AGENDA

RIO DELL CITY COUNCIL
REGULAR MEETING – 6:30 P.M.
TUESDAY, AUGUST 6, 2013
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 – 6:30 p.m.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds 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 3 minutes.

F. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the 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) 2013/0806.01 - Approve Minutes of the July 16, 2013 Regular Meeting **(ACTION)** 1

2) 2013/0806.02 – Approve Minutes of the July 23, 2013 Special Meeting **(ACTION)** **12**

3) 2013/0806.03 – Approve Pay Request No. 17 to Wahlund Construction/Sequoia Construction Specialties in the Amount of $47,635.65 for Work Related to the Wastewater Treatment Plant Upgrade and Disposal Project **(ACTION)** **16**

4) 2013/0806.04 - Authorize the City Manager to Sign Change Order No. 1 for the Wildwood Avenue Landscape and Enhancement Project to Reduce Widths to 13.25′ for Uniformity **(ACTION)** **29**

G. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

1) "SPECIAL CALL ITEMS" from Consent Calendar

2) 2013/0806.05 – Discuss the Bartle Wells Wastewater Rate Study and Provide Staff Direction on How to Proceed **(ACTION)** **31**

H. SPECIAL PRESENTATIONS

I. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

1) 2013/0806.06 - Conduct Second Reading (by title only) and Adopt Ordinance No. 305-2013 Amending Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code **(ACTION)** **34**

2) 2013/0806.07 - Introduce and Conduct First Reading (by title only) of Ordinance No. 304-2013 Amending the Enforcement Regulations, Section 17.40.060 of the Rio Dell Municipal Code **(ACTION)** **41**

3) 2013/0806.08 - Approve Resolution No. 1208-2013 Certifying the Final Supplemental Environmental Impact Report for the Rio Dell Wastewater Reuse Project **(ACTION)** **51**

J. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director
4. Community Development Director

K. COUNCIL REPORTS/COMMUNICATIONS

L. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS: **No Closed Session Items Scheduled**

M. PUBLIC COMMENT REGARDING CLOSED SESSION

N. RECESS INTO CLOSED SESSION

O. RECONVENE INTO OPEN SESSION

P. ORAL ANNOUNCEMENTS

Q. ADJOURNMENT

The next regular meeting will be on August 20, 2013
at 6:30 p.m. in City Hall Council Chambers

RIO DELL CITY COUNCIL
REGULAR MEETING
JULY 16, 2013
MINUTES

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

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson and Woodall

Others Present: City Manager Stretch, Community Development Director Caldwell and City Clerk Dunham

Absent: Chief of Police Hill, Finance Director Beauchaine, Water/Streets Superintendent Jensen and Wastewater Superintendent Chicora (excused)

PUBLIC PRESENTATIONS

Nick Angeloff addressed the Council and said the railroad efforts are going well; the Chamber of Commerce hosted a mixer on Tuesday which went well, thanking Councilmembers Woodall and Wilson for attending; Arts on the Avenue was held Saturday evening which was also a success; said at the Chamber luncheon today, Jim Rich, owner of the Pizza Factory reported an increase in sales which is good news; and said they were hopeful they will have a locomotive here for Wildwood Days.

Mayor Thompson announced at the HCAOG meeting today, Doug Strehl was appointed to a seat on the Railroad Authority Board.

Michael Chase, Edwards Dr., commented that the same vehicles were up and down the river bar all weekend and said he believes everyone wants to see beautification of the river bar and wants to see the problems addressed.

Richard Newman, 670 Second Ave., thanked the City Council and especially Community Development Director Caldwell for his guidance in facilitating assistance through Redwood Coast Energy Authority. He said with his help, his 89 year mother was able to get windows replaced and a flu for her water heater.

CONSENT CALENDAR

City Manager Stretch asked that Item 2 regarding review of indirect charges to utility funds be removed and placed under *Special Call Items* for separate discussion. Likewise, Councilmember Marks asked that Item 4, *HWMA Rate Changes* be removed.

Motion was made by Marks/Johnson to approve the consent calendar including the approval of minutes of the July 2, 2013 regular meeting; approval of agreement with Matson & Vallerga for Architectural Services related to City Hall ADA Access Project, not to exceed $12,000 and approval of a transfer of $7,000 from the General Fund Reserves to the City Manager Professional Services account (5115); approval of Pay Request No. 16 to Wahlund Construction/Sequoia Construction Specialties in the amount of $157,599.59 for work related to the Wastewater Treatment Plant Upgrade and Disposal Project; and to receive and file the pre-application for California Department of Public Health Funding for Water System Improvements. Motion carried 5-0.

SPECIAL CALL ITEMS

Approve Modification of Vacation Accruals and Executive Leave for Contract Employees
City Manager Stretch provided a staff report and said this relates to proposed amendments to the contract employees' agreements in regard to provisions for the accrual and use of vacation and executive leave. He explained vacation accrual is based on the number of continuous years of service and under the current contract the amount of vacation time allowed to be accrued at the end of any pay period cannot exceed the annual accrual up to a maximum of 120 hours. Upon reaching the maximum accrual, the employee will not accumulate additional vacation time until such time that the accrual leave is below the applicable accrual maximum. He said the conflict with these provisions is that a long time employee (16-20 years of continuous service) earns 200 hours per year but is limited to a maximum of 120 hours at the end of any pay period. This forces long term employees to constantly take time off or lose the benefit. Also, employees such as the City Clerk and the Chief of Police are limited in the time they are able to take off due to demands of the respective positions.

City Manager Stretch explained one way to address this problem is to pay contract employees for their unused executive leave if they are unable to take it like we currently do with a minor revision so that executive leave be given to contract employees in 2 installments; 40 hours on July 1st and 40 hours on January 1st and that they be allowed to cash out or utilize executive time beginning July 1st. He also suggested the number of vacation hours an employee can accrue be increased to the maximum number of hours they can earn in one year, and by implementing a buy-back provision for vacation when the maximum is reached; perhaps 40 hours to be automatically paid. He said the alternative would be to hire additional staff.

City Manager Stretch commented that the language in Sections 10 and 11 of the employee contracts was reviewed and approved by the City Attorney.

Councilmember Wilson asked what the difference is between vacation leave and executive leave. City Manager Stretch explained that they are essentially the same but the executive leave is given to contract employees in lieu of overtime.

Councilmember Johnson asked if any consideration was given in regard to cost. City Manager Stretch explained these benefits are basically unfunded liabilities.

Councilmember Marks suggested the City be more "business-like" and pay out all unused executive leave and vacation time at the end of each year rather than allow employees to accrue the time. She said with salary increases, it costs the City more since the hours were accrued at a lower rate of pay and paid at the higher rate.

Councilmember Wilson commented that any way you look at it, the employees earn the time and need to be paid for it.

City Manager Stretch said with direction from the Council he will go back to the contract employees and propose that all unused vacation time at the end of each year be paid in full.

Councilmember Wilson said another option is to give the employee the option of holding a portion of accrued vacation and being paid for a portion.

Mayor Thompson asked for public comment on the proposed contract revisions.

Richard Newman commented that the time should be paid at the end of each year so it doesn't accrue.

Mayor Thompson asked for clarification that executive leave and vacation leave will not be paid in advance. City Manager Stretch said that the time will only be paid after it is accrued.

City Clerk Dunham said she would like to comment on 2 points: 1) if an employee is paid for all accrued vacation time on June 30th and happens to have a 2-week vacation scheduled for July or August, they won't have enough time accrued to take time off; and 2) under the previous contracts, employees were allowed to hold 2 years accrual, or in her case 400 hours. Because of the unpaid payroll liability, the maximum hours were reduced to 120 hours. She commented that she felt that 1 year accrual or 200 hours for long time employees was reasonable as recommended by the City Manager.

Councilmember Marks commented that if employees are paid for their accrued vacation time on June 30th, they should put the money aside for any upcoming vacations.

Councilmember Johnson said he is in support of letting the individual employee decide if they want to be paid for all of their accrued hours or not at the end of the year; Councilmember Wilson agreed.

City Manager Stretch stated he will need to amend each contract and bring the matter back at the next regular meeting on August 6, 2013.

Project Plan for Rio Dell River Bar Access
City Manager Stretch stated the Chief of Police provided a written staff report with a proposed Work Plan for the Council to consider that addresses some of the issues related to activity on the river bar.

He explained the purpose of the Plan is to create an enforcement approach to address community concerns about drug related activities and vehicle traffic on the river bar in the evening and the noise created by ATV's and motorcycles throughout the day.

The following objectives were outlined in the Plan:

- Create a patrol strategy for addressing foot and vehicle traffic onto the river bar at existing access points, particularly during night time hours.
- Evaluate and document existing noise regulations within the City of Rio Dell and create a strategy to address any shortcomings.
- Evaluate access points and determine if those access points are City responsibility or exist on private property.
- Determine authorities and responsibilities for the Eel River, and river bed.
- City to determine where and what type of river access there will be.

City Manager Stretch clarified that the gate at the end of Edwards Dr. is currently being locked in the evening and unlocked in the morning. He said in his opinion more user groups need to be contacted to collect more information before a decision is made as the issue has become more extensive than he originally thought.

Councilmember Johnson commented that on one of the recent nice warm days, he glanced over the bridge and noticed families swimming and picnicing and said he hopes nothing is done to curtail that wholesome type of activity.

Karen Chase asked who will be collecting the information and if the public will have an opportunity to comment on those responses. City Manager Stretch stated that he and the Chief of Police will collect the information, followed by a community meeting in which citizens will have the opportunity to provide input.

Michael Chase stated that he owns property on the river bar in which he will not allow public access on due to the recent destruction of the vegetation. He suggested access only be available to foot traffic.

Karen Chase commented that on that particular warm day Councilmember Johnson was referring to, from 3:30 to 5:30 p.m. she counted 55 vehicles going to and from the river bar and said they were not all going to swim.

Community Development Director Caldwell pointed out that the 55 vehicles only computes to 9 vehicles per hour.

Michael Chase commented that where people were swimming, the river is only one foot deep and that ATV's cross the river in the same area. He questioned what this does to the fishing since they can cross where the fish spawn.

Mayor Thompson said the idea of installing a camera near the gate was discussed and said maybe a rotating camera would be useful. He noted that some of the ATV's are accessing the river bar from Scotia which Rio Dell can't address.

Councilmember Woodall asked if staff will be doing the same thing that will basically be done with the Trails Grant. City Manager Stretch explained the City won't know until August or September if the grant will be awarded but the idea of the grant is to investigate the feasibility of developing waterfront trails with access points. He said this matter is more immediate.

SPECIAL CALL ITEMS FROM CONSENT CALENDAR

Direct City Manager or his Designee to Confer with a CPA Whose Practice Includes Governmental Accounting and Enterprise Funds for the Purpose of Reviewing Standard Accounting Principles and Methods Related to Indirect Charges Applied to Utility Funds and Report Back to Council

City Manager Stretch said he asked that this item be removed from the consent calendar because of some minor revisions he made to the original staff report. He said at the direction of the City Council, staff prepared an approach to review direct and indirect charges the City applies to the Utility Funds to make sure the charges are fair and reasonable. He said he revised the staff report to include the Streets Fund and explained this type of review to validate how employees' time is charged will take time by staff. He said he did meet with a CPA regarding the City's approach and he agreed entirely that no CPA can come in and evaluate the charges without doing a time study. He said what has been suggested is that the City Manager has a CPA review the standard accounting practices which gets complicated and that you can't simply count the time spent on 3 activities. He said although it is not a high cost item, it involves a lot of staff time. The City Manager, Finance Director, Streets/Roadways Superintendent, Wastewater Superintendent and others would have to track their time for a period of 30 days and report back.

Ranada Laughlin asked what the justification is for the costs. City Manager Stretch explained the goal is to validate the costs charged against the enterprise funds. He said this is not the first time an audit like this has been done and said streets funds are very restricted and TDA audits are performed annually to make sure the funds are correctly appropriated.

Mayor Thompson commented that approximately 1 year ago, staff was asked to put together time sheets to track how employees were spending their time and expressed concern that the

information collected may not be accurate since things are continually changing. He said over the long term, it may create more of a problem and questioned how much time and money will be spent to collect the data.

Councilmember Marks agreed that since things do change perhaps employee time should be tracked more than once and pointed out that the wastewater project is coming to a close so there likely will be less time spent in the wastewater department.

