from the City Council:

We will compile a detailed list of the weapons described below, and provide the information to a minimum of three federally licensed firearms dealers. The weapons will be made available for interested dealers to view. The highest offer will be evaluated, and if accepted a transfer of ownership will be made pursuant to California and Federal law.

- Smith and Wesson Model SW40V- .40 caliber semi automatic handgun
- Smith and Wesson Model 915- 9mm semi automatic handgun (2)
- US Carbine (30 Carbine)- .30 caliber semi automatic rifle
- Ruger Mini 14 - .223 semi automatic rifle (2)
- Beretta Model 92F – 9mm semi automatic handgun (3)

Budgetary Impact

Revenue from the sale of surplus weapons will be deposited into the General Fund.

Recommendation

Approve the Chief of Police to offer for sale the weapons described above to several federally licensed firearms dealers and accept the highest bid.

675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: Consideration of Referral of Proposed Dog Ordinance to Planning Commission

ACTION: A. After discussion, by motion refer the proposed dog ordinance to the Planning Commission for discussion and preparation of a proposed fee resolution, or

B. After discussion, do not refer the dog ordinance to the Planning Commission

BACKGROUND:

At the last Council meeting a workshop was held to discuss a new proposed dog ordinance. A number of comments were made and new ideas surfaced. In order to provide a maximum of public input and through discussion of all the thoughts it is suggested that the Council refer the matter to the Planning Commission. The Planning Commission could take more time to explore all the options and prepare a proposed fee resolution.

CITY MANAGER RECOMMENDATION:

It is recommended the Council refer the matter to the Planning Commission.

675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: Approval of an appraisal of APN 053-051-006-0000

ATTACHMENTS: Map & Agreement for Appraisal Services

ACTION: By motion authorize the City Manager to contract with Anderson Appraisal Service to appraise APN 053-051-006-0000 in an amount not to exceed $800.

BACKGROUND:

Parcel 053-051-006-0000 is located adjacent to the City Sewage Facility. The lot is bisected by Edwards Lane which currently serves as a secondary access to the facility. With construction of the new wastewater plant the access road on the City property will be removed. Acquisition of the subject parcel will provide the City an alternative route to connect to Edwards Lane.

The owner of the subject parcel has approached the City to ascertain the City's interest in acquiring the parcel. The purpose of the appraisal is to determine fair market value.

CITY MANAGER RECOMMENDATION:

It is recommended the Council approve the appraisal.

Source: City of Rio Dell

DATE HERE

Anderson Appraisals

AGREEMENT FOR APPRAISAL SERVICES

File No. H110502EQF

1. PARTIES City of Rio Dell Client
hereby agrees to employ Wallace Anderson Appraiser

2. PROPERTY located in Humboldt County, State of CA legally described as:
053-051-006

STREET ADDRESS Edwards Drive
CITY Reio Dell STATE CA ZIPCODE 95562 hereinafter called Property.

3. APPRAISAL REPORT. Appraiser agrees to prepare, in writing, an Appraisal Report, in conformity with any professional organizations to which Appraiser may belong, with an opinion of value. The purpose of this appraisal is:

☒ Purchase ☐ Sale ☐ Estate Tax ☐ Lessee ☐ Insurance ☐ Ad valorem Tax ☐ Mortgage Financing ☐ Condemnation
☐ General Information ☐ Other

4. INTEREST to be appraised shall be ☒ Fee Simple ☐ Leasehold ☐ Leased Fee ☐ Other

5. COMPLETION of the appraisal shall be by 30 days after acceptance of proposal subject to unforeseen circumstances or conditions beyond the control of the Appraiser. The number of copies to be prepared is 2

6. PAYMENTS FOR SERVICES:

☒ AGREED FEE. Client agrees to pay Appraiser a cash fee of $ 800.00

☐ HOURLY-PER DIEM. Client agrees to pay Appraiser a cash fee of $ _____ per ☐ hour ☐ day for time expended on Client's behalf, to an estimated maximum of $ _____

☐ EXPENSES. Appraiser shall be additionally paid usual and necessary expenses for the following

☒ LITIGATION. In the event Appraiser is called upon, voluntarily or otherwise, to testify in court or deposition regarding the Appraisal Report herein, Client agrees to pay an additional sum of $ 100.00 for each hour plus Appraiser's usual and customary expenses.

☐ CANCELLATION. If this agreement is canceled at any time prior to the delivery of the Appraisal Report, Client agrees to pay a fee of

☐ RETAINER fee in the amount of $ _____ is payable _____ to apply toward the total fee herein.

All sums due hereunder shall be paid on delivery of the Appraisal Report to Client, and are payable in the County of Appraiser's principal residence. The Appraiser's fee is in no way based on the opinion of value of the appraised Property, and all sums hereunder are due and payable regardless of the amount of the opinion of value. In the event it is necessary to employ an attorney to collect any sums due herein, Client agrees to pay reasonable attorney's fees and court costs expended by Appraiser.

Form AS2 LT — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

AGREEMENT FOR APPRAISAL SERVICES
(continued)

File No. H110502EQF

7. AUTHORITY. Appraiser and his subcontractors are hereby authorized to make on-site inspections of subject property at all reasonable times to obtain supporting property data, including but not limited to: Building plans, plats, deeds, legal descriptions, abstracts, income and expense data, leases, options. Further to interview Client's attorneys, accountants, managers, agents, present and prospective tenants. To be furnished copies of relevant information, to copy same and use as documentation for the Appraisal Report. To obtain such information that in the Appraiser's judgment may be relevant to the appraisal. CLIENT'S AUTHORITY to execute this agreement is hereby warranted, and that client is either owner of the subject property or has authority of the owner to enter into this agreement.

8. CONDITIONS. The Appraisal Report shall be subject to Appraiser's conditions and limitations standard form or as shown on attachment hereto. The Appraisal Report will be prepared for the sole and exclusive use of the Client, and shall not be reproduced, printed or distributed in any manner without written consent of Appraiser, as it consists of "trade secrets and commercial and financial information" which is privileged and confidential and exempted from disclosure under 5USC(b)(4).

9. WARRANTIES AND INDEMNITY. Appraiser does not make any warranties or guarantees of any kind regarding the condition of the property, sufficiency of title, areas and boundaries, mechanical and structural conditions of the improvements and with the agreement that the Appraisal Report represents Appraiser's opinion of value only, without any warranty that the property will sell for the appraised value. Client agrees to indemnify Appraiser, his employees and independent contractors from all claims, suits and charges of any nature that may arise out of this agreement.

10. ADDITIONAL AGREEMENTS:
(to be determined)

Executed in duplicate originals on this day, 05/12/2011

Client Signature	Appraiser Signature
City of Rio Dell	Wallace Anderson
Client Name	Appraiser Name
675 Wildwood Avenue, Rio Dell, CA 95562	3605 Heindon Road, Arcata, CA 95521
Client Address	Appraiser Address
707-764-3532	707-407-5448
Client Telephone	Appraiser Telephone

Form AS2 LT — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

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

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: Modification of the Position of Housing Program Director into Community Development Director
-Approval of Community Development Director Job Description
-Approval of Community Development Director Contract

ATTACHMENTS: Community Development Director Job Description
Community Development Director Contract
CPS Community Development Director Salary Summary

ACTION:

A. By motion approve the creation of a Community Development Director Position.

B. By motion authorize the City Manager to execute a contract with Kevin Caldwell to fill the position of Community Development Director.