She clarified for the audience that the City must show justification for any proposed utility rate adjustments. She commented that the City is merely collecting data at this point and not doing a full rate study.

Discussion continued regarding the method for distribution of public works salaries and the accuracy of those distributions.

Councilmember Wilson pointed out that the City Manager has a very dynamic job and his duties and goals change from day to day depending on what is going on, and tracking his time would be pretty laborious.

City Manager Stretch stated that he has done time studies before and they are very time consuming; he suggested that 30 days may not be enough to get an accurate accounting and said maybe the easiest way to collect the data is to revise time cards to document actual hours spent on each department activity.

Councilmember Marks stated that she has never seen the basis for the payroll distribution tables and wants to see the justification for utility rates.

City Manager Stretch explained that the original estimate for the Wastewater Treatment Plant Upgrade and Disposal Project was $15 million; then the decision was made to relocate the Plant to its current location thus reducing that cost to $12.9 million. He said the debt service only reflects the amount of the loan. He said when Ferndale and Arcata upgrade their facilities; their rates will probably be even higher than the City's.

Councilmember Wilson pointed out that larger cities have a larger customer base in which to spread the costs so it makes sense for smaller cities to have higher rates. He said it may seem that Rio Dell's sewer rates are high but when you take a good solid look at what the City has accomplished, they may not seem so high.

Councilmember Johnson asked the City Manager if when he previously performed the time study, if he validated his assumptions. City Manager Stretch said there were no assumptions going in but employees were required to track their time on a daily basis and the time was allocated as such.

Ranada Laughlin asked if customers should expect a rate increase in the near future and if so, if there will be public hearings prior to adoption.

Rhonda O'Kane said according to her calculations, the City is proposing a 514% sewer rate increase.

City Manager Stretch explained the proposed rate increase pertains to sewer connections for new development only and as part of the Wastewater Rate Study, they took a look at the City's Wastewater System and evaluated what that cost should be. He said increasing the sewer connection fee from $950 to $5,200 puts the City in the middle of the scale.

Councilmember Wilson said he spoke to a contractor in Fortuna who said it costs approximately $25,000 to get started on a project in the City of Fortuna.

City Manager Stretch further explained that the Wastewater Rate Study includes the restructuring of wastewater rates to a consumption based rate method thus redistributing the rates rather than increasing the overall revenue. He indicated that approximately 2/3 of rate payers will benefit with a lower bill. He said the proposed rate structure will be coming back to the Council through the Prop 218 public hearing process.

Ranada Laughlin asked if the addition of a second bathroom would be subject to the sewer connection fee. City Manager Stretch explained that it would not be subject to the fee since a sewer connection already exists.

City Manager Stretch said as he understands the direction from the Council, he is to take a look at the methods currently being used to apply direct and indirect charges to the utility funds and report back to the Council on what can be done to verify those allocations without doing an in-depth study.

Councilmember Wilson asked if he felt it could be accomplished without it becoming too extensive and be accurate at the same time. City Manager Stretch said he has not had the opportunity to look at how the distribution tables were set up in the past and only knows what the spread is for the City Manager department. He said he does not want to spend a lot of time on this but will review the current methods with the Finance Director and report back to the Council.

Mayor Thompson commented that the budget was adopted based on the current departmental spreads and major revisions within the various departments may be a problem.

Councilmember Woodall stated that she supports the recommendation of the City Manager; Council concurred.

Humboldt Waste Management Authority (HWMA) Rate Changes for FY 2013-2014
Councilmember Marks stated this item was placed on the consent calendar as a *Receive & File* item and questioned whether it should be voted on by the Council. She also noted that on page 5 of the HWMA Resolution below the signatures of Chair John Maxwell and HWMA Clerk Jill Duffy, their names should be also typed as signatures are often difficult to read.

City Manager Stretch explained this was a *Receive & File* item since the rate change for tipping fees was actually rolled into the Eel River Disposal rate adjustment, which the Council approved in June.

Motion was made by Woodall/Marks to Receive and File the HWMA rate changes for FY 2013-2014. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Public Hearing/Introduce and Conduct first Reading (by title only) of Ordinance No. 305-2013 Amending Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code and Continue Consideration of the Ordinance to the August 6, 2013 Meeting for Second Reading and Adoption
Community Development Director Caldwell provided a staff report and stated as part of sending out letters related to complaints regarding accumulated garbage, staff discovered that portions of the current garbage regulations are outdated and in need of some minor revisions. He reviewed the recommended revisions and said under Section 8.05.020 of the RDMC under *Keeping Rubbish Generally,* staff believes the current language actually encourages property owners and tenants to store rubbish on their parcel rather than dispose of it in a timely manner.

The recommended text amendment would read:

- ***The storage of rubbish shall be located on the parcel so as not to be visible from a public right of way or street and shall not be stored on any lot or parcel for more than one (1) week (seven days).***

Community Development Director Caldwell said the second revision has to do with garbage containers. The current ordinance refers to garbage cans having a capacity of not less than 2 gallons and not more than 20 gallons. He recommended the language be amended to read in part:

- *Receptacls shall have a capacity of not less than twenty **(20) gallons** and not more than **forty-five (45)** gallons.* Also, *receptacles shall be kept on the premises **so as not to be visible from a public right of way or street** and the contents thereof disposed of at least once each week.*

Community Development Director Caldwell explained the intent is to create a more pleasant atmosphere in the City.

Councilmember Woodall asked if this applies to apartment buildings and dumpsters. Community Development Director Caldwell said that it does not however the City will be asking that they be screened.

Councilmember Marks referred to the 7 day period for garbage disposal and said that many seniors use the white pre-paid garbage bags and only dispose of their trash once a month.

Councilmember Wilson pointed out that recyclables are only picked up every other week. Community Development Director commented that this only refers to garbage; not recyclables.

Councilmember Wilson asked about the storage of lumber on a parcel and if a cyclone fence qualifies as making items non-visible from the street. Community Development Caldwell explained that nuisance letters are usually complaint driven and there would probably not be a complaint if lumber or trash receptacles are behind a cyclone fence.

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

Motion was made by Woodall/Johnson to introduce *Ordinance No. 305-2013 Amending the Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code* and continue consideration of the proposed Ordinance to the meeting of August 6, 2013 for the second reading and adoption. Motion carried.

REPORTS/STAFF COMMUNICATIONS

City Manager Stretch reported the sound system in the Council Chambers is currently being repaired; re-roofing of City Hall slated to begin on July 23rd has been pushed back to August 7th; the construction bids for both the Safe Routes to School and the Wildwood Ave. Streetscape Project were opened on July 18th at GHD's office; a special meeting will be held on July 23rd at 5:00 p.m. to award the bids on both projects; there were very few comments on the Supplemental EIR for the directional drilling and the EIR will be coming to the Council for certification on the August 6th agenda then forwarded to the State Lands Commission; he will be meeting with HWMA staff tomorrow to discuss their involvement with the City's AB939 reporting; and reported that the lab has classified the City's sludge as Class A and we are working with Hank Bernard Environmental on an agreement for them to purchase sludge at around $40/ton. He commented that the sludge is very fertile and will be used on the median and other landscaping throughout the City.

Councilmember Johnson commented that he toured the wastewater treatment plant about a month ago and was amazed to see the amount of wet sludge put into the hopper compared to the amount of treated sludge that came out.

City Manager Stretch also reported that staff is in the process of preparing a City Newsletter which will be mailed out to inform residents on current issues such as an overview of the Budget; construction timeline for the 2 upcoming projects; to reiterate provisions regarding late fees for utility bills and various other information.

Community Development Director reported on recent activities in the planning department and said the Planning Commission will be having a study session on July 17th at 5:30 p.m. to discuss revisions to the Land Use Matrix and will continue discussion to the July 24th regular meeting along with minor revisions to the zoning regulations. He also reported that he spoke with a representative of the Dollar General today and they seem to have no problem with dressing up the Wildwood Ave. side of their building; said he will be meeting with HCAOG tomorrow regarding the State Housing Element but didn't anticipate any problems with the City's numbers; and said the Danco Project is not slated to begin until the Spring of 2015.

Councilmember Marks commented that she had a neighbor approach her about a rumor that a town house apartment was going to be constructed at Kelly and Pacific and asked if in fact it is proposed if neighbors will be notified. Community Development Director Caldwell explained that structures with a height limitation of 35 feet are allowed within the Urban Residential Zone so no notification is required.

Councilmember Johnson asked about the status on the update of the City's General Plan. Community Development Director Caldwell stated the next element to be updated is the Circulation Element as a result of updating the Land Use Element, rather than the Open Space.

Councilmember Johnson announced the Annual League of California Cities Conference will be held in Sacramento in September and would like permission to attend.

Councilmember Wilson reported on his attendance at the RCEA meeting where a grant was approved for a methane gas project where Blue Lake Casino will be taking bio-fuel and turning it into methane gas. He said is sounds like a very exciting project. He then asked staff what the time frame is for acquiring an administration car.

City Manager Stretch said he has spent some time researching different options but wants to review consumer reports before making a decision on the make and model. Mayor Thompson commented that he saw a new Nissan Sentra advertised for $15,900. City Manager Stretch stated the intent is to get a larger slightly used car.

Mayor Thompson reported on his attendance at the Mayor's meeting today and said for 30 years HCAOG has been operating under their own authority and in reviewing the new law it was

discovered that it is not the way it should be. As a result, HCAOG is now back operating under the authority of the County. He said there was an issue with the recent appointment of Alex Stillman to the Railroad Authority Board and as directed by legal counsel, the Board corrected the action by rescinding the motion and going through the appointment process again. He said this resulted in Doug Strehl being appointed to the Railroad Board. He commented that one of the Board members was out of order and criticized HCAOG staff which he felt was inappropriate and should have been done in closed session.

In the absence of Chief of Police Hill, City Manager Stretch provided a brief report on the Police Activity Report as submitted and pointed out that the Incident Offense Totals from January through June reflects a reduction in crimes such as theft and also arrests are down from the previous year.

Councilmember Woodall asked if the report will be submitted on a monthly basis as before. City Manager Stretch indicated that it will be.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 8:25 p.m. to the July 23, 2013 special meeting.

_____
Jack Thompson, Mayor

Attest:

_____
Karen Dunham, City Clerk

RIO DELL CITY COUNCIL
SPECIAL MEETING
JULY 23, 2013
MINUTES

A special meeting of the Rio Dell City Council was called to order at 5:00 p.m. by Mayor Thompson.

ROLL CALL: Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson and Woodall

Others Present: City Manager Stretch, Water/Roadways Superintendent Jensen, and City Clerk Dunham

Absent: Chief of Police Hill, Finance Director Beauchaine, Community Community Development Director Caldwell and Wastewater Superintendent Chicora (excused)

SPECIAL MEETING MATTERS

Approve Bid Award to SJL Construction, Inc. in the Amount of $127,584 for the 2013 Safe Routes to School Project

City Manager Stretch provided a staff report and said it is always a special opportunity when we can award bids on projects. He stated the first item relates to the Safe Routes to School Project. He said the bid opening took place at GHD on July 18th and only one (1) bid was received. He said a base bid without the additive in the amount of $127,584 was submitted by SJL Construction, Inc. which is approximately $500.00 less than the engineer's estimate. He stated the bid amount for the additive to relocate the crosswalk came in at $43,040 and is not being recommended to be included with the award as it is above the City's project budget. He said the license and bonding information for the contractor was reviewed and it appears to be in order.

City Manager Stretch said staff's recommendation is that the City Council award the project to SJL Construction, Inc. (Shannon Leonardo of Fortuna, CA.) in the amount of $127,584; and authorize the City Manager to sign the Notice of Award and Contract; and establish a budget in the amount of $169,700.

He commented that City Engineer Merritt Perry and Brett Vivian from GHD were present to answer questions pertaining to the project.

Councilmember Marks asked for clarification that there was only one (1) bid submitted and that his license and bonding information checked out. City Manager Stretch stated the information was validated by the City Engineer.

Engineer Perry commented that Shannon Leonardo is a good contractor and his license allows this type of work. He said Spencer Electric is the sub-contractor and will be installing the lighted crosswalk.

Motion was made by Woodall/Johnson to award the 2013 Rio Dell Safe Routes to School Project to SJL Construction, Inc. (Shannon Leonardo) of Fortuna, California in the amount of $127,584; and authorize the City Manager to sign the Notice of Award and Contract Agreement, to approve any unanticipated changes during the project as required within the approved budget amount; and establish a budget in the amount of $169,700; $127,584 for construction, $31,750 for engineering, design, surveying and construction administration, $6,000 for PG&E charges and $4,366 for contingency. Motion carried 5-0.

Approve Bid Award to Cal Electro, Inc. in the Amount of $505,832 for the 2013 Wildwood Avenue Streetscape Improvement Project and Approve Construction Administration and Inspection Services Contract with GHD, Inc.

City Manager Stretch stated that this project is a little more complicated. He said bids were also opened on July 18th and a total of three (3) bids were received; all of which are over the engineer's estimate due to an increase in the anticipated cost of the landscaping. He indicated that the base bids for the project ranged from $461,832 to $513,996 with the low bidder being Cal Electro, Inc. He said the base bid of $461,832 includes all of the median islands; the Additive Alternate 1 bid in the amount of $44,000 includes the electrical and welcome sign; and the Additive Alternative 2 bid in the amount of $2,000 includes two (2) art pedestals. He noted that Additive Alternate 3 for the Town Clock was bid at $16,200 but is not included in the recommendation.

City Manager Stretch explained that because the project is over-budget, he presented the Council with two (2) options. The first option is to award the base bid and Additive Alternates 1 and 2 to Cal Electro, Inc. in the amount of $507,832 and provide a construction contingency of $30,000 to cover unforeseen conditions that may occur during construction. He said this will allow for the completion of the base bid, median islands, electrical, the welcome sign and (2) art pedestals. He noted that this work can be accomplished with an anticipated additional contribution of City funds in the amount of $51,832.

The second option is to award only the base bid and not authorize any Additive Alternates in the award, with the understanding that contingency funds would be required for the changes beyond $6,168 bringing the project in at $582,832 with the understanding that additions to the project would be done sometime in the future.

City Manager Stretch said staff's recommendation is that the Council award the base bid with at least Additive Alternates 1 and 2.

City Manager Stretch continued with review of the bids and said Cal Electro, Inc. is an out of the area contractor and the City Engineer has done due diligence and they appear to be lowest responsive bidder.

Councilmember Johnson stated he actually had the pleasure of working with Cal Electro on a project and commended them for their efficiency and exceptional work.

Mayor Thompson asked how deep the gravel is where the landscaping will be going. Engineer Perry commented that it varies but in most places 2-3 feet. He said the plants will have the required depth base.

Councilmember Johnson asked if the addendum includes cement treated base. Engineer Perry said it does and explained that Additive 1 includes the welcome sign and the electrical for all of the desired items so the town clock can be added at any time.

Mayor Thompson stated that his desire was to get the town clock and he would still like to see it included.

City Manager Stretch said with approval of Option 1 the City will need to contribute an additional $51,832 and the clock would be another $16,200 for a total of $68,032 to be taken from General Fund Reserves and asked for comments from the Council.

Councilmember Wilson commented that he also likes the idea of a town clock and said it would add a special touch to the project.

Councilmember Marks asked the City Engineer if he thought there would be any remaining contingency at the end of the project. Engineer Perry commented that his hope is that there will be however; anytime there is digging involved there is the chance of finding lines that are not mapped. He said he feels pretty comfortable with that level of contingency. He said we could wait and see what funds are left at the end of the project but it is probably better to award the bid to include the town clock now to avoid delays and extra staff time.

City Manager Stretch pointed out that he shaved the budget for construction administration as well as the contingency so the project budget is a little tight.

Mayor Thompson called for public comment on the proposed project. There was no public comment.

Councilmember Johnson commented that he was recently in a city in southern California where there was a town clock and it really set off the community.

Councilmember Marks expressed concern about going over budget and asked about the possibility of just installing the pedestal at this time. City Manager Stretch commented that both the town clock and the pedestal are included in Bid Additive 3 but one option would be to install the pedestal at $1,200 and the town clock perhaps next year.

Engineer Perry cautioned that the cost could go up on the clock by next year but to save money the City could do the work in-house. He said in his opinion however; it would be better to put the responsibility on the contractor to make sure the wiring is correct rather than rely on staff.

Councilmember Johnson stated that his experience with this type of work is that there is no cheaper time and there is no better time; so if you want it, do it now.

Motion was made by Wilson/Woodall to approve the base bid and Additive Bids 1, 2, and 3 to Cal Electro, Inc. in the amount of $524,032 for the 2013 Wildwood Avenue Streetscape Improvement Project; authorize the City Manager to sign the Notice of Award and Contract Agreement; establish a construction budget in the amount of $606,032 to include the construction base bid, Additive bids 1-3, PG&E services, construction administration (GHD), and construction contingency (5.8%); approve the transfer of $68,032 from the General Fund Contingency to fund the amount of the project beyond grant funds available; and approve construction administration and inspection services for the Wildwood Avenue Streetscape Improvement Project with GHD, Inc. in the amount of $40,000, authorizing the City Manager to sign the agreement.

Councilmember Marks then asked why the landscaping costs came in so high. Engineer Perry commented that the first quote came in at $200,000 and then came back at $300,000 which is probably the reason the local vendor didn't get the bid.

The motion then carried 5-0.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 5:55 p.m. to the August 6, 2013 regular meeting.

_____
Jack Thompson, Mayor

Attest:

_____
Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: July 31, 2013

SUBJECT: Wahlund/Sequoia Construction Pay Request #17

RECOMMENDATION

Approve Pay Request

BUDGETARY IMPACT

Pay Request #17 in the amount of $47,635.65 will be funded through the State Water Resources Control Board (SWRCB) financing agreement project number C-06-7401-110 totaling $12,980,859.

BACKGROUND AND DISCUSSION

Pay Request #17 has been approved for payment by the City's Construction Manager and City Manager.

BEHRENS CONSTRUCTION AND INSPECTION SERVICES
170 South Bank Chetco River Road
Brookings, OR 97415-8288

(707) 696-4650
rbehrens@rbehrens.org

To: Rio Dell City Council
Jim Stretch, City Manager
Stephanie Beauchaine, Finance Director
Rick Chicora, Wastewater Superintendent

From: Richard Behrens, Construction Manager

Date: 07/29/2013

Project Name: **Wastewater Treatment Plant Upgrade and Disposal Project**

The WWTP project is now into the seventeenth month of progress. The contractor has completed all phases of the bio-tank processes, the Chlorine Contact Basin and Effluent Pumping Station. The Aqua Sierra control system is installed and operational. Work is nearing completion the disposal site. The transmission line is complete from the river crossing to the treatment plant and pavement patching is nearly complete. The Therma-Flite sludge dryer system has been completed. Underground piping and valves have been installed and the plant switchover is complete and in operation. The Blower Building is complete and in operation. Electrical/mechanical systems are nearly complete and cut-over of existing electrical systems is completed. Construction of the new Operations Building is underway with rough electrical, mechanical and plumbing complete. Demolition of existing process piping and pumps is nearly complete. The under-river transmission line permit has been issued by Caltrans. Review by the State Lands Commission is scheduled for 8/23. Wahlund has provided, at no cost, the leaching pond which will be used until the under-river transmission line has been approved by the State Lands Commission and completed by Wahlund.
Progress Payment Request No. 17 is attached. This pay request is based on the bid schedule breakdown provided by the contractor, Wahlund Construction, Inc./ Sequoia Construction Specialties, and the actual quantities of work completed and materials delivered to site.

There have been six approved Change Orders completed to date, totaling an amount of $75,287.08. The adjusted contract amount to date is $10,706,287.08. The total billed (net amount) thru Progress Pay Request No. 17, less retainer, is $8,503,705.08.

I recommend payment to Wahlund Construction, Inc.,/ Sequoia Construction Specialties for Progress Pay Request No. 17 in the amount of $47,635.65, that also takes into account a 5% retention. Payment to the contractors is due within 20 days of receipt of each Application for Payment. Progress Payment Request No. 17 was received (approved) 07/29/2013.

cc:
Craig Olson, HDR Inc.
Bret Rinehart, Wahlund Construction, Inc.
Brian Pritchard, Sequoia Construction Specialties

Progress Payment Summary

Owner:	City of Rio Dell	Job #:	24-11
Project Title:	Rio Dell Wastewater Treatment Plant Upgrade and Disposal	Payment #:	17
		Period Ending:	31-Jul-13

1. Analysis of Authorized Contract Amount to Date

a. Authorized Contract Work Amount	$ 10,631,000.00
b. Total Change Orders Work Amount	$ 75,287.08
c. Adjusted Contract Amount to Date	**$ 10,706,287.08**

2. Analysis of Work Performed

a. Contract and Change Orders Performed to Date	$ 8,951,268.50
b. Retainer, 5%	$ 447,563.43
c. Net Contract Work to Date	$ 8,503,705.08
d. Previous Billed	$ 8,456,069.43
e. Balance Due This Period	**$ 47,635.65**

3. Certification of Contractor

According to the best of my knowledge and belief, I certify that all items and amounts shown on the Schedule of Values are correct, that all work has been performed and/or material supplied in full accordance with the requirements of the referenced Contract, and/or duly authorized deviations, substitutions, alterations, and/or additions.

All previous progress payments received on account of the Work have been applied on account to discharge Contractor's legitimate obligations associated with prior Applications for Payment.

Wahlund Construction, Inc. / Sequoia Construction Specialties
Contractor

Ken Wahlund
Authorized Representative

Date: 7/25/2013 Title: Joint Venture Administrator

4. Certification of Construction Manager

I certify that I have checked and verified the above and foregoing Schedule of Values; that to the best of my knowledge and belief it is a true and correct statement of work performed and/or material supplied by the Contractor; that all work and/or material included in this Progress Payment Summary has been inspected by me and/or my duly authorized representative or assistants and that it has been performed and/or supplied in full accordance with the requirements of the referenced contract; and that the payment due to the Contractor is correctly computed on the basis of work performed and/or material supplied to date.

Construction Manager

Date: 7/29/13

5. Approval for Payment

City Manager

Date: 7-31-13

WAHLUND CONSTRUCTION, INC./
SEQUOIA CONSTRUCTION SPECIALTIES
A Joint Venture
License No. 855844
Eureka Office. 707-268-0150 Fax 707-268-0137

Rio Dell Wastewater Treatment Plant Upgrade and Disposal Project

HDR Project No. 152932

To City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562

Pay Request No. 17
Period Ending: 07/31/13

Item	Description of Item	Qty	Unit	Unit Cost	Total Cost	Previous Qty	Previous $	This Period Qty	This Period $	Total To Date Qty	Total To Date $
1	**Bid Item 1**										
	Sheeting, shoring and bracing or equivalent method conforming to applicable safety order	1	LS	$ 5,000 00	$ 5,000.00	100%	$ 5,000 00	0%	$	100%	$ 5,000.00
				Bid Item 1 Total	**$ 5,000.00**		**$ 5,000.00**		**$ -**		**$ 5,000.00**
2	**Bid Item 2**										
	Over-excavation and disposal of undesirable material and compaction of fill material under biological treatment facility as defined in Section 02200 of the specifications	2,500	CY	$ 35 00	$ 87,500 00	2,500	$ 87,500 00	0	$ -	2,500	$ 87,500.00
				Bid Item 2 Total	**$ 87,500.00**		**$ 87,500.00**		**$ -**		**$ 87,500.00**
3	**Bid Item 3**										
	14- inch recycled water pipeline from Station 1+50 (+/-) to Station 101+50 (+/-), including all appurtenances as required to complete work	10,000	LF	$ 108 00	$ 1,080 000 00	10,000	$ 1,080,000.00	0 00	$ -	10,000	$ 1,080,000 00
				Bid Item 3 Total	**$ 1,080,000.00**		**$ 1,080,000.00**		**$ -**		**$ 1,080,000.00**
4	**Bid Item 4**										
	Recycled water pipeline from Station 101+50 (+/-) to Station 201+50 (+/-), including all work in Caltrans right-of-way.	1	LS	$ 1,500,000.00	$ 1,500,000.00	0%	$ -	0%	$ -	0%	$ -
				Bid Item 4 Total	**$ 1,500,000.00**		**$ -**		**$ -**		**$ -**
5	**Bid Item 5**										
	All work at disposal site on north side of Eel River outside of Caltrans right-of-way.										
5.1	Site Clearing	1	LS	$ 15,000.00	$ 15,000.00	100%	$ 15,000.00	0%	$ -	100%	$ 15,000.00
5.2	Earthwork	1	LS	$ 289,475.00	$ 289,475.00	100%	$ 289,475.00	0%	$ -	100%	$ 289,475.00
5.3	Distribution and Turnout Boxes	1	LS	$ 15,000.00	$ 15,000.00	100%	$ 15,000.00	0%	$ -	100%	$ 15,000.00
5.4	Precast Concrete Pump Station	1	LS	$ 28,000.00	$ 28,000.00	100%	$ 28,000.00	0%	$ -	100%	$ 28,000.00
5.5	Pump Station Base & Equipment Pad	1	LS	$ 6,825.00	$ 6,825.00	100%	$ 6,825.00	0%	$ -	100%	$ 6,825.00
5.6	Overflow Valve Concrete Pads	1	LS	$ 20,475.00	$ 20,475.00	100%	$ 20,475.00	0%	$ -	100%	$ 20,475.00
5.7	Hydroseeding	1	LS	$ 54,059.25	$ 54,059.25	100%	$ 54,059.25	0%	$ -	100%	$ 54,059.25
5.8	Submersible Non-Clog Tailwater Pumps	1	LS	$ 32,386.10	$ 32,386.10	97 73%	$ 31,651.98	2 27%	$ 734.12	100 00%	$ 32,386.10
5.9	REW Piping	1	LS	$ 150,000 00	$ 150,000 00	97.81%	$ 146,717 52	0 00%	$ -	97 81%	$ 146,717.52
5.10	DFD Piping	1	LS	$ 145,000 00	$ 145 000 00	100%	$ 145,000 00	0%	$ -	100%	$ 145,000.00
5.11	Tailwater Pump Piping - Material	1	LS	$ 20,002 50	$ 20,002.50	100%	$ 20 002 50	0%	$ -	100%	$ 20,002.50