BACKGROUND:

Currently the City contracts with Planwest for planning services. The total annual expenditures for services were $92,653 in 2009-10, $93,667 in 2008-9 and $98,041 in 2007-8. The services include a variety of projects some of which are paid for by planning applicants, grant funds or general fund expenses.

The recent addition of the Housing Program Director brought an individual with an extensive planning background. It is proposed that the Housing Program Director position be expanded to include planning as well as economic development and possibly code compliance, under the title of Community Development Director. The advantages of this course include: delivery of services at a lower cost to citizens, better local control of planning related tasks, and increased capability of City staff.

To determine an appropriate salary structure CPS was contracted to perform a salary survey based on the same methodology as previously completed on all other staff. CPS findings are summarized in the attached survey summary. City salaries were typically set at 85% of the median, or in this instance $7,202 x 12 = $86,424 x .85 = $73,460. Note that three salary steps were established for most positions, the first year being 94% of 85%, the second year 97% of 85% and the third year 100% of 85%. Thus the proposed salary for this position is $69,052. For your information the present salary for the Housing Program Director is $60,066.

Clearly the City will not be able to save about $100,000 per year on consultant services by increasing a position salary roughly $9,000. Some particular tasks may still need to be assigned to a consultant. Secondly, if the City enacts housing maintenance codes another lower grade position will have to be created to address inspections and possibly code compliance. On balance, however, total expenditures by the City will likely be reduced under this proposed modification and the impact to the budget will be revenue neutral.

Two other actions that need to be taken include formal amendment of the Planwest contract and a determination of the hourly rate the City will apply to processing various planning applications. These will be addressed subsequent to City Council action on this item.

The proposed Community Development Director contract mirrors contracts for other Director positions except that the anniversary date is based on the date of hire of the Housing Program Director rather than May 17, 2011; and that the two weeks Executive Leave provision shall be effective July 1, 2011, and the existing provision for Executive Leave time under his existing contract shall remain in effect thru June 30, 2011. The contract has been sent to the City Attorney for review.

CITY MANAGER RECOMMENDATION:

It is recommended the City Council approve the Community Development Director job description and authorize the City Manager to execute the contract.

CPS Human Resource Services

Community Development Director

Surveyed Agency	Classification Title	Monthly Min.	Monthly Max.	Areas of Responsibility
City of Arcata	Deputy Director of Community Development	$5,584	$6,787	Planning, Building, Redevelopment and Economic Development
City of Blue Lake	No Comparable Class			
City of Crescent City	City Planner	$5,849	$7,334	Planning and Economic Development
City of Eureka	Community Development Director	$6,144	$7,470	Planning and Housing
City of Ferndale	No Comparable Class			
City of Fort Bragg	Community Development Director	$6,540	$7,949	Planning, Building, Housing, and Economic Development
City of Fortuna	Deputy Community Development Director	$4,456	$5,414	Planning (reports to the City Manager who is also the Community Development Director)
City of Willits	Community Development Director/Acting City Manager	$5,816	$7,070	Planning, Building, Code Enforcement, Economic Development and Housing
McKinleyville Community Services District	No Comparable Class			

Base Salary Median		**$7,202**
Base Salary Mean		**$7,004**

CITY OF RIO DELL
COMMUNITY DEVELOPMENT DIRECTOR
CONTRACT AGREEMENT

This employment agreement, is made and entered by and between the **CITY OF RIO DELL**, a municipal corporation of the State of California, hereinafter referred as the "Employer" and **Kevin Caldwell**, hereinafter referred to as "Employee", both of whom understand as follows:

WHEREAS, Employer desires to employ the services of said Kevin Caldwell as **Community Development Director** of the City of Rio Dell; and

WHEREAS, it is the desire of the **EMPLOYER**, to provide certain benefits, establish certain conditions of employment, and set working conditions of said Employee; and

WHEREAS, Employee desires to accept employment as the Community Development Director of the said City;

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

SECTION 1. DUTIES
Employer hereby agrees to employ Kevin Caldwell as **Community Development Director** of said Employer to perform the functions and duties specified in the Ordinances of said City, pursuant to California Government Code section 36506, and to perform other legally permissible and proper duties and functions as the City Manager shall from time to time assign. These duties may include tasks related to planning, housing, code compliance and economic development projects.

SECTION 2. TERM
This Agreement shall remain in effect through June 30, 2012 or until Employee's term of employment is dissolved per the description provided in Section 3 of this agreement, or by the voluntary resignation of Employee. Employee understands he will provide Employer with thirty (30) days of notice prior to resignation. This Agreement may be superseded by subsequent agreements made between Employee and Employer at mutually acceptable times throughout Employee's term of Employment.

For purposes of calculating Executive Leave provisions of Section 10 shall be effective beginning July 1, 2011. Provisions regarding Executive Leave in his contract as Housing Program Director shall remain in effect thru June 30, 2011.

For purposes of calculating the anniversary date for annual salary increases the date shall be March 14, 2011, his date of hire as Housing Program Director.

a. **Limitation on Termination.** Notwithstanding any other provisions of this contract set forth herein the Community Development Director shall not be removed from office, during, or within a ninety (90) day period following the appointment of a new

City Manager. The purpose of this provision is to allow any newly appointed City Manager to directly observe the actions and ability of the Community Development Director in the performance of the powers and duties of his office. In the case of termination the Community Development Director shall be entitled to receive severance in a lump sum and all unused vacation, and executive leave time. "Severance" shall be paid according to the following schedule:

Years of Service	**Severance Pay**
0-1 year	2 months
1-2 years	3 months
2-3 years	4 months
3-4 years	5 months

b. **Severance exception.** Should the Community Development Director be terminated for cause or as a result of a conviction or plea of no contest to a felony, no severance pay would be provided upon termination. If the Community Development Director voluntarily left employment with the City of Rio Dell no severance pay would be provided upon separation.

SECTION 3. SUSPENSION OR REMOVAL

The Employee may be suspended, removed, or dismissed from the service of the City of Rio Dell pursuant to Section 2 above or to the provisions of City of Rio Dell ordinances.

SECTION 4. DISABILITY

If Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incompetence, or health for a period of four (4) successive weeks beyond any accrued sick leave, or for twenty (20) working days over a thirty (30) day working period, Employer shall have the option to terminate this Agreement subject to the pay requirements of Section 2 above. However, Employee shall be compensated for accrued vacation, holidays, and other accrued benefits.

SECTION 5. SALARY

Employer agrees to pay Employee for his services rendered an annual salary of Sixty Nine Thousand Fifty Two Dollars (69,052.00) per year, payable in installments at the same time as other employees of Employer are paid. The salary payable on the first year anniversary date shall be $71,256.

SECTION 6. PERFORMANCE EVALUATION

The City Manager shall review and evaluate the performance of the Employee not later than six months from the effective date of this contract using such procedures as he/she determines appropriate. From time to time as may mutually be deemed appropriate, the City Manager and Employee shall define such goals and performance objectives determined necessary for the proper operation of the Department and City. In the attainment of policy objectives, the relative

priority among those various goals and objectives shall be reduced to writing and considered as part of the annual performance review.

SECTION 7. HOURS OF WORK

It is recognized that Employee may be expected to work in excess of eighty (80) hours per pay period at the direction of the City Manager. Employee shall receive no overtime pay or compensatory time off other than eighty (80) hours of executive leave. Employer through the City Manager may accommodate a flexible schedule in the form of a modified work week and/or working from home so long as the City Manager determines that the needs of the City are adequately met.

SECTION 8. OTHER EMPLOYERS OR OUTSIDE ACTIVITIES

Employee agrees to remain in the exclusive employ of Employer and not to become employed by any other employer in other employment until termination of the employment relationship. The term "other employment" shall not be construed to include occasional teaching, writing, consulting, or military reserve service performed on Employees time off. Employee shall not spend more than eight (8) hours per week in teaching, counseling, or other non-employer connected business without the prior approval of the City Manager. Other non-employer connected business may include provision of planning consulting services provided such services are not performed in the City of Rio Dell or provided to individuals or organizations which have business interests in the City of Rio Dell.

SECTION 9. AUTOMOBILE

Employee's duties require that he shall have the use at all times during his employment with Employer an automobile to perform Employer's business. Employee's use of his private vehicle for City business shall be reimbursed to Employee at the current standard mileage rate as published by the IRS. Subject to all of the provisions of City's separate Travel and Reimbursement Resolution, Employee shall be responsible for paying for all gas, maintenance, and repair of said automobile. Employee shall be responsible for paying for all liability, property damage, and comprehensive insurance on said automobile. Proof of said insurance in force during the period of employment must be provided to employer. Failure to maintain a valid driver's license shall be cause for termination.

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

Employee will receive eighty (80) hours of executive leave each fiscal year. The taking of vacation and executive leave time shall be coordinated with and approved by the City Manager, who shall not unreasonably withhold their approval.

Employee may be paid any unused portion on the first pay period of December and/or the first pay period of June. Employee will accrue sick leave eight (8) hours each calendar month, and vacation time as follows:

Years of Service	Hours per Year
Zero to three (0-3)	80 hours
Four to ten (4-10)	120 hours
Eleven to fifteen (11-15)	160 hours

Sixteen to twenty (16-20) 200 hours

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

SECTION 11. ACCRUED VACATION LEAVE

The amount of vacation time allowed to be accrued at the end of any pay period shall not exceed the annual amount of vacation time for the year of service up to a maximum of 120 hours. Upon reaching the applicable vacation accrual maximum, the employee will not accumulate additional vacation time until such time that the employee's accrued leave is below the applicable vacation accrual maximum.

SECTION 12. WORK RELATED EXPENSES REIMBURSMENT

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

SECTION 13. MEDICAL AND DENTAL INSURANCE REIMBURSEMENT

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

SECTION 14.DEFERRED COMPENSATION

The Employer does not participate in and is not a party to the Public Employees Retirement System of the State of California. The Employer participates in a deferred Compensation Plan. The Employer shall contribute and pay an amount equal to twelve percent (12%) of the Employee's salary to the Deferred Compensation Plan.

SECTION 15. LIFE INSURANCE

A term life insurance policy in the amount of Seventy Five Thousand Dollars ($75,000.00) shall be provided by the Employer for the Employee.

SECTION 16. AGREEMENT EFFECTIVE
This Employment Agreement shall become effective May 17, 2011, and shall remain in effect through June 30, 2012, subject to changes pursuant to amendments or adjustments made at mutually agreed upon times throughout Employee's term of employment with Employer.

SECTION 17. INDEMNIFICATION
Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Community Development Director. Employer will attempt to compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon.

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

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

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

SECTION 21. TRAVEL EXPENSES
Employer hereby agrees to budget for and to pay the travel and subsistence expenses of Employee for official and professional travel of Employee while on City Business, provided that the Community Development Director has first secured prior authorization and approval for said travel and training expenses from City Manager.

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

SECTION 23. OTHER TERMS AND CONDITIONS OF EMPLOYMENT
The City Manager shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee.

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

EMPLOYER	EMPLOYEE
Rio Dell City Hall	**Rio Dell City Hall**
675 Wildwood Ave	**675 Wildwood Ave**
Rio Dell, California 95562	**Rio Dell, California 95562**

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

SECTION 25. GENERAL PROVISIONS

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

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

EMPLOYEE

_____

Kevin Caldwell, Community Development Director Date

EMPLOYER

_____

Ron Henrickson, City Manager Date

Approved as to form:

_____

David E. Martinek, City Attorney Date

COMMUNITY DEVELOPMENT DIRECTOR

DEFINITION

Under administrative direction of the City Manager, the Community Development Director plans, directs and coordinates the full range of community development activities including planning, zoning administration, code compliance, economic development and housing; coordinates activities with other City officials, departments, outside jurisdictions, organizations and the public; and provides highly responsible and technical staff assistance to the City Manager, Planning Commission and City Council.

DISTINGUISHING CHARACTERISTICS

This is a management level position. Working under general direction from the City Manager, the principal function of an employee in this class is to plan, organize, implement and direct the administration and operation of the Community Development Department. The incumbent of this position spends more than 50% of their time performing office work directly related to management policies of general business operations. The incumbent customarily and regularly exercises discretion and independent judgment. The position may be required to supervise employees.

EXAMPLES OF DUTIES_ (Illustrative Only)

Duties may include, but are not limited to the following:

- Plans, directs and coordinates the development and implementation of planning, economic development, housing and code compliance goals, objectives, priorities and programs: makes recommendations on administrative and business matters.
- Prepares agendas for meetings, including status reports on prior direction, financial status reports, committee reports and staff reports in support of proposed actions.
- Plans, organizes and directs preparation of a recommended department budget; provides periodic performance reports to the City Manager; works closely with and provides staff reports to the Planning Commission and City Council.
- Administers various funding programs to address housing and economic development projects, such as the Community Development Block Grant Program and HOME funds; prepares grant applications; plans and conducts informational meetings; advises the City Manager and City Council on project applications.
- Is responsible for the updating and administration of the General Plan.
- Monitors and analyzes federal and state legislation and regulations relating to planning, community development, redevelopment and economic development to determine impact upon the City; advises City Manager and other department directors concerning changing regulatory requirements.

- Develops housing and economic development program resources; responds to inquiries and works with individuals interested in pursuing the development of projects; makes referrals to financing agencies; develops working relationships with federal, state, other local and nonprofit agencies offering economic development and housing assistance programs.
- Identifies funding sources; maintains relationships with funding sources and ensures compliance with reporting requirements; administers contractual agreements with government agencies to ensure appropriate fiscal controls.
- Manages consultants contracted to perform various tasks in support on community development activities.
- Performs related duties as assigned.

QUALIFICATIONS

Thorough Knowledge of:

- Federal, state and municipal laws and regulations governing housing and community development projects and programs, and related supportive services including HUD regulations, and other federal and state funding mechanisms.
- Basic principles and practices of city planning and zoning administration.
- Specific knowledge of rental inspection and housing maintenance programs.
- Management and administrative principles and practices: including budgeting, team building, development of goals and objectives, and work planning and organization.
- Contract compliance, proposal writing, and grant implementation.
- Real estate economics and transactions.
- Housing production, construction, rehabilitation techniques and practices.
- Housing code enforcement techniques and practices, and use of abatement in eliminating blight.
- Basic principles and practices of energy conservation.
- Principles, practices and trends in affordable housing and housing maintenance.
- Basic principles and practices of Community Development Block Grants as they relate to housing programs.
- Principles and practices of effective conflict resolution and problem solving.