5.12	Tailwater Pump Piping - Labor	1	LS	$ 7,381.50	$ 7,381.50	100%	$ 7,381.50	0%	$ -	100%	$ 7,381.50
5.13	Tailwater Pump Installation per D04	1	LS	$ 6,460.65	$ 6,460.65	100%	$ 6,460.65	0%	$ -	100%	$ 6,460.65
5.14	HDG Bar Grating 2x per 1/D03	1	LS	$ 2,625.00	$ 2,625.00	100%	$ 2,625.00	0%	$ -	100%	$ 2,625.00
5.15	PVC Stilling Well per D04	1	LS	$ 2,310.00	$ 2,310.00	100%	$ 2,310.00	0%	$ -	100%	$ 2,310.00
				Bid Item 5 Total	$ 795,000.00		$ 790,983.40		$ 734.12		$ 791,717.52
6	Bid Item 6										
	All work as required per the MMRP as outlined in Specification Section 01560.	1	LS	$ 70,000.00	$ 70,000.00	95%	$ 66,500.00	0%	$ -	95%	$ 66,500.00
				Bid Item 6 Total	$ 70,000.00		$ 66,500.00		$ -		$ 66,500.00
7	Bid Item 7										
	Storm Water Pollution Prevention Plan and Implementation per Specification Section 02271.	1	LS	$ 10,500.00	$ 10,500.00	95%	$ 9,975.00	0%	$ -	95%	$ 9,975.00
				Bid Item 7 Total	$ 10,500.00		$ 9,975.00		$ -		$ 9,975.00
8	Bid Item 8										
	All other work as indicated on the project plans and defined in the project specifications.										
8.1	Bidding Requirements										
8.1.1	Performance & Payment Bond	1	LS	$ 82,000.00	$ 82,000.00	100%	$ 82,000.00	0%	$ -	100%	$ 82,000.00
8.1.2	Insurance	1	LS	$ 88,000.00	$ 88,000.00	100%	$ 88,000.00	0%	$ -	100%	$ 88,000.00
				Bidding Requirements Total	$ 170,000.00		$ 170,000.00		$ -		$ 170,000.00
8.2	General Requirements										
8.2.1	Mobilization	1	LS	$ 156,250.00	$ 156,250.00	100%	$ 156,250.00	0%	$ -	100%	$ 156,250.00
8.2.2	Demobilization	1	LS	$ 25,000.00	$ 25,000.00	0%	$ -	0%	$ -	0%	$ -
8.2.3	Plumbing Mobilization	1	LS	$ 21,000.00	$ 21,000.00	100%	$ 21,000.00	0%	$ -	100%	$ 21,000.00
8.2.4	Field Engineering & Surveying	1	LS	$ 10,000.00	$ 10,000.00	98%	$ 9,800.00	0%	$ -	98%	$ 9,800.00
8.2.5	Administration Requirements	1	LS	$ 252,000.00	$ 252,000.00	88.89%	$ 224,000.00	5.56%	$ 14,000.00	94.44%	$ 238,000.00
8.2.6	Construction Schedules	1	LS	$ 2,000.00	$ 2,000.00	98%	$ 1,960.00	0%	$ -	98%	$ 1,960.00
8.2.7	Submittals	1	LS	$ 18,000.00	$ 18,000.00	98%	$ 17,640.00	0%	$ -	98%	$ 17,640.00
8.2.8	Temporary Offices, Sanitation, etc.	1	LS	$ 54,000.00	$ 54,000.00	88.89%	$ 48,000.00	5.56%	$ 3,000.00	94.44%	$ 51,000.00
8.2.9	Project Sign	1	LS	$ 1,500.00	$ 1,500.00	100%	$ 1,500.00	0%	$ -	100%	$ 1,500.00
8.2.10	Construction Photographs	1	LS	$ 500.00	$ 500.00	100%	$ 500.00	0%	$ -	100%	$ 500.00
				General Requirements Total	$ 540,250.00		$ 480,650.00		$ 17,000.00		$ 497,650.00
8.3	WWTP Sitework										
8.3.1	Sludge Drying Bed Demolition	1	LS	$ 45,750.00	$ 45,750.00	100%	$ 45,750.00	0%	$ -	100%	$ 45,750.00
8.3.2	Misc. Existing Tanks & Buildings Demolition	1	LS	$ 18,459.00	$ 18,459.00	100%	$ 18,459.00	0%	$ -	100%	$ 18,459.00
8.3.3	Staging Area Earthwork & Grading	1	LS	$ 25,000.00	$ 25,000.00	100%	$ 25,000.00	0%	$ -	100%	$ 25,000.00
8.3.4	Staging Area Temporary Fencing	1	LS	$ 1,500.00	$ 1,500.00	100%	$ 1,500.00	0%	$ -	100%	$ 1,500.00
8.3.5	Hot Mix Asphalt Paving	1	LS	$ 38,287.20	$ 38,287.20	20%	$ 7,657.44	0%	$ -	20%	$ 7,657.44
8.3.6	Canopy Slab @ CL2 Bldg	1	LS	$ 5,250.00	$ 5,250.00	100%	$ 5,250.00	0%	$ -	100%	$ 5,250.00
8.3.7	Canopy Slab @ Ops Bldg	1	LS	$ 7,350.00	$ 7,350.00	100%	$ 7,350.00	0%	$ -	100%	$ 7,350.00
8.3.8	Generator Slab	1	LS	$ 13,125.00	$ 13,125.00	100%	$ 13,125.00	0%	$ -	100%	$ 13,125.00
8.3.9	CL2 Mixer Concrete Repair	1	LS	$ 4,200.00	$ 4,200.00	0%	$ -	0%	$ -	0%	$ -
8.3.10	Chem Storage Slab	1	LS	$ 4,200.00	$ 4,200.00	0%	$ -	0%	$ -	0%	$ -
8.3.11	3 Steel Canopies	1	LS	$ 36,163.05	$ 36,163.05	100%	$ 36,163.05	0%	$ -	100%	$ 36,163.05

8.3.12	3 Bollards per C02	1	LS	$ 2,702.70	$ 2,702.70	100%	$ 2,702.70	0%	$ -	100%	$ 2,702.70
8.3.13	Static Mixer & Chlorine Injection Precast Vault	1	LS	$ 16,500.00	$ 16,500.00	100%	$ 16,500.00	0%	$ -	100%	$ 16,500.00
8.3.14	Existing Control Room Door	1	LS	$ 12,600.00	$ 12,600.00	100%	$ 12,600.00	0%	$ -	100%	$ 12,600.00
8.3.15	Existing Control Room Roof	1	LS	$ 22,575.00	$ 22,575.00	100%	$ 22,575.00	0%	$ -	100%	$ 22,575.00
				WWTP Sitework Total	$ 253,661.95		$ 214,632.19		$ -		$ 214,632.19
8..4	**Yard Piping**										
8.4.1	12" Effluent Piping	1	LS	$ 60,000.00	$ 60,000.00	100%	$ 60,000.00	0%	$ -	100%	$ 60,000.00
8.4.2	12" Influent Piping	1	LS	$ 50,000.00	$ 50,000.00	100%	$ 50,000.00	0%	$ -	100%	$ 50,000.00
8.4.3	6" Sludge Piping	1	LS	$ 25,000.00	$ 25,000.00	50%	$ 12,500.00	0%	$ -	50%	$ 12,500.00
8.4.4	8" Backwash Piping	1	LS	$ 30,000.00	$ 30,000.00	3.47%	$ 1,041.40	0.00%	$ -	3.47%	$ 1,041.40
8.4.5	Misc. Underground Piping, Tie-Ins, Demo, Etc.	1	LS	$ 10,000.00	$ 10,000.00	100%	$ 10,000.00	0%	$ -	100%	$ 10,000.00
8.4.6	Static Mixer & Chlorine Injection Vault Piping - Material	1	LS	$ 3,339.00	$ 3,339.00	100%	$ 3,339.00	0%	$ -	100%	$ 3,339.00
8.4.7	Static Mixer & Chlorine Injection Vault Piping - Labor	1	LS	$ 1,443.75	$ 1,443.75	100%	$ 1,443.75	0%	$ -	100%	$ 1,443.75
				Yard Piping Total	$ 179,782.75		$ 138,324.15		$ -		$ 138,324.15
8.5	**Headworks**										
8.5.1	Influent Pump Installation per SP10	1	LS	$ 6,460.65	$ 6,460.65	100%	$ 6,460.65	0%	$ -	100%	$ 6,460.65
8.5.2	Grating Support Channel and New Grating per SP10	1	LS	$ 5,537.70	$ 5,537.70	100%	$ 5,537.70	0%	$ -	100%	$ 5,537.70
8.5.3	Headworks Pump Piping - Material	1	LS	$ 20,002.50	$ 20,002.50	100%	$ 20,002.50	0%	$ -	100%	$ 20,002.50
8.5.4	Headworks Pump Piping - Labor	1	LS	$ 7,381.50	$ 7,381.50	100%	$ 7,381.50	0%	$ -	100%	$ 7,381.50
				Headworks Total	$ 39,382.35		$ 39,382.35		$ -		$ 39,382.35
8.6	**Biological Treatment Facility**										
8.6.1	Excavation	1	LS	$ 75,000.00	$ 75,000.00	100%	$ 75,000.00	0%	$ -	100%	$ 75,000.00
8.6.2	Subgrade & Base Rock	1	LS	$ 25,000.00	$ 25,000.00	100%	$ 25,000.00	0%	$ -	100%	$ 25,000.00
8.6.3	Tank Slab Form & Pour	1	LS	$ 262,500.00	$ 262,500.00	100%	$ 262,500.00	0%	$ -	100%	$ 262,500.00
8.6.4	Tank Slab Rebar	1	LS	$ 330,750.00	$ 330,750.00	100%	$ 330,750.00	0%	$ -	100%	$ 330,750.00
8.6.5	Tank Walls Form & Pour	1	LS	$ 682,500.00	$ 682,500.00	100%	$ 682,500.00	0%	$ -	100%	$ 682,500.00
8.6.6	Tank Walls Rebar	1	LS	$ 309,750.00	$ 309,750.00	100%	$ 309,750.00	0%	$ -	100%	$ 309,750.00
8.6.7	Sloped Fills	1	LS	$ 52,500.00	$ 52,500.00	100%	$ 52,500.00	0%	$ -	100%	$ 52,500.00
8.6.8	Backfill	1	LS	$ 7,500.00	$ 7,500.00	100%	$ 7,500.00	0%	$ -	100%	$ 7,500.00
8.6.9	Aluminum Stair with Railing	1	LS	$ 20,245.05	$ 20,245.05	100%	$ 20,245.05	0%	$ -	100%	$ 20,245.05
8.6.10	AeroMod Equipment Installation	1	LS	$ 203,054.25	$ 203,054.25	100%	$ 203,054.25	0%	$ -	100%	$ 203,054.25
8.6.11	Pipe Connections Bio Treatment 12"INFP, 12"EFF, 8"LPA & 4"LPA - SP01 & SP02 - Material	1	LS	$ 28,407.75	$ 28,407.75	100%	$ 28,407.75	0%	$ -	100%	$ 28,407.75
8.6.12	Pipe Connections Bio Treatment 12"INFP, 12"EFF, 8"LPA & 4"LPA - SP01 & SP02 - Labor	1	LS	$ 23,404.50	$ 23,404.50	100%	$ 23,404.50	0%	$ -	100%	$ 23,404.50
8.6.13	Selector Tank Piping - Material	1	LS	$ 819.00	$ 819.00	100%	$ 819.00	0%	$ -	100%	$ 819.00
8.6.14	Selector Tank Piping - Labor	1	LS	$ 3,601.50	$ 3,601.50	100%	$ 3,601.50	0%	$ -	100%	$ 3,601.50
8.6.15	Conduit and Pneumatic Systems - Material	1	LS	$ 1,312.50	$ 1,312.50	100%	$ 1,312.50	0%	$ -	100%	$ 1,312.50
8.6.16	Conduit and Pneumatic Systems - Labor	1	LS	$ 8,100.75	$ 8,100.75	100%	$ 8,100.75	0%	$ -	100%	$ 8,100.75
8.6.17	Aeration Tank Piping - Material	1	LS	$ 8,111.25	$ 8,111.25	100%	$ 8,111.25	0%	$ -	100%	$ 8,111.25
8.6.18	Aeration Tank Piping - Labor	1	LS	$ 20,160.00	$ 20,160.00	100%	$ 20,160.00	0%	$ -	100%	$ 20,160.00
8.6.19	Clarifier Piping - Material	1	LS	$ 5,785.50	$ 5,785.50	100%	$ 5,785.50	0%	$ -	100%	$ 5,785.50
8.6.20	Clarifier Piping - Labor	1	LS	$ 7,203.00	$ 7,203.00	100%	$ 7,203.00	0%	$ -	100%	$ 7,203.00
8.6.21	Digester Tank Piping - Material	1	LS	$ 5,323.50	5,323.50	100%	$ 5,323.50	0%	$ -	100%	$ 5,323.50

8.6.22	Digester Tank Piping - Labor	1	LS	$ 16,290 75	$ 16,290.75	100%	$ 16,290.75	0%	$ -	100%	$ 16,290 75
8.6.23	6"SL, 2W, 12"LPA, 4"SL - SP01 - Material	1	LS	$ 58 338 00	$ 58,338.00	100%	$ 58,338.00	0%	$ -	100%	$ 58,338.00
8 6.24	6"SL, 2W, 12"LPA, 4"SL - SP01 - Labor	1	LS	$ 34,156 50	$ 34,156.50	100%	$ 34,156.50	0%	$ -	100%	$ 34,156.50
8 6.25	7 Sch 10 Stainless LPA Crossovers per SP02	1	LS	$ 9,483 60	$ 9,483.60	100%	$ 9,483.60	0%	$ -	100%	$ 9,483.60
8.6.26	9 Hose Racks per SP01	1	LS	$ 7,087 50	$ 7,087.50	100%	$ 7,087.50	0%	$ -	100%	$ 7,087.50
				Biological Treatment Total	$ 2,206,384.90		$ 2,206,384.90		$ -		$ 2,206,384.90
8.7	**Blower Building**										
8 7 1	Earthwork	1	LS	$ 5,000 00	$ 5,000 00	100%	$ 5,000.00	0%	$ -	100%	$ 5,000.00
8 7.2	Blower Building Concrete	1	LS	$ 36 750.00	$ 36,750.00	100%	$ 36,750.00	0%	$ -	100%	$ 36,750.00
8 7.3	Concrete Masonry	1	LS	$ 20,947.50	$ 20,947.50	100%	$ 20,947 50	0%	$ -	100%	$ 20,947.50
8 7 4	Roof Structure	1	LS	$ 42,000.00	$ 42,000.00	100%	$ 42,000.00	0%	$ -	100%	$ 42,000.00
8 7 5	Doors	1	LS	$ 7,035.00	$ 7,035.00	100%	$ 7,035.00	0%	$ -	100%	$ 7,035.00
8 7 6	New Blowers in Blower Building	1	LS	$ 6,460.65	$ 6,460.65	100%	$ 6,460.65	0%	$ -	100%	$ 6,460.65
8 7 7	Valves and Supports SP20 - Material Only	1	LS	$ 2,798.25	$ 2,798.25	100%	$ 2,798.25	0%	$ -	100%	$ 2,798.25
8 7 8	Blower Piping to Mech Coupling Outside Blower Bldg	1	LS	$ 8 190.00	$ 8,190.00	100%	$ 8,190.00	0%	$ -	100%	$ 8,190.00
8 7.9	2 Bollards per SP19	1	LS	$ 2 086.35	$ 2,086.35	100%	$ 2,086 35	0%	$ -	100%	$ 2,086 35
8 7 10	HVAC	1	LS	$ 13,679.40	$ 13,679.40	10%	$ 1,367.94	20%	$ 2,735.88	30%	$ 4,103.82
				Blower Building Total	$ 144,947.15		$ 132,635.69		$ 2,735.88		$ 135,371.57
8.8	**Operations Building**										
8 8 1	Basement Gravel Fill	1	LS	$ 5,000 00	$ 5,000 00	100%	$ 5,000 00	0%	$ -	100%	$ 5,000 00
8 8.2	Concrete Infill	1	LS	$ 15,750 00	$ 15,750 00	100%	$ 15,750.00	0%	$ -	100%	$ 15,750 00
8 8 3	Interior Framing	1	LS	$ 15 750 00	$ 15,750 00	100%	$ 15,750 00	0%	$ -	100%	$ 15,750 00
8 8.4	Drywall	1	LS	$ 6,300 00	$ 6,300.00	0%	$ -	0%	$ -	0%	$ -
8 8 5	Doors & Windows	1	LS	$ 16 800 00	$ 16,800 00	25%	$ 4,200 00	0%	$ -	25%	$ 4,200 00
8 8 6	Roof	1	LS	$ 4,200 00	$ 4 200 00	100%	$ 4 200 00	0%	$ -	100%	$ 4,200 00
8 8 7	Cabinetry	1	LS	$ 11,550.00	$ 11,550.00	0%	$ -	0%	$ -	0%	$ -
8.8 8	Misc Finishes	1	LS	$ 21,000.00	$ 21,000.00	0%	$ -	0%	$ -	0%	$ -
8 8 9	Plumbing M04 - Rough In	1	LS	$ 8,263.50	$ 8,263.50	100%	$ 8,263.50	0%	$ -	100%	$ 8,263.50
8.8.10	Plumbing M04 - Top-Out	1	LS	$ 21,273.00	$ 21,273.00	100%	$ 21,273.00	0%	$ -	100%	$ 21,273.00
8 8 11	Plumbing M04 - Trim	1	LS	$ 9 975.00	$ 9,975.00	0%	$ -	0%	$ -	0%	$ -
				Operations Building Total	$ 135,861.50		$ 74,436.50		$ -		$ 74,436.50
8.9	**Effluent Pumping Station / Chlorine Contact Basin**										
8 9 1	Structure Demolition	1	LS	$ 14 175.00	$ 14,175.00	100%	$ 14,175.00	0%	$ -	100%	$ 14,175 00
8.9.2	Install Effluent Pumps & Chlorine Sample Pump	1	LS	$ 6,460.65	$ 6,460.65	100%	$ 6,460.65	0%	$ -	100%	$ 6,460 65
8 9 3	New HDPE Panels at existing baffle frames	1	LS	$ 6,260.10	$ 6,260.10	100%	$ 6,260.10	0%	$ -	100%	$ 6,260.10
8 9 4	FRP Grating per X08	1	LS	$ 6 825 00	$ 6,825.00	100%	$ 6,825.00	0%	$ -	100%	$ 6,825.00
8 9 5	Weir Plate per D/SP23	1	LS	$ 2 625 00	$ 2,625 00	100%	$ 2,625.00	0%	$ -	100%	$ 2 625.00
8 9.6	PVC Stilling Well per SP23	1	LS	$ 2,310 00	$ 2,310 00	100%	$ 2,310 00	0%	$ -	100%	$ 2,310 00
8 9 7	Grating Support Channel and New Grating per SP23	1	LS	$ 5 537 70	$ 5,537 70	100%	$ 5,537 70	0%	$ -	100%	$ 5 537 70
8 9 8	Pipe Supports with U Bolts A/C05	1	LS	$ 1,845 90	$ 1 845 90	100%	$ 1,845 90	0%	$ -	100%	$ 1 845.90
8.9.9	Effluent Pump Piping - Material	1	LS	$ 22 879 50	$ 22 879 50	100%	$ 22 879 50	0%	$ -	100%	$ 22,879.50
8.9 10	Effluent Pump Piping - Labor	1	LS	$ 9,093 00	$ 9,093.00	100%	$ 9,093.00	0%	$ -	100%	$ 9,093.00
8.9 11	Effluent Pump Station 2W Piping - Material	1	LS	$ 4,898 25	$ 4 898 25	100%	$ 4,898.25	0%	$ -	100%	$ 4,898.25