Ability to:

- Draft ordinances and develop programs to address a broad program to eliminate substandard housing.
- Communicate effectively both orally and in writing, prepare and make public presentations, and reports to the City Council.
- Develop and administer departmental goals, objectives, and procedures.
- Prepare and administer a department budget.
- Administer all aspects of a housing department in compliance with applicable laws and according to established procedures for assigned areas.
- Identify and respond to sensitive community and organizational issues, concerns, and needs.
- Organize workload to ensure responsibilities are carried out in a timely manner.
- Interpret and apply municipal building, housing and zoning codes and ordinances.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Use sound independent judgment within established guidelines.
- Write clear and concise correspondence, and prepare and present accurate and reliable reports containing findings and recommendations.
- Operate a personal computer using standard or customized software applications appropriate to assigned tasks.
- Operate a personal computer using standard or customized software applications appropriate to assigned tasks.

Education and Experience:

Bachelor's Degree in finance, business administration, urban planning, economics, or a closely related field and five or more years of responsible experience in city planning.

Other Requirements:

Ability to obtain a valid Class C California State Driver's License within 3 months of employment.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by employees to successfully perform the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Speech/Hearing: Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, to enable the employee to communicate effectively.
Vision: frequently see items between 12 inches and 20 feet away: frequently use both eyes; occasionally distinguish colors, shades of colors, and use depth perception.
Manual Dexterity: frequently grasp, feel, type on a keyboard, and pick up objects with fingers.
Strength and Mobility: carry, push, pull, reach items that are up to 25 pounds; to occasionally kneel and reach; to frequently stand, walk and sit.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed in an office environment involving continuous contact with staff and public and in the field under various weather conditions.

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

CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
MAY 17, 2011

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Karen Dunham, City Clerk

DATE: May 17, 2011

SUBJECT: Final Engineering and Traffic Survey

RECOMMENDATION

Receive and File the Final Engineering and Traffic Survey

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

At the April 19, 2011 regular meeting, the City Council approved Resolution No. 1110-2011 Establishing Speed Limits for Certain Streets in the City. At that time, the final Engineering and Traffic Survey was not included in the Council packet. The Chief of Police was to include the survey in a subsequent agenda packet to become part of the record which you will find attached.

City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location: **Belleview Avenue - West City Limit to Wildwood Avenue**

Posted Limit: **25 mph**

Direction: **Both** Recorder: **Mechanical**

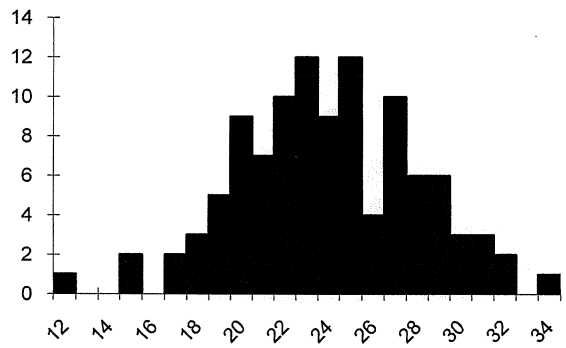
Date: **2/18/11** Day: **Friday**

Begin Time: **9:00** End Time: **12:00**

Weather: **Fair** Land Use: **Residential**

Summary Statistics

Total Observed	107
Speed Range	12 - 34
50th percentile speed	24
85th percentile speed	28
10 mph pace speed	20 - 29
% in pace speed	79
Skewness index	1.000



Speed	Number	Speed	Number
11	0	36	0
12	1	37	0
13	0	38	0
14	0	39	0
15	2	40	0
16	0	41	0
17	2	42	0
18	3	43	0
19	5	44	0
20	9	45	0
21	7	46	0
22	10	47	0
23	12	48	0
24	9	49	0
25	12	50	0
26	4	51	0
27	10	52	0
28	6	53	0
29	6	54	0
30	3	55	0
31	3	56	0
32	2	57	0
33	0	58	0
34	1	59	0
35	0	60	0
TOTAL			**107**

ANALYSIS INFORMATION

Segment Length (mi): **1.10** ADT (vpd): **450** Count Date: **2/18/11**

Number of collisions: **7** Time period: **5** years

Calc. Collision Rate = **7.75** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **21' -38'** Configuration: **2 Lanes** Terrain: **Flat**

Parking Conditions: **Unrestricted** Sidewalk: **None** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Belleview Avenue is a collector roadway within a residential area, with a higher than average collision rate. This winding roadway runs generally east to west, with many homes at minimum setback from the roadway. There are no sidewalks, paved shoulders, or bike lanes. Curb and gutter is discontinuous and provided only on approach to Pacific Avenue and Wildwood Avenue. Parked vehicles limit roadway width and sight distance. Based on the 85th percentile speed and the lack of pedestrian and bicycle facilities it is recommended that the speed limit be retained at 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:

Frank W. Penry, ~~C.E., P.E.~~, P.T.O.E
C.E. 62785 (~~Exp 6/2012~~), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/30/11
TRAFFIC
STATE OF CALIFORNIA

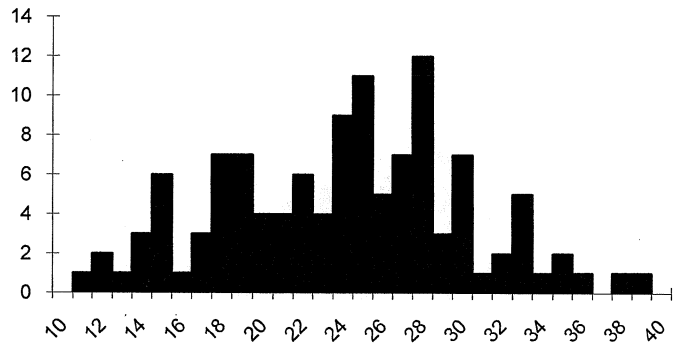
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location:	**Davis Street - Pacific Avenue to Rigby Avenue**		
Posted Limit:	**25 mph**		
Direction:	**Both**	Recorder:	**Mechanical**
Date:	**11/30/10**	Day:	**Tuesday**
Begin Time:	**13:00**	End Time:	**15:00**
Weather:	**Fair**	Land Use:	**Residential**

Summary Statistics

Total Observed	117
Speed Range	11 - 39
50th percentile speed	25
85th percentile speed	30
10 mph pace speed	19 - 28
% in pace speed	59
Skewness index	0.889



Speed	Number	Speed	Number
10	0	35	2
11	1	36	1
12	2	37	0
13	1	38	1
14	3	39	1
15	6	40	0
16	1	41	0
17	3	42	0
18	7	43	0
19	7	44	0
20	4	45	0
21	4	46	0
22	6	47	0
23	4	48	0
24	9	49	0
25	11	50	0
26	5	51	0
27	7	52	0
28	12	53	0
29	3	54	0
30	7	55	0
31	1	56	0
32	2	57	0
33	5	58	0
34	1	59	0
TOTAL			**117**

ANALYSIS INFORMATION

Segment Length (mi): **0.66** ADT (vpd): **1,100** Count Date: **11/30/10**
Number of collisions: **2** Time period: **5** years
Calc. Collision Rate = **1.51** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **25' -37'** Configuration: **2 Lanes** Terrain: **Flat**
Parking Conditions: **Unrestricted** Sidewalk: **Discontinuous** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Davis Street is a collector roadway within a residential area. The roadway runs generally east to west, providing access from the City Center to US 101. It serves as the primary route to school for students. Two signed school crossings are provided, with the crossing at Fourth Street recently installed with bulb-outs. The high traffic volumes, no bike facilities, discontinuous sidewalks, and presence of school age pedestrians supports a reduction in the posted limit. Based on the 85th percentile speed and the lack of pedestrian and bicycle facilities it is recommended that the speed limit be retained at 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:

Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/20/11
TRAFFIC
STATE OF CALIFORNIA

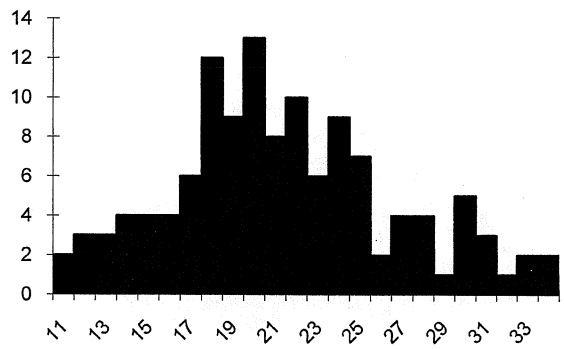
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location: **Monument Road - Pacific Avenue to Wildwood Avenue**
Posted Limit: **25 mph**
Direction: **Both** Recorder: **Mechanical**
Date: **12/10/10** Day: **Friday**
Begin Time: **12:00** End Time: **16:00**
Weather: **Fair** Land Use: **Residential**

Summary Statistics

Total Observed	124
Speed Range	11 - 34
50th percentile speed	21
85th percentile speed	27
10 mph pace speed	16 - 25
% in pace speed	68
Skewness index	1.125



Speed	Number	Speed	Number
10	0	35	0
11	2	36	0
12	3	37	0
13	3	38	0
14	4	39	0
15	4	40	0
16	4	41	0
17	6	42	0
18	12	43	0
19	9	44	0
20	13	45	0
21	8	46	0
22	10	47	0
23	6	48	0
24	9	49	0
25	7	50	0
26	2	51	0
27	4	52	0
28	4	53	0
29	1	54	0
30	5	55	0
31	3	56	0
32	1	57	0
33	2	58	0
34	2	59	0
TOTAL			**124**

ANALYSIS INFORMATION

Segment Length (mi): **0.25** ADT (vpd): **500** Count Date: **12/10/10**
Number of collisions: **3** Time period: **5** years
Calc. Collision Rate = **13.36** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **22' -33'** Configuration: **2 Lanes** Terrain: **Rolling**
Parking Conditions: **Varies** Sidewalk: **Varies** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Monument Road is a collector roadway within a residential area, with a higher than average collision rate. This rolling roadway runs generally east to west. The easterly portion has no sidewalks, paved shoulders, or bike lanes. With a collision rate that is above the average for similar segments statewide, it is recommended to retain the existing 25mph speed limit.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:
Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/2011
TRAFFIC
STATE OF CALIFORNIA

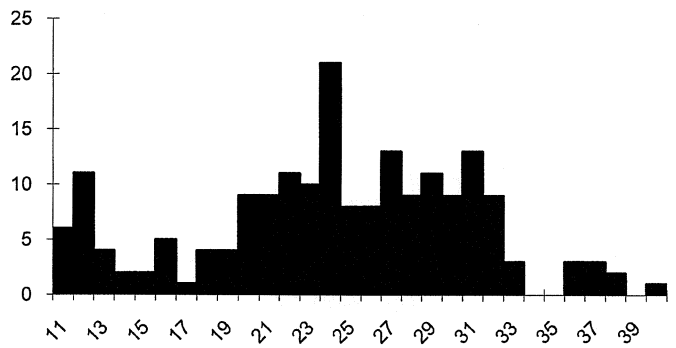
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location:	**Pacific Avenue - Belleview Avenue to Monument Road**		
Posted Limit:	**25 mph**		
Direction:	**Both**	Recorder:	**Mechanical**
Date:	**12/2/10**	Day:	**Friday**
Begin Time:	**24hr**	End Time:	
Weather:	**Fair**	Land Use:	**Residential**

Summary Statistics

Total Observed	191
Speed Range	11 - 40
50th percentile speed	24
85th percentile speed	31
10 mph pace speed	22 - 31
% in pace speed	59
Skewness index	0.800



Speed	Number	Speed	Number
10	0	35	0
11	6	36	3
12	11	37	3
13	4	38	2
14	2	39	0
15	2	40	1
16	5	41	0
17	1	42	0
18	4	43	0
19	4	44	0
20	9	45	0
21	9	46	0
22	11	47	0
23	10	48	0
24	21	49	0
25	8	50	0
26	8	51	0
27	13	52	0
28	9	53	0
29	11	54	0
30	9	55	0
31	13	56	0
32	9	57	0
33	3	58	0
34	0	59	0
TOTAL			**191**

ANALYSIS INFORMATION

Segment Length (mi): **0.75** ADT (vpd): **200** Count Date: **12/2/10**
Number of collisions: **3** Time period: **5** years
Calc. Collision Rate = **10.96** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **36' -40'** Configuration: **2 Lanes** Terrain: **Rolling**
Parking Conditions: **Varies** Sidewalk: **Discontinuous** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Pacific Avenue is a collector roadway within a residential area, with a higher than average collision rate. This roadway runs generally north to south, with many homes at minimum setback from the roadway. There is one controlled intersection at Davis Street, approximately in the middle of the length. There are no sidewalks, paved shoulders, or bike lanes. Curb and gutter is discontinuous. Parked vehicles limit roadway width and sight distance. Based on the 85th percentile speed and the lack of pedestrian and bicycle facilities it is recommended that the speed limit be retained at 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:
Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/30/11
TRAFFIC
STATE OF CALIFORNIA

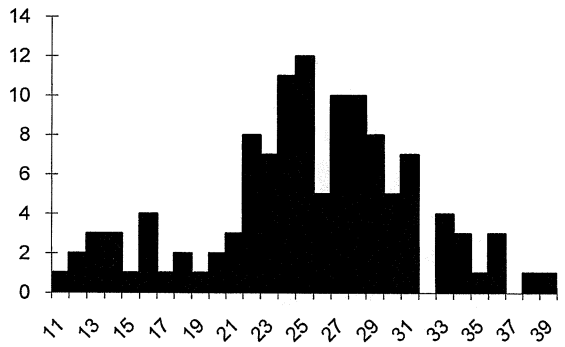
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location:	**Painter Street - Pacific Avenue to Rigby Avenue**		
Posted Limit:	**25 mph**		
Direction:	**Both**	Recorder:	**Mechanical**
Date:	**11/29/10**	Day:	**Tuesday**
Begin Time:	**9:00**	End Time:	**12:00**
Weather:	**Fair**	Land Use:	**Residential**

Summary Statistics

Total Observed	119
Speed Range	11 - 39
50th percentile speed	25
85th percentile speed	31
10 mph pace speed	22 - 31
% in pace speed	70
Skewness index	0.900



Speed	Number	Speed	Number
10	0	35	1
11	1	36	3
12	2	37	0
13	3	38	1
14	3	39	1
15	1	40	0
16	4	41	0
17	1	42	0
18	2	43	0
19	1	44	0
20	2	45	0
21	3	46	0
22	8	47	0
23	7	48	0
24	11	49	0
25	12	50	0
26	5	51	0
27	10	52	0
28	10	53	0
29	8	54	0
30	5	55	0
31	7	56	0
32	0	57	0
33	4	58	0
34	3	59	0
TOTAL			**119**