8.9.12	Effluent Pump Station 2W Piping - Labor	1	LS	$ 5,223.75	$ 5,223.75	100%	$ 5,223.75	0%	$ -	100%	$ 5,223.75
				Effluent Pump Station Total	$ 88,133.85		$ 88,133.85		$ -		$ 88,133.85
8.10	Equipment Procurement										
8.10.1	General Equipment & Mechanical Requirements	1	LS	$ 5,000.00	$ 5,000.00	99%	$ 4,950.00	1%	$ 50.00	100%	$ 5,000.00
8.10.2	Submersible Non-Clog Influent Pumps	1	LS	$ 57,697.50	$ 57,697.50	100%	$ 57,697.50	0%	$ -	100%	$ 57,697.50
8.10.3	Submersible Non-Clog Effluent Pumps	1	LS	$ 57,697.50	$ 57,697.50	100%	$ 57,697.50	0%	$ -	100%	$ 57,697.50
8.10.4	Package Biological Treatment Facility	1	LS	$ 1,563,759.75	$ 1,563,759.75	100%	$ 1,563,759.75	0%	$ -	100%	$ 1,563,759.75
8.10.5	Static Mixer	1	LS	$ 5,910.45	$ 5,910.45	100%	$ 5,910.45	0%	$ -	100%	$ 5,910.45
8.10.6	Laboratory Glassware, Apparatus and Equipment	1	LS	$ 17,000.00	$ 17,000.00	100%	$ 17,000.00	0%	$ -	100%	$ 17,000.00
8.10.7	Sampling, Lab and Monitoring Equipment	1	LS	$ 753.90	$ 753.90	100%	$ 753.90	0%	$ -	100%	$ 753.90
8.10.8	FRP Stop Gates and FRP Chemical Metering Enclosure	1	LS	$ 62,946.99	$ 62,946.99	85.61%	$ 53,890.05	0.00%	$ -	85.61%	$ 53,890.05
8.10.9	Chemical Metering Equipment	1	LS	$ 19,778.86	$ 19,778.86	0%	$ -	0%	$ -	0%	$ -
				Equipment Total	$ 1,790,544.95		$ 1,761,659.15		$ 50.00		$ 1,761,709.15
8.11	Painting										
8.11.1	Buildings and Doors	1	LS	$ 15,382.50	$ 15,382.50	50%	$ 7,691.25	0%	$ -	50%	$ 7,691.25
8.11.2	Piping and Miscellaneous	1	LS	$ 15,382.50	$ 15,382.50	100%	$ 15,382.50	0%	$ -	100%	$ 15,382.50
				Painting Total	$ 30,765.00		$ 23,073.75		$ -		$ 23,073.75
8.12	Electrical										
8.12.1	Generator	1	LS	$ 173,853.75	$ 173,853.75	100%	$ 173,853.75	0%	$ -	100%	$ 173,853.75
8.12.2	Light Fixtures	1	LS	$ 24,440.85	$ 24,440.85	100%	$ 24,440.85	0%	$ -	100%	$ 24,440.85
8.12.3	Aqua Sierra Controls	1	LS	$ 147,383.25	$ 147,383.25	95%	$ 140,014.09	1%	$ 1,473.83	96%	$ 141,487.92
8.12.4	Motor Control Centers, Panels, Transformers, Etc.	1	LS	$ 222,247.20	$ 222,247.20	100%	$ 222,247.20	0%	$ -	100%	$ 222,247.20
8.12.5	Underground Trenching, Backfill, Pads, Conduit	1	LS	$ 143,079.30	$ 143,079.30	100%	$ 143,079.30	0%	$ -	100%	$ 143,079.30
8.12.6	Electrical Demo and New Work in Control Bldg, Electric Bldg, Blower Bldg and Operations Bldg	1	LS	$ 60,241.65	$ 60,241.65	95%	$ 57,229.57	0%	$ -	95.00%	$ 57,229.57
8.12.7	Headworks, Effluent Pumps, Chlorine Electric	1	LS	$ 11,550.00	$ 11,550.00	100%	$ 11,550.00	0%	$ -	100%	$ 11,550.00
8.12.8	Disposal Site Electric Not Counting Panels	1	LS	$ 6,825.00	$ 6,825.00	100%	$ 6,825.00	0%	$ -	100%	$ 6,825.00
8.12.9	Job Move-In Temp Power	1	LS	$ 3,675.00	$ 3,675.00	100%	$ 3,675.00	0%	$ -	100%	$ 3,675.00
8.12.10	Set Main Switchboard, Service, MCC2	1	LS	$ 36,626.10	$ 36,626.10	100%	$ 36,626.10	0%	$ -	100%	$ 36,626.10
8.12.11	Hook-Up New Motors	1	LS	$ 10,363.50	$ 10,363.50	100%	$ 10,363.50	0%	$ -	100%	$ 10,363.50
				Electrical Total	$ 840,285.60		$ 829,904.36		$ 1,473.83		$ 831,378.19
				Bid Item 8 Total	$ 6,420,000.00		$ 6,159,216.88		$ 21,259.71		$ 6,180,476.60
9	Bid Item 9										
	All work as required to install the Indirect Sludge Dryer System as defined in Addendum No. 3.										
9.1	Administration Requirements	1	LS	$ 20,000.00	$ 20,000.00	99%	$ 19,800.00	1%	$ 200.00	100%	$ 20,000.00
9.2	Indirect Sludge Dryer System	1	LS	$ 558,979.15	$ 558,979.15	95%	$ 531,030.19	5%	$ 27,948.96	100%	$ 558,979.15
9.3	Demolition	1	LS	$ 5,250.00	$ 5,250.00	100%	$ 5,250.00	0%	$ -	100%	$ 5,250.00
9.4	Concrete Slab	1	LS	$ 21,000.00	$ 21,000.00	100%	$ 21,000.00	0%	$ -	100%	$ 21,000.00
9.5	Decrease Bio Tank Size	1	LS	$ (45,150.00)	$ (45,150.00)	100%	$ (45,150.00)	0%	$ -	100%	$ (45,150.00)
9.6	Paving	1	LS	$ 3,300.00	$ 3,300.00	100%	$ 3,300.00	0%	$ -	100%	$ 3,300.00
9.7	Gas, Water, Drain & Misc. Piping for Sludge Dryer - Material	1	LS	$ 2,903.25	$ 2,903.25	100%	$ 2,903.25	0%	$ -	100%	$ 2,903.25
9.8	Gas, Water, Drain & Misc Piping for Sludge Dryer - Labor	1	LS	$ 4,305.00	$ 4,305.00	100%	$ 4,305.00	0%	$ -	100%	$ 4,305.00
9.9	Sludge Dryer System Installation	1	LS	$ 33,143.25	$ 33,143.25	100%	$ 33,143.25	0%	$ -	100%	$ 33,143.25

9.10	Sludge Dryer Venting	1	LS	$ 49,714.35	$ 49,714.35	100%	$ 49,714.35	0%	$ -	100%	$ 49,714.35
9.11	Doors	1	LS	$ 9,555.00	$ 9,555.00	100%	$ 9,555.00	0%	$ -	100%	$ 9,555.00
				Bid Item 9 Total	$ 663,000.00		$ 634,851.04		$ 28,148.96		$ 663,000.00
	TOTAL				$ 10,631,000.00		$ 8,834,026.32		$ 50,142.79		$ 8,884,169.11

Original Contract Amount	$	10,631,000.00
Total Change Orders	$	75,287.08
Total Contract + Change Orders	$	10,706,287.08
Contract Work + Change Orders Performed To Date	$	8,951,268.50
Work To Date Minus 5% Retention	$	8,503,705.08
Previous Billed Less 5% Retention	$	8,456,069.43
Work To Date Minus Previous Billed	$	47,635.65
TOTAL AMOUNT DUE	$	47,635.65

Change Orders

Item	Description of Item	Qty	Unit	Unit Cost	Total Cost	Previous Qty	Previous $	This Period Qty	This Period $	Total to Date Qty	Total to Date $
	Change Order No. 1										
1-1	PCO 1: Provide Flygt Non-Clog Submersible Pumps rather than listed Wilo Pumps.	1	LS	$ (3,421.97)	$ (3,421.97)	100%	$ (3,421.97)	0%	$ -	100%	$ (3,421.97)
1-2	PCO 2: Delete 24' wide double swing access gate	1	LS	$ -	$ -	0%	$ -	0%	$ -	0%	$ -
1-3	PCO 3: Relocation of influent sewer per drawing CO3	1	LS	$ (9,016.87)	$ (9,016.87)	100%	$ (9,016.87)	0%	$ -	100%	$ (9,016.87)
1-4	PCO 4: Provide supply bond for Therma-Flite Indirect Sludge Dryer	1	LS	$ 2,838.33	$ 2,838.33	100%	$ 2,838.33	0%	$ -	100%	$ 2,838.33
1-5	PCO 5: Add two 12" 45 elbows with restraints & relocate existing 4" 1W to avoid conflict with the new 12" INFP	1	LS	$ 2,123.58	$ 2,123.58	100%	$ 2,123.58	0%	$ -	100%	$ 2,123.58
1-6	PCO 6: Provide permanent gutter on west side of existing Dewatering Building	1	LS	$ 855.00	$ 855.00	100%	$ 855.00	0%	$ -	100%	$ 855.00
1-7	PCO 7: Provide permanent DI and culvert installation for staging area drainage	1	LS	$ 1,889.44	$ 1,889.44	100%	$ 1,889.44	0%	$ -	100%	$ 1,889.44
1-8	PCO 8: Providing permanent crushed rock gravel surface for staging area (material cost only)	1	LS	$ 4,541.09	$ 4,541.09	100%	$ 4,541.09	0%	$ -	100%	$ 4,541.09
1-9	PCO 9: Delete misc. instruments per RFI's 5, 6, 7	1	LS	$ (740.11)	$ (740.11)	100%	$ (740.11)	0%	$ -	100%	$ (740.11)
1-10	PCO 10: Fabricate and install new PLC SCADA and Pump Control Panel	1	LS	$ 30,891.62	$ 30,891.62	100%	$ 30,891.62	0%	$ -	100%	$ 30,891.62
	Change Order No. 1 Total				$ 29,960.11		$ 29,960.11		$ -		$ 29,960.11
	Change Order No. 2										
2-1	PCO 11: MiniCAS relay for existing influent pump including shipping. Add input from MiniCAS relay for existing influent pump to SCADA	1	LS	$ 764.83	$ 764.83	100%	$ 764.83	0%	$ -	100%	$ 764.83
2-2	PCO 14: Disposal site changes per revised drawing D01 and Submittal 15064-3	1	LS	$ 10,041.69	$ 10,041.69	100%	$ 10,041.69	0%	$ -	100%	$ 10,041.69
2-3	PCO 15: Change SCADA panel from single door to double door.	1	LS	$ 2,364.80	$ 2,364.80	100%	$ 2,364.80	0%	$ -	100%	$ 2,364.80
2-4	PCO 16: Changes in earthwork at Disposal site to raise roads.	1	LS	$ 4,101.72	$ 4,101.72	100%	$ 4,101.72	0%	$ -	100%	$ 4,101.72
2-5	PCO 17: Credit remainder of overexcavation, Bid Item 2, from contract. Overexcavation cost at Blower Building:	1	LS	$ (72,625.00)	$ (72,625.00)	100%	$ (72,625.00)	0%	$ -	100%	$ (72,625.00)
	Change Order No. 2 Total				$ (55,351.96)		$ (55,351.96)		$ -		$ (55,351.96)
	Change Order No. 3										
3-1	PCO 18: MCC Re-location at Disposal Site	1	LS	$ 5,169.94	$ 5,169.94	100%	$ 5,169.94	0%	$ -	100%	$ 5,169.94
3-2	PCO 19 rev 1: Furnish & install ceiling mounted fan & ducting with thermastatic control in Blower Bldg.	1	LS	$ 3,472.08	$ 3,472.08	100%	$ 3,472.08	0%	$ -	100%	$ 3,472.08
3-3	PCO 20 rev 1: Furnish & install 8 Revised Light Fixtures at Bio Tank	1	LS	$ -	$ -	100%	$ -	0%	$ -	100%	$ -
3-4	PCO 21: Transmission line boring extra work 12/3/2012 - 12/10/2012	1	LS	$ 36,878.38	$ 36,878.38	100%	$ 36,878.38	0%	$ -	100%	$ 36,878.38
3-5	PCO 22: Furnish & install PT Framing at Contact Basin	1	LS	$ 11,471.58	$ 11,471.58	100%	$ 11,471.58	0%	$ -	100%	$ 11,471.58
3-6	PCO 23: Gas Meter Pad & Bollards, as required by PG&E	1	LS	$ 3,914.76	$ 3,914.76	100%	$ 3,914.76	0%	$ -	100%	$ 3,914.76
	Change Order No. 3 Total				$ 60,906.74		$ 60,906.74		$ -		$ 60,906.74

	Change Order No. 4											
4-1	PCO 24 rev 1. Delete 3 Blowoff Assemblies from the Recycled Water Transmission Main	1	LS	$ (15,000.00)	$ (15,000.00)	100%	$ (15,000.00)	0%	$ -	100%	$ (15,000.00)
4-2	PCO 25: Fabricate and install structural steel repairs to Contact Basin baffle frames	1	LS	$ 2,522.93	$ 2,522.93	100%	$ 2,522.93	0%	$ -	100%	$ 2,522.93
4-3	PCO 26: New 1" gas line from new meter location to existing unit heaters	1	LS	$ 1,526.53	$ 1,526.53	100%	$ 1,526.53	0%	$ -	100%	$ 1,526.53
4-4	PCO 27: Change 4 Air Release Valves to buried concrete valve boxes	1	LS	$ 8,311.52	$ 8,311.52	100%	$ 8,311.52	0%	$ -	100%	$ 8,311.52
4-5	PCO 28: Hilltop Drive 6" Sewer Main Repair	1	LS	$ 15,436.78	$ 15,436.78	100%	$ 15,436.78	0%	$ -	100%	$ 15,436.78
4-6	PCO 29. Supply and install aluminum 30" wide by 20' long access platform with handrails both sides & stairs at one end to access Sludge Dryer. Supply & install one 18" sq. sign with black lettering. Delete two man doors in Sludge Dryer Building. No Cost	1	LS	$ -	$ -	100%	$ -	0%	$ -	100%	$ -
	Change Order No. 4 Total				$ 12,797.76		$ 12,797.76		$ -		$ 12,797.76
	Change Order No. 5										
5-1	Change of Contract Times. Increase of 65 days No Cost Change Order	1	LS	$ -	$ -	0%	$ -	0%	$ -	0%	$ -
5-2	Correction Period for Biological Treatment Facility No Cost Change Order	1	LS	$ -	$ -	0%	$ -	0%	$ -	0%	$ -
	Change Order No. 5 Total				$ -		$ -		$ -		$ -
	Change Order No. 6										
6-1	PCO 35: Rebuild berm and install geotextinel fabric & rock slope protection at Disposal Site Lower Zone 3. Install rock lined swale from Tailwater Pump Station to fenceline	1	LS	$ 5,360.83	$ 5,360.83	100%	$ 5,360.83	0%	$ -	100%	$ 5,360.83
6-2	PCO 40: Fabricate and install SST Weir Box in CL2 Basin per O&M Industries Proposal Number 13295.	1	LS	$ 1,302.29	$ 1,302.29	0%	$ -	0%	$ -	0%	$ -
6-3	PCO 41: Repair of unmarked conduits damaged during trenching, per Parker Electric invoices.	1	LS	$ 957.12	$ 957.12	100%	$ 957.12	0%	$ -	100%	$ 957.12
6-4	PCO 42: Repair broken sewer lateral and backfill sink-hole in Eeloa Ave.	1	LS	$ 5,677.79	$ 5,677.79	100%	$ 5,677.79	0%	$ -	100%	$ 5,677.79
6-5	PCO 43: Haul off spoils from sewer line repairs and Painter St. water line repair to Wendt dumpsite.	1	LS	$ 4,216.57	$ 4,216.57	100%	$ 4,216.57	0%	$ -	100%	$ 4,216.57
6-6	PCO 47: Add washer and dryer H&C water, waste and vents at Operations Building.	1	LS	$ 2,936.52	$ 2,936.52	50%	$ 1,468.26	0%	$ -	50%	$ 1,468.26
6-7	PCO 48: Provide and install plastic laminate toilet partition in Operations Building.	1	LS	$ 1,930.11	$ 1,930.11	0%	$ -	0%	$ -	0%	$ -
6-8	PCO 49: Chg. Cabinets to allow for refrigerator - Op. Bldg.	1	LS	$ -	$ -	0%	$ -	0%	$ -	0%	$ -
6-9	PCO 51: Substitute specified windows for Milgard aluminum sliders at Operations Building.	1	LS	$ (2,000.00)	$ (2,000.00)	0%	$ -	0%	$ -	0%	$ -
6-10	PCO 52: Relocate transformer in Operations Building.	1	LS	$ 1,972.53	$ 1,972.53	0%	$ -	0%	$ -	100%	$ -
6-11	PCO 55: Furnish and install new gutters and downspouts at Operations Building.	1	LS	$ 1,007.48	$ 1,007.48	0%	$ -	0%	$ -	0%	$ -
6-12	PCO 56: Provide and install 14 w.c. gas pressure regulator for Sludge Dryer.	1	LS	$ 1,007.48	$ 1,007.48	100%	$ 1,007.48	0%	$ -	100%	$ 1,007.48
6-13	PCO 57: Modifications to Dry Sludge Hopper.	1	LS	$ 2,507.02	$ 2,507.02	0%	$ -	0%	$ -	0%	$ -
6-14	PCO 59: Credit to delete replacement of roof sheathing at Operations Building.	1	LS	$ (1,889.00)	$ (1,889.00)	100%	$ (1,889.00)	0%	$ -	100%	$ (1,889.00)

6-15	PCO 69: Excavation and backfill to cap abandoned 6" sludge and 4" 2W pipelines, per Wahlund Extra Work Order #19.	1	LS	$ 1,987.69	$ 1,987.69	100%	$ 1,987.69	0%	$ -	100%	$ 1,987.69
	Change Order No. 6 Total				$ 26,974.43		$ 18,786.74		$ -		$ 18,786.74
	TOTAL				$ 75,287.08		$ 67,099.39		$ -		$ 67,099.39

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August 1, 2013

TO: Honorable Mayor and City Council

FROM: Jim Stretch, City Manager

SUBJECT: Modification of Wildwood Avenue Landscape and Enhancement Project Islands Widths for Uniformity

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize City Manager to sign Change Order #1 for the Wildwood Avenue Landscape and Enhancement project to reduce the width of all islands in the project to make them uniform at approximately13.25' in width.

BACKGROUND AND DISCUSSION

A fact that escaped our gaze until now is that the widths of the islands on the Wildwood Avenue Landscape and Enhancement project, varying from 13.3' to 17.7'. This change order would standardize the widths at approximately 13.25, which will give the islands a uniform look and save on asphalt removal, planting soil and landscape shrubbery. The exact savings has not yet been determined, but it will be several thousands of dollars and reduce the cost to the General fund for bid alternatives #1, #2 and #3 which total $68,032.

Normally the savings related to a change order would be known before the Council is asked to approve it, but the contractor Cal Electro wants to begin construction on the project during the week of 8-5-13, so time is of the essence.

Jim Stretch

From: Merritt Perry <Merritt.Perry@ghd.com>
Sent: Thursday, August 01, 2013 3:30 PM
To: Jim Stretch
Cc: water1@riodellcity.com
Subject: RE: Need info-Wildwood Ave

Jim-

We are considering a change to the Wildwood Avenue Project that I think will improve the overall appearance and functionality of the project and potentially reduce the costs.

Currently all of the planned medians are approximately 13. 7' and would occupy the area between the existing striped islands. The roadway between Berkeley Street and Edwards Drive is approximately 4' wider on the easterly side of the roadway on this block and the islands are planned to be approximately 17.7' wide consistent with the original project concept.

Upon further consideration, I would recommend that the medians be reduced to a 13.25' width between Berkeley Street and Edwards Drive and that all of the medians within the project approximately the same width for the following reasons:

1. To provide a uniform appearance and sight line while looking down the entire street
2. To reduce the need for vehicles to turn within the roadway to go around the medians as approaching from the south
3. To allow for potential future expansion of the sidewalk width along the easterly side of this block if desired for restaurant seating or pocket parks along the sidewalks to separate the businesses or sidewalk use,
4. Costs of the project will be reduced (less topsoil, fewer plants, less concrete, less striping and striping removal) and appearance will not be significantly altered
5. There will be no need to remove striping and re-stripe the roadway and the aesthetics will be better if there is no striping removal (as it is ground off and then replaced)

Randy Jensen is in concurrence with this change. If acceptable to council, we will prepare a change order for this change that will result in a net credit. We will calculate the amount of credit and process the change order once we receive a breakdown of the lump sum cost from the contractor.

Merritt

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

CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
August 6, 2013

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: August 1, 2013

SUBJECT: **Bartle Wells Draft Wastewater Rate Study**

RECOMMENDATIONS

Discuss the Wastewater Rate Study Prepared by Bartle Wells, note outstanding questions if any, and provide direction to staff.

BUDGETARY IMPACT

The rate changes are structured to be revenue neutral. The connection fee however could have a significant positive impact on the wastewater fund.

BACKGROUND AND DISCUSSION

Bartle Wells Associates (BWA) was engaged by the City to develop a new wastewater rate structure and to update the City's wastewater capacity fee. On June 16th the study was presented to the Council and at the conclusion of the meeting several questions were outstanding. The questions were as follows:

1.) If all accounts are in the landlord's name, how do you prevent abuse? If abuse occurs and a tenant incurs a giant bill in the landlord's name what do you do?

"We suggest that the landlord request the final bill from the City and deduct the bill amount from the tenant's rental security deposit."- Bartle Wells

2.) If a leak occurs during Dec-Jan-Feb how do you calculate a rate?

"The customer should submit a bill from a plumber showing that a leak was fixed. The other two months should be used to calculate the rate (i.e. if there is a leak in January, the

average of the December and February water use can be used to set the winter water use)."- Bartle Wells

3.) If a high volume user moves and a new customer starts service how do we assess a volume charge for them? Are they stuck with the precious customer's usage?

"This is a policy decision for City Council. One option is that new customers with no winter usage history could be charged the average single family residential winter water use of 5 ccf per month until a winter water use history is established."-Bartle Wells

4.) There was also a question about the stand by charge: Is this additional revenue, or is it fixed in the revenue neutral calculation?

The charge is fixed in the revenue neutral calculation. –Bartle Wells

Staff have discussed the above questions with Bartle Wells and would like to relay the information to the City Council. If we are satisfied with the responses, staff will proceed with the Prop 218 process.

For informational purposes, below is a recap of the Wastewater Rate Structure Proposal recommended at the June 16th Council meeting:

Option 1: 70% Fixed and 30% Volume

Option 1 allocates 70% of costs to the fixed charge and 30% of costs to the volume (variable) charge.

Table ES-1
City of Rio Dell
Wastewater Rate and Capacity Fee Study
Rate Structure Option 1: 70% Fixed and 30% Volume

Fixed Monthly Charge	$51.15	per EDU
Volume Rate		
Customer Class		
Low	$3.53	per ccf
Domestic Strength	$4.41	per ccf
Medium	$6.62	per ccf
High	$7.72	per ccf

ccf = hundred cubic feet

The average residential customer has a wastewater flow of 5 hundred cubic feet (ccf) and would have a monthly bill of $73.20 under the proposed Option 1 rates, a slight decrease from the current monthly bill of $73.94.

Fixed Charge			Volume Rate		Winter Water Use			Total Monthly Bill
$51.15	+	(	$4.41	x	5	)	=	$73.20
			$/ccf		ccf			

The benefit of implementing a volume rate is equitability. Lower wastewater users pay a lower monthly bill than high wastewater users.

They have also analyzed the City's wastewater connection fee and developed a recommendation of $5,220 per EDU.

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

For Meeting of: August 6, 2013

To: City Council

From: Kevin Caldwell, Community Development Director

Through: Jim Stretch, City Manager

Date: August 1, 2013

Subject: Garbage Regulations Text Amendments
Sections 8.05.020 and 8.05.070 Rio Dell Municipal Code

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendments;

2. Continue the public hearing, receive public input and close the public hearing;

3. Adopt Ordinance No. 305-2013 amending the Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code;

4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background/Summary

At your meeting of July 16, 2013 your Council introduced (first reading) Ordinance No. 305-2013 amending the Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code .

Staff recommended two revisions to the Garbage Regulations. One is in regards to the keeping and disposing of rubbish. Below is the definition of rubbish, Section 8.05.010:

> *"Rubbish" means refuse matter, combustible and noncombustible, including tin cans, bottles, papers, ashes, wire, box strappings, packing materials, lawn trimmings, trees, plants and other nursery stock, crockery, glass, brick, cement, motor vehicle bodies and discarded mechanisms, sawdust, mill trimmings, waste and all other material and matter similar to that herein mentioned. [Ord. 23 § 1, 1965.]*

Section 8.05.020 of the Rio Dell Municipal Code, "Keeping rubbish generally" is below:

> *All rubbish shall be kept on private premises so as not to become a health or safety hazard. [Ord. 23 § 2, 1965.]*

Staff believes that the existing provision actually encourages property owners and tenants to store rubbish on the parcel and to not dispose of the rubbish in a timely manner. The current provisions, Section 8.05.070 of the RDMC, require that the contents of garbage cans/receptacles be disposed of at least once a week. Staff believes it's reasonable to require the disposal of rubbish within a week as well. In addition, staff believes that the temporary storage of rubbish be located on the rear of the parcel so as not to be visible from a public right of way or street. Therefore, staff recommended that Section 8.05.020 be amended to read as follows:

> ***Section 8.05.020 Keeping rubbish generally.***
>
> *The storage of rubbish shall be located on the parcel so as not to be visible from a public right of way or street and shall not be stored on any lot or parcel for more than one (1) week (seven days).*

The other recommended amendment is in regards to the size and the location for storing garbage cans. Section 8.05.070 currently requires receptacles (garbage cans) to have a capacity of not less than two (2) gallons and not more than twenty (20) gallons. As the Council is aware the typical garbage can or receptacle is thirty-two (32) gallons. Eel River Disposal (ERD) has indicated that their minimum charge is based on a twenty (20) gallon can or receptacle. The maximum size for curb-side pick-up is a forty-five (45) gallon can or receptacle. As such, staff recommended that the regulations be amended to reflect today's current standards. In addition, the current provisions require that the cans or receptacles be located on the rear of

the parcel. Although, not specifically stated, staff believes the intent that the garbage cans or receptacles be stored on the rear of the parcel is that the cans be screened from public view. Therefore, staff recommended that Section 8.05.070 be amended as follows:

> ***8.05.070 Garbage – Receptacle required – Specifications – Owner to provide – Location – Frequency of disposal of contents.***
>
> *No person shall deposit, keep or accumulate any garbage in or upon any lot or parcel of land, or upon any public or private drive, alley or street, or in any house, store or restaurant, or other place, unless such garbage be enclosed in a flyproof, watertight receptacle with close-fitting cover and provided with handles, which receptacle shall have a capacity of not less than ~~two~~ twenty (20) gallons and not more than ~~20~~ forty-five (45) gallons. Such receptacle shall be provided by and at the expense of the person producing and accumulating such garbage, and shall be kept ~~in the rear of~~ on the premises so as not to be visible from a public right of way or street and the contents thereof disposed of at least once each week. [Ord. 23 § 7, 1965.]*

Financial Impact

The City is responsible for the costs associated with the proposed amendments. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Ordinance No. 305-2013 amending the Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code.