ANALYSIS INFORMATION

Segment Length (mi): **0.72** ADT (vpd): **500** Count Date: **11/29/10**
Number of collisions: **1** Time period: **5** years
Calc. Collision Rate = **1.52** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **28' -38'** Configuration: **2 Lanes** Terrain: **Flat**
Parking Conditions: **Unrestricted** Sidewalk: **Discontinuous** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Painter Street is a local roadway within a residential area. This roadway runs generally east to west, with no bike lanes. Curb, gutter, and sidewalk is discontinuous. Parked vehicles limit roadway width and sight distance. Based on the 85th percentile speed and the lack of pedestrian and bicycle facilities it is recommended that the speed limit be retained at 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:

Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/30/11
TRAFFIC
STATE OF CALIFORNIA

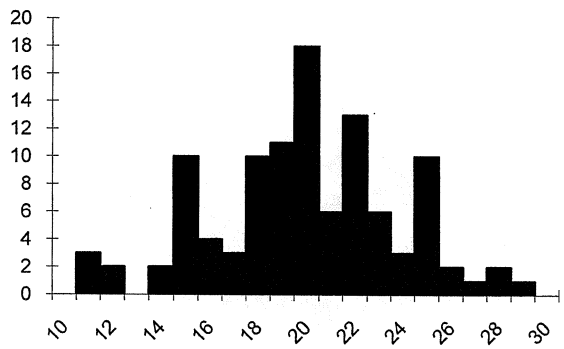
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location: **Riverside Drive - South Fern Street to Painter Street**
Posted Limit: **25 mph**
Direction: **Both** Recorder: **Mechanical**
Date: **3/2/11** Day: **Wednesday**
Begin Time: **Mixed Off Peak** End Time:
Weather: **Fair** Land Use: **Residential**

Summary Statistics

Total Observed	107
Speed Range	11 - 29
50th percentile speed	20
85th percentile speed	24
10 mph pace speed	15 - 24
% in pace speed	79
Skewness index	1.000



Speed	Number	Speed	Number
10	0	35	0
11	3	36	0
12	2	37	0
13	0	38	0
14	2	39	0
15	10	40	0
16	4	41	0
17	3	42	0
18	10	43	0
19	11	44	0
20	18	45	0
21	6	46	0
22	13	47	0
23	6	48	0
24	3	49	0
25	10	50	0
26	2	51	0
27	1	52	0
28	2	53	0
29	1	54	0
30	0	55	0
31	0	56	0
32	0	57	0
33	0	58	0
34	0	59	0
TOTAL			107

ANALYSIS INFORMATION

Segment Length (mi): **0.66** ADT (vpd): **350** Count Date: **3/2/11**
Number of collisions: **2** Time period: **5** years
Calc. Collision Rate = **4.74** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **25' -40'** Configuration: **2 Lanes** Terrain: **Flat**
Parking Conditions: **Unrestricted** Sidewalk: **Discontinuous** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Riverside Drive is a local roadway within a residential area. This roadway runs generally north to south, with no bike lanes and a higher collision rate. Curb, gutter, and sidewalk is discontinuous. Parked vehicles limit roadway width and sight distance. Based on the 85th percentile speed and the lack of pedestrian, collision rate and bicycle facilities it is recommended that the speed limit be retained at 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:
Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/20/11
TRAFFIC
STATE OF CALIFORNIA

City of Rio Dell
Engineering and Traffic Survey

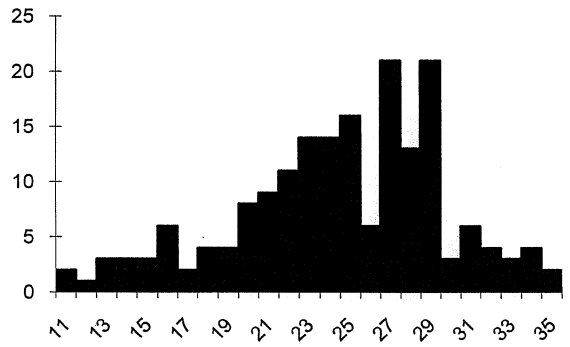
VEHICLE SPEED DATA

Location:	**Wildwood Avenue - US 101 to Davis Street**		
Posted Limit:	**30 mph**		
Direction:	**Both**	Recorder:	**Mechanical**
Date:	**10/5/10**	Day:	**Wednesday**
Begin Time:	**14:00**	End Time:	**15:00**
Weather:	**Fair**	Land Use:	**Commercial**

Speed	Number	Speed	Number
10	0	35	2
11	2	36	0
12	1	37	0
13	3	38	0
14	3	39	0
15	3	40	0
16	6	41	0
17	2	42	0
18	4	43	0
19	4	44	0
20	8	45	0
21	9	46	0
22	11	47	0
23	14	48	0
24	14	49	0
25	16	50	0
26	6	51	0
27	21	52	0
28	13	53	0
29	21	54	0
30	3	55	0
31	6	56	0
32	4	57	0
33	3	58	0
34	4	59	0
TOTAL			**183**

Summary Statistics

Total Observed	183
Speed Range	11 - 35
50th percentile speed	25
85th percentile speed	29
10 mph pace speed	20 - 29
% in pace speed	73
Skewness index	0.875



ANALYSIS INFORMATION

Segment Length (mi): **0.54** ADT (vpd): **2,000** Count Date: **10/5/10**
Number of collisions: **1** Time period: **5** years
Calc. Collision Rate = **0.51** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **30' -40'** Configuration: **2 Lanes -Median** Terrain: **Flat**
Parking Conditions: **Restricted** Sidewalk: **Both Sides** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Wildwood Drive is a rural major collector within a commercial area. This roadway runs generally north to south. The roadway is divided by a raised median between its northern terminus a US 101 and Davis Street. Based on the 85th percentile speed and the lack of bicycle facilities it is recommended that the speed limit be retained at 30 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **30 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature: Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/2011
TRAFFIC
STATE OF CALIFORNIA

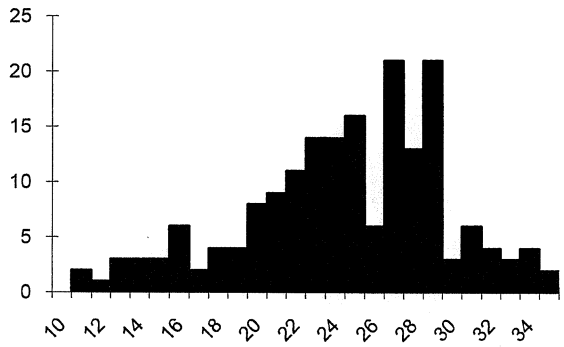
City of Rio Dell
Engineering and Traffic Survey

VEHICLE SPEED DATA

Location:	**Wildwood Avenue - Davis Street to Eagle Prairie Bridge**		
Posted Limit:	**30 mph**		
Direction:	**Both**	Recorder:	**Mechanical**
Date:	**10/5/10**	Day:	**Wednesday**
Begin Time:	**14:00**	End Time:	**15:00**
Weather:	**Fair**	Land Use:	**Commercial**

Summary Statistics

Total Observed	183
Speed Range	11 - 35
50th percentile speed	25
85th percentile speed	29
10 mph pace speed	20 - 29
% in pace speed	73
Skewness index	0.875



Speed	Number	Speed	Number
10	0	35	2
11	2	36	0
12	1	37	0
13	3	38	0
14	3	39	0
15	3	40	0
16	6	41	0
17	2	42	0
18	4	43	0
19	4	44	0
20	8	45	0
21	9	46	0
22	11	47	0
23	14	48	0
24	14	49	0
25	16	50	0
26	6	51	0
27	21	52	0
28	13	53	0
29	21	54	0
30	3	55	0
31	6	56	0
32	4	57	0
33	3	58	0
34	4	59	0
TOTAL			**183**

ANALYSIS INFORMATION

Segment Length (mi): **0.53** ADT (vpd): **2,000** Count Date: **10/5/10**
Number of collisions: **11** Time period: **5** years
Calc. Collision Rate = **5.69** collisions per million vehicle-miles (c/mvm)

Street Width (ft): **62 feet** Configuration: **3 Lanes** Terrain: **Flat**
Parking Conditions: **Unrestricted** Sidewalk: **Both Sides** Bike lanes: **None**

Other considerations and conditions not readily apparent to drivers: Wildwood Drive is a rural major collector within the central commercial area, with a higher than average collision rate. The roadway runs generally north to south with portions of diagonal parking. Based on the 85th percentile speed, collision rate, diagonal parking and the lack of bicycle facilities it is recommended that the speed limit be lowered to 25 mph.

RECOMMENDATION

On the basis of an engineering and traffic investigation, as reported above, and in accordance with the provisions Sections 627, 22357, 22358 and 40802 of the California Vehicle Code, a speed limit of **25 mph** is hereby determined to be reasonable and appropriate for the above street.

Signature:

Frank W. Penry, C.E., P.E., P.T.O.E
C.E. 62785 (Exp 6/2012), T.E 2304 (Exp 6/2011)

Date: March 3, 2011

REGISTERED PROFESSIONAL ENGINEER
FRANK W. PENRY
No. TR2304
Exp. 6/30/11
TRAFFIC
STATE OF CALIFORNIA

675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: Regulation of Medical Marijuana Dispensaries

ATTACHMENT: Proposed Ordinance No. 275-2011
Planning Commission Memorandum dated April 27, 2011
Planning Commission Minutes of April 27, 2011

COUNCIL ACTION:

1. Open the public hearing, receive testimony and then close the public hearing.

2. Move to adopt Ordinance No. 275-2011, conduct second reading by title only of Ordinance No. 275-2011.

BACKGROUND:
On March 15, 2011 the City Council adopted Ordinance No. 274-2011 imposing a temporary moratorium on the establishment of medical marijuana dispensaries in the City. The proposed Ordinance No. 275-2011 would prohibit the establishment of medical marijuana dispensaries within the City of Rio Dell. On May 3, 2011, City Council approved first reading and scheduled second reading and consideration of approval for May 17, 2011.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission at its meeting of April 27, 2011, recommended adoption of a ban on the establishment of medical marijuana dispensaries within the City of Rio Dell by a vote of 3-0.

CITY MANAGER RECOMMENDATION:
Based on the information presented to the Planning Commission and the fact that the City has reduced the size of our police force, I recommend adoption of Ordinance No. 275-2011.

ORDINANCE NO. 275- 2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL ADDING CHAPTER 5.35 TO THE MUNICIPAL CODE PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF RIO DELL.

WHEREAS, in 1996 the voters of the State of California passed the "Compassionate Use of Marijuana Law" which allows for the use of marijuana for medical purposes; and

WHERAS, the federal government through its Controlled Substances Act, prohibits the use and distribution of marijuana; and

WHEREAS, the United States Supreme Court in *Gonzales v Raich*, confirmed that the Controlled Substances Act does not contain a "compassionate use" exemption and therefore it is a violation of Federal law to possess or distribute marijuana even for medical purposes; and

WHEREAS, there are also known to be increased incidences of crime-related secondary impacts associated with the location of medical marijuana dispensaries, which is contrary to policies that are intended to promote and maintain the public's health, safety and welfare; and

WHEREAS, medical marijuana dispensaries are permitted to be established in other jurisdictions in reasonably close proximity to the City of Rio Dell, in Humboldt County; and

WHEREAS, the City Council previously adopted Ordinance No.265-2010, adopted April 20, 2010, as amended by Ordinance No.274 -2011, adopted March 15, 2011, which imposed a moratorium on the establishment of medical marijuana dispensaries within the City; and

WHEREAS, at its meeting of April 27,2011, the Planning Commission took the following actions regarding this ordinance:

a. Considered the facts and analysis, as presented in the staff report prepared for this project;
b. Conducted a public hearing to obtain public testimony on the proposed ordinance;

c. Recommended that the City Council approve the proposed ordinance defining and prohibiting medical marijuana dispensaries; and

WHEREAS, based on consideration of information received at its meeting of May 3, 2011, the City Council took the following actions regarding this ordinance:

a. Considered the facts and analysis, as presented in the staff report prepared for this project;
b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
c. Considered the Commission's recommendations from the Planning Commission's April 27, 2011 public meeting;
d. Introduced said ordinance for the first reading; and

WHEREAS, on May 17,2011, the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Based on the staff report and other written and oral testimony presented at the public hearing, the City Council hereby finds that:

a. The impacts associated with medical marijuana dispensaries are detrimental to the health, safety and welfare of the citizens such that no area of the City is an acceptable area in which to introduce those types of impacts; and
b. The prohibition of medical marijuana dispensaries in the City is consistent with federal law.

Section 2. Municapal Code, Title 5, Business Licenses and Regulations, Chapter 5.35, is amended as provided in the attached Exhibit A.

Section 3. Upon the effective date of this Ordinance, Ordinance No. 274-2011shall be deemed repealed and of no further force or effect.

Section 4. Publication. Copies of the foregoing Ordinance shall, within fifteen days after its passage and adoption, be posted in three public places in the City of Rio Dell.

Section 5. Severability. If any provision of this Ordinance of the application thereof to any person or circumstances is held invalid, such invalidity shall not

affect any other provision or application, and to this end the provisions of this chapter are severable.

Introduced at a regular meeting of the City Council held on May 3, 2011, and passed and adopted by the City Council of the City of Rio Dell on the 17th day of May, 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk

EXHIBIT A

Chapter 5.35 Medical Marijuana Dispensaries

Sections:

5.35.460 Purpose.
5.35.470 Definition.
5.35.480 Prohibited within the City of Rio Dell.

5.35.460 Purpose.

The purpose and intent of this chapter is to prohibit medical marijuana dispensaries within the City. It is recognized that it is a Federal violation under the Controlled Substances Act to possess or distribute marijuana even if for medical purposes. Additionally, there is evidence of an increased incidence of crime-related secondary impacts in locations associated with medical marijuana dispensaries, which is contrary to policies that are intended to promote and maintain the public's health, safety and welfare.

5.35.470 Definitions.

"Medical Marijuana dispensary" (land use), means a facility or location which provides, makes available or distributes medical marijuana to a primary caregiver, a qualified patient, or a person with an identification card issued in accordance with California health and safety code Sections 11362.5, et seq.

5.35.480 Prohibited within the City of Rio Dell.

The establishment or operation of a medical marijuana dispensary as defined in this Chapter shall be prohibited within the City limits.

675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: City Manager Annual Review

ATTACHMENT: City Manager Task List 5-17-2011
Summary Project Task List 5-17-2011

It is hard to believe that May 17th marks my first year anniversary. I must say I have enjoyed working with each of you, the staff and citizens. Rio Dell is a great community and I hope that I have made at least a small contribution to making it even a better place to live.