2. Post Adoption Summary.

ORDINANCE NO. 305 – 2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE GARBAGE REGULATIONS, SECTIONS 8.05.020 AND 8.05.070 OF THE RIO DELL MUNICIPAL CODE:

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

WHEREAS as part of preparing and sending out letters regarding complaints about the lack of maintenance and the accumulation of garbage, staff discovered that portions of the current garbage regulations are clearly outdated and are not in the public's interest; and

WHEREAS staff believes the current rubbish provisions actually encourages property owners and tenants to store rubbish on the parcel and to not dispose of the rubbish in a timely manner; and

WHEREAS staff believes the current rubbish provisions are not in the best interest of the City and the surrounding properties and is inconsistent with the updated Nuisance Ordinance, Chapter 8.10 of the RDMC; and

WHEREAS the current garbage provisions, Section 8.05.070 of the RDMC, require that the contents of garbage cans/receptacles be disposed of at least once a week; and

WHEREAS staff believes it's reasonable to require the disposal of rubbish within a week as well and that the temporary storage of rubbish should be located on the parcel so as not to be visible from a public right of way or street; and

WHEREAS Section 8.05.070 currently requires receptacles (garbage cans) to have a capacity of not less than two (2) gallons and not more than twenty (20) gallons; and

WHEREAS the typical garbage can or receptacle is thirty-two (32) gallons; and

WHEREAS the City's contract hauler, Eel River Disposal (ERD) has indicated that their minimum charge is based on a twenty (20) gallon can or receptacle and that the maximum size for curb-side pick-up is a forty-five (45) gallon can or receptacle; and

WHEREAS the current garbage provisions require that the cans or receptacles be located on the rear of the parcel; and

WHEREAS although, not specifically stated, staff believes the intent that the garbage cans or receptacles be stored on the parcel so that the cans are not visible from a public right of way or street; and

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

Section 1. The Garbage Regulations, Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code is hereby amended as follows:

Section 8.05.020 Keeping rubbish generally.

~~All rubbish shall be kept on private premises so as not to become a health or safety hazard. [Ord. 23 § 2, 1965.]~~

The storage of rubbish shall be located on the parcel so as not to be visible from a public right of way or street and shall not be stored on any lot or parcel for more than one (1) week (seven days).

8.05.070 Garbage – Receptacle required – Specifications – Owner to provide – Location – Frequency of disposal of contents.

No person shall deposit, keep or accumulate any garbage in or upon any lot or parcel of land, or upon any public or private drive, alley or street, or in any house, store or restaurant, or other place, unless such garbage be enclosed in a flyproof, watertight receptacle with close-fitting cover and provided with handles, which receptacle shall have a capacity of not less than ~~two~~ twenty (20) gallons and not more than ~~20~~ forty-five (45) gallons. Such receptacle shall be provided by and at the expense of the person producing and accumulating such garbage, and shall be kept ~~in the rear of~~ on the premises so as not to be visible from a public right of way or street and the contents thereof disposed of at least once each week. [Ord. 23 § 7, 1965.]

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on July 16, 2013 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 6th of August 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 305-2013 adopted by the City Council of the City of Rio Dell on August 6, 2013.

_____
Karen Dunham
City Clerk, City of Rio Dell

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

Public Notice

City of Rio Dell City Council

SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, August 6, 2013 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall to consider the matter listed below and adopted Ordinance No. 305-2013 amending Sections 8.05.020 and 8.05.070 of the Rio Dell Municipal Code (RDMC).

ORDINANCE NO. 305-2013

Amending the Garbage Regulations, Sections 8.05.020 and 8.05.070 Rio Dell Municipal Code to require that the storage of rubbish be located on the parcel so as not to be visible from a public right of way or street and shall not be stored on any lot or parcel for more than one (1) week (seven days). In addition, staff is recommending that the required receptacle (trash can) be increased from a minimum size of two (2) gallons to twenty (20) gallons) and the maximum size increased from twenty (20) gallons to forty-five (45) gallons

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk. General questions regarding the Ordinance, the planning process, submission of materials and information not specific to this project may be obtained from the City, 675 Wildwood Avenue, Rio Dell, CA. 95562; telephone (707) 764-3532.

POSTED: August 7, 2013

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

For Meeting of: August 6, 2013

To: City Council

From: Kevin Caldwell, Community Development Director

Through: Jim Stretch, City Manager

Date: August 1, 2013

Subject: Chapter 17.40, Enforcement Regulations Text Amendment

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed text amendment;

2. Open the public hearing, receive public input, and deliberate;

3. Introduce Ordinance No. 304-2013 amending the Zoning Regulations Enforcement provisions, Section 17.40.060 of the Rio Dell Municipal Code and continue consideration, approval and adoption of the proposed Ordinance to your meeting of August 20, 2013 for the second reading and adoption

Background/Summary

Staff recently discovered that the Enforcement provisions of the Zoning Regulations, Chapter 17.40 of the Rio Dell Municipal Code (RDMC) refer to the Building Inspector as being responsible for the enforcement of the Zoning Regulations.

In 2004 when this provision was adopted the City had a part-time contract planner (Planwest). In addition, the terms of the contract Building Inspector at that time did require that the

Building Inspector be responsible for the enforcement of the City's zoning regulations. The City no longer uses Planwest and the current contract with the City Building Inspector does not require that he enforce the zoning regulations.

The Police Chief has been and will continue to assist in enforcing the zoning regulations. Staff is therefore recommending that the reference to the Building Inspector be amended to reference the Community Development Director as being responsible for the enforcement of the zoning regulations. Below is a copy of the recommended amendments:

17.40.060 ~~Building Inspector~~ Community Development Director Responsible for Enforcement of this Title.

(1) The ~~Building Inspector~~ Community Development Director shall be responsible for the enforcement of the provisions of this title.

(2) This title may be enforced by an authorized representative of the ~~Building Inspector~~ Community Development Director.

(3) The Chief of Police and the Building Inspector is hereby designated as an authorized representative of the ~~Building Inspector~~ Community Development Director.

Staff is also recommending another minor text amendment to the Enforcement provisions. Section 17.40.060(4) currently allows the Building Inspector and his authorized representative (Police Chief) to request entry "...at any and all appropriate times...". Staff believes this is somewhat open ended and is recommending the following language:

(4) The ~~Building Inspector~~ Community Development Director, or his authorized representative(s), shall have authority to request entry to any building, structure, or premises, ~~at any and all appropriate times~~ during normal business hours for the purpose of performing his/her official duty. [Ord. 252 § 8.05, 2004.]

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.

- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Reclassification Required Finding:

1. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no polices in the General Plan which would discourage or prohibit the Community Development Director from enforcing the zoning regulations.

2. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California

Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a ***significant*** effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments will have a significant effect on the environment.

Financial Impact

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

Attachments:

1. Existing and proposed revisions to the Zoning Regulations Enforcement provisions, Section 17.40.060 of the Rio Dell Municipal Code (RDMC).

2. Draft Ordinance No. 304-2013 amending Section 17.40.060 of the Rio Dell Municipal Code.

Chapter 17.40
ENFORCEMENT

Sections:

17.40.010 Issuance of Permits in Violation of Regulations.

17.40.020 Violation of Regulations.

17.40.030 Penalty.

17.40.040 Declaration of Public Nuisance.

17.40.050 Remedies.

17.40.060 ~~Building Inspector~~ Community Development Director Responsible for Enforcement of this Title.

17.40.010 Issuance of Permits in Violation of Regulations.

All departments, officers and public employees vested with the duty or authority to issue permits, certificates or licenses for uses, buildings or purposes within the City in conflict with the provisions of these regulations, and any such permit, certificate or license issued in conflict with the provisions of these regulations shall be null and void. [Ord. 252 § 8.01, 2004.]

17.40.020 Violation of Regulations.

Any person, whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than $500.00 or by imprisonment for not more than six months, or by both such fine and imprisonment. [Ord. 252 § 8.02, 2004.]

17.40.030 Penalty.

Notwithstanding any other provisions of this title, including RDMC 17.45.020, any person, whether principal, agent, employee or otherwise who violates RDMC 17.30.030 or 17.30.120 shall be guilty of a misdemeanor and may be punished as follows:

(1) By imprisonment in the County Jail not to exceed six months; or

(2) A fine not to exceed $1,000 for violations of RDMC 17.30.030 and a fine not to exceed $500.00 for violations of RDMC 17.30.120; or

(3) A combination of such imprisonment and fine. [Ord. 252 § 8.02.5, 2004.]

17.40.040 Declaration of Public Nuisance.

Any building or use operated or maintained contrary to the provisions of these regulations shall be, and the same is hereby declared to be, a public nuisance and shall be subject to injunction and abatement as such. [Ord. 252 § 8.03, 2004.]

17.40.050 Remedies.

The remedies provided herein shall be cumulative and not exclusive. [Ord. 252 § 8.04, 2004.]

17.40.060 ~~Building Inspector~~ Community Development Director Responsible for Enforcement of this Title.

(1) The ~~Building Inspector~~ Community Development Director shall be responsible for the enforcement of the provisions of this title.

(2) This title may be enforced by an authorized representative of the ~~Building Inspector~~ Community Development Director.

(3) The Chief of Police and the Building Inspector is hereby designated as an authorized representative of the ~~Building Inspector~~ Community Development Director.

(4) The ~~Building Inspector~~ Community Development Director, or his authorized representative(s), shall have authority to request entry to any building, structure, or premises, ~~at any and all appropriate times~~ during normal business hours for the purpose of performing his/her official duty. [Ord. 252 § 8.05, 2004.]

ORDINANCE NO. 304 – 2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE ENFORCEMENT REGULATIONS, SECTION 17.40.060 OF THE RIO DELL MUNICIPAL CODE:

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

WHEREAS staff recently discovered that the Enforcement provisions of the Zoning Regulations, Chapter 17.40 of the Rio Dell Municipal Code (RDMC) refer to the Building Inspector as being responsible for the enforcement of the Zoning Regulations; and

WHEREAS in 2004 when the current provision was adopted the City had a part-time contract planner (Planwest) and the terms of the contract Building Inspector at that time did require that the Building Inspector be responsible for the enforcement of the City's zoning regulations; and

WHEREAS the City no longer uses Planwest and the current contract with the City Building Inspector does not require that he enforce the zoning regulations; and

WHEREAS Section 17.40.060(4) currently allows the Building Inspector and his authorized representative (Police Chief) to request entry *"...at any and all appropriate times..."*; and

WHEREAS staff believes the existing language is somewhat open ended and is recommending the language be amended to read: *"...during normal business hours..."*; and

WHEREAS the City has reviewed and processed the proposed amendments in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed amendments in conformance with Section 17.30.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendments are consistent and compatible with the General Plan and any implementation programs that may be affected; and

WHEREAS the proposed amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell finds that:

1. The proposed amendments are consistent with the General Plan and any applicable specific plan; and

2. The City has determined that the proposed amendments are Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

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

Section 1. The Enforcement Regulations, Chapter 17.40 of the Rio Dell Municipal Code is hereby amended as follows:

Chapter 17.40
ENFORCEMENT

Sections:

17.40.010 Issuance of Permits in Violation of Regulations.

17.40.020 Violation of Regulations.

17.40.030 Penalty.

17.40.040 Declaration of Public Nuisance.

17.40.050 Remedies.

17.40.060 ~~Building Inspector~~ Community Development Director Responsible for Enforcement of this Title.

17.40.060 Enforcement Regulations.

17.40.060 ~~Building Inspector~~ Community Development Director Responsible for Enforcement of this Title.

(1) The ~~Building Inspector~~ Community Development Director shall be responsible for the enforcement of the provisions of this title.

(2) This title may be enforced by an authorized representative of the ~~Building Inspector~~ Community Development Director.

(3) The Chief of Police is hereby designated as an authorized representative of the ~~Building Inspector~~ Community Development Director.

(4) The ~~Building Inspector~~ Community Development Director, or his authorized representative(s), shall have authority to request entry to any building, structure, or premises, ~~at any and all appropriate times~~ during normal business hours for the purpose of performing his/her official duty. [Ord. 252 § 8.05, 2004.]

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any impact to the environment would occur as a result of adoption of the Ordinance.

Section 5. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on August 6, 2013 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 20th of August 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 304-2013 adopted by the City Council of the City of Rio Dell on August 20, 2013.

_____
Karen Dunham, City Clerk, City of Rio Dell