I am also pleased to say that we have accomplished many of the tasks set forth in the attached documents. As I have often repeated it is imperative that we focus our efforts on those items which have significant impact on the organization and the City. These items are listed as Priority One Tasks and, as you can see, they have been for the most part achieved. We also have been able to address a number of the lesser priority items. I trust you will find my performance satisfactory.

I would also like to note another item which is not directly listed, but I feel merits comment. I think we have a better organization today which establishes the foundation for achievement in the future.

No review would be complete without looking ahead to the next year. The Summary Project Task List notes those big items that remain to be done in the months ahead. In conclusion, it has been my pleasure serving you and I look forward to the challenges ahead.

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

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager

DATE: May 17, 2011

SUBJECT: Updated Project Task List for City Manager

For your information - Note that items in red have been completed. Blue signifies that work is underway.

Please find attached a proposed Project Task List. The list is divided into three priority levels:

Level One: Major items which are time sensitive and have significant impact on the organization.

Level Two: Significant items which need to be addressed.

Level Three: Important items, but those which can be addressed as time permits.

(Note that the items are **not** numbered in priority order, but only for purposes of identification)

Priority One Tasks

1. Negotiate property acquisitions (2) for wastewater system Type II irrigation site and complete lot line adjustment.

2. LAFCO application process and discussion with Scotia representatives re: annexation.
3. **Review and update all City user fees, charges and assessments, including wastewater and water system rates. (Wastewater is completed)**
4. Complete MOU negotiations with Rio Dell Employees' Association, including PERS retirement benefit.
5. Negotiate new MOU with Rio Dell Police Officers Association re: PERS retirement benefit.
6. Draft new job description for Public Works Director and recruit.
7. Address need for accountant position and recruit.
8. Analyze City organizational needs for purpose of augmenting management staff and recruit. (Provides staff resources to accomplish many of priority two tasks).
9. Complete work of Compensation Committee.
10. Complete RFP process for Engineering Services.
11. Identify Mozzetti property funding source.
12. **Amend Cease and Desist Order on Wastewater.**
13. Follow up with George on Food Coop- grant performance.
14. **Implement HVAC grant.**
15. Negotiate management contracts.
16. Update sewer rates.
17. **Review water rate.**
18. Prepare proposed 2011-12 budget.
19. Develop and implement plan for use of Prop 1B funds
20. LAFCO application process and discussion with Scotia representatives re: annexation.
21. Prepare proposed 2010-11 budget.
22. Coordinate job description reviews with Cooperative Personnel Services for all job classifications coupled with salary study.
23. Rovai property purchased.
24. CALPERS items finalized.
25. Explore detachment for blue slide road and Ag site.
26. Explore feasibility for prop 84 River Park.

Priority Two Tasks

Administrative

27. **Draft new Business License Ordinance.**
28. Complete new Employees Handbook project.
29. Complete work on Surplus Property Ordinance.

30. Identify surplus property and dispose of it.(NW well site) (River front).
31. Draft new Ordinance for Council appointments to committees and commissions.
32. Review and update Ordinance 213A concerning City Organization, Administration and Personnel.
33. Development of new drug policy.
34. Complete RFQ process for legal services.
35. Develop a better public communication process.
36. Complete Land Use Plan element for housing.
37. Complete Land Use Plan element for circulation.
38. Develop medical marijuana ordinance.
39. Revise Personnel Evaluation forms, adding training needs and areas of improvement needed.
40. Revise City Manager's Job Description to prohibit creation of new positions and approval of MOU's.
41. Complete HOME Fund review.
42. Change code to require recording of CUP's.
43. Adopt State Video Franchise Ord.
44. Review and revise policy on vacation accrual.
45. Complete my 6 month review.
46. Update standard improvement specifications.
47. Review accumulated leave policy and allowed carry over.

Financial

48. Expand financial information system accessibility and responsibility for all department heads.
49. Review and reformat expanded financial planning and reporting system, including allocations.
50. Evaluate need for additional software.
51. **Review budget process.**
52. Analyze budget sustainability.
53. **Address audit findings on asset inventory. (Adopt policy)**
54. **Change deposit policy on utility bills to avoid continued large write-offs.**
55. Follow up with George on Impact fees.
56. Follow up with George on Lighting and landscape fees
57. Complete CDBG loan portfolio report.

Other

58. Complete 2002 Resources Bond Act application for $220,000 Fireman's Park bathroom and playground equipment project.

59. Brownfield's project at Eel River Sawmill.
60. Protection of public access to City's Monument Springs.
61. Address plan design for Wildwood Avenue landscaping and re-design.
62. Obtain grant for Leakage Study and complete study.
63. **Complete rezoning of Wendt from Public Facility.**
64. Obtain grant for Storm Water Master Plan.
65. Follow up on paving study.
66. Need to develop a CIP for streets - long term paving plan, evaluation and funding.
67. Need to develop a CIP for water.
68. Need to develop a CIP for stormwater.
69. Need to update CIP for sewer.
70. **Look into Todd property.**
71. Address long term solution for sludge disposal.
72. Review mandatory garbage service.
73. Utility billings up to date.

Priority Three Tasks

74. Lead in capital project to remodel/expand City Hall and address need for Streets Blg.
75. Redevelopment Agency feasibility analysis.
76. Review Economic Development Program for City.
77. Review water claim adjustment policy
78. Lead in development of recreational master plan for City, including Waterfront Park and development, fishing access, boating access, trails, bicycle tourism and adult softball facility. (Prop 84)
79. Review web page.
80. Evaluate need for code compliance.
81. Evaluate need for Housing Maintenance Code.
82. Evaluate need for Rental Inspection Program.
83. Create opportunity to identify and list vacant industrial/commercial properties on City web site.
84. Look at Dinsmore Plateau land use planning.
85. Address revised filing system.
86. Re-evaluate zoning ordinance and district mapping.
87. Work towards amending the Eel River basin plan.
88. Submit grant for Fireman's Park improvements.
89. Submit grant for land use elements update.

90. Revise special event permit and add a fee.
91. Review possibility of trail along old railroad line.

SUMMARY PROJECT TASK LIST

May 17, 2011

		Timeframe	
1.	Wastewater Project #2, a. Funding b. Mozzetti acquisition	Feb. – May	Completed
2.	Hire Accountant	March	Completed
3.	Hire Housing Program Director	March	Completed
4.	Complete Fireman's Park Bathroom Project	March	Completed
5.	Prop 1B funding a. Develop Program Design b. Bid Project	Feb. – March	Completed
6.	Approve Personnel Agreements	Feb.	Completed
7.	Adopt Housing Element	Feb. – March	Completed

AHEAD

8.	Prepare and Adopt 2011-12 Budget	May – June
9.	Implement HVAC Grant	May – June
10.	Draft and adopt housing program codes	May - July
11.	Develop and Implement program for existing CDBG funds	May. - Dec.
12.	Determine feasibility of Downtown Project	May.– Dec.
13.	Review Water System Consumption Model	May – Aug.
14.	Develop and Prepare City Wide Model for Streets/Storm Water improvement plan	May – Nov.
15.	Apply for Stormwater planning CDBG Grant Funding	May – Sept.
16.	Begin Wildwood Avenue design process	Sept. – Dec.
17.	Process detachment – Blue slide Road & Ag land	May. – Dec.
18.	Begin construction of Wastewater facility	Aug. - 2012