



AGENDA
RIO DELL CITY COUNCIL
REGULAR MEETING – 6:30 P.M.
TUESDAY, JULY 15, 2014
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. 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 Councilmembers present 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) 2014/0715.01 - Approve salary adjustment for Susie Townsend to Step "E", retroactive to May 18, 2014 **(ACTION)**
- 2) 2014/0715.02 - Receive and File AB 939 Recycling Activity Report **(ACTION)**
- 3) 2014/0715.03 - Approve update of account administrators on the City's Bank of America Business Visa Account **(ACTION)**

G. SPECIAL PRESENTATIONS

H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2014/0715.04 - Provide staff direction on prayer guidelines for public meetings **(ACTION)**

I. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/0715.05 - Adopt Resolution No. 1233-2014 establishing water rate penalty for excess use during declared water shortage emergency **(ACTION)**

J. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director - **Check Register for June 2014**
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. ADJOURNMENT

*The next regular meeting will be on August 5, 2014
at 6:30 p.m. in City Hall Council Chambers*

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



July 15, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager &
Brooke Woodcox, Finance Director *BW*

SUBJECT: Special Salary Adjustment for Susie Townsend

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve a salary adjustment for Susie Townsend to the "E" step in the class, retroactive to May 18, 2014.

BACKGROUND AND DISCUSSION

Susie Townsend was hired on 11-18-2013 as a Senior Fiscal Assistant, step "A" in the salary range. The understanding written on the Personnel Action form at the time was "Will review salary increase to Step "B" at 6 months." Generally, a salary review occurs after a new employee has completed 12 months. Due to the turnover of Finance Director, 6 months came and went and the performance review and salary adjustment was overlooked until now.

Section 3.34 of the City of Rio Dell Handbook (Special Salary Adjustments) provides that "City Council approval is required to correct salary inequities and recognize outstanding performance.

Susie Townsend's performance has indeed been outstanding in every way. She not only came to the City with exceptional job skills, but also came with a pervasive bright and cheery can do attitude. She has outstanding people skills to boot. Bottom line: Susie makes us all look good and feel good, and deserves to be recognized for "Outstanding Performance".

It is recommended that Susie Townsend be rewarded for her markedly superior qualifications and performance with a granting of the "E" step in the range, effective 5-18-14. The budgetary implication for the "E" step is \$746. For the purposes of reinstatement, should that occur in the future, reinstatement would be at the "B" step in the range.



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

July 15, 2014

TO: Rio Dell City Council
FROM:  Jim Stretch, City Manager
SUBJECT: AB 939 Activities Report (Recycling)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive and file the report

BACKGROUND AND DISCUSSION

Since March 2014, the City of Rio Dell has had an agreement with Humboldt Waste Management Authority (HWMA) to administer its CalRecycle program, required by the State of California. The agreement provides that at the end of the fiscal year, HWMA will prepare a summary of the AB 939 activities conducted during the period, in this case 6 months.

The HWMA report to the City Council is attached as a receive and file item.

AB 939 Activities Summary

To Rio Dell City Manager, Jim Stretch from HWMA Senior Program Analyst, Karen Sherman

June 30, 2014

In March of 2014, the City and HWMA signed an 18 month contract for services related to solid waste recovery. The scope of these services include grant administration, event planning, equipment purchases, public outreach and as required of local jurisdictions by state law, disposal and diversion reporting to CalRecycle. The contract covers an eighteen (18) month period, January 1, 2014 through June 30, 2015. This AB 939 activity summary covers the first six (6) months of this contract, or activities completed during FY 13/14.

Electronic Waste Collection Event

HWMA hosted an electronic waste collection event on Saturday April 12 at City Hall. One hundred and forty five (145) residents dropped off electronic waste at the event. Of those surveyed, 83% were from the City, with the other 17% driving in from Scotia, Bridgeville and Ferndale. Event participation generated 25 large cardboard boxes of electronic materials, or approximately 21,000 pounds. HWMA staff relayed the message of opportunities to drop off hazardous waste at HWMA's permanent facility in Eureka and Eel River Disposal's everyday free e-waste drop off in Fortuna. The electronic waste collection event netted \$787 in revenue. The City received a check from HWMA for this amount.

Beverage Container Grant

HWMA submitted Rio Dell's FY 13/14 grant application to CalRecycle for an annual, non-competitive Beverage Container Grant. This is likely the last year CalRecycle will offer this grant. In coordination with Wildwood Days event organizers, funds were used to purchase six (6) recycling containers for on-going use at the event and other community events. The grant will also pay for HWMA's education subcontractor to offer recycling and waste reduction classroom education in the Fall of 2014. School administrators are in the process of being contacted but most of the coordination and activity will take place in the Fall. Funds (\$500) have also been set aside for other beverage container recycling related public outreach advertising, as the need arises in FY 14/15.

CalRecycle Compliance Duties

HWMA staff has begun work on Rio Dell's Electronic Annual Report (EAR), due to CalRecycle August 1, 2014. The EAR summarizes waste reduction, recycling, composting, hazardous collections activities taken place within the city during calendar year 2013, including those activities completed by city schools and local government. Data is also input from residential and commercial curbside collection. A

conference call between CalRecycle liaison, Spencer Fine, Rio Dell City Manager, Jim Stretch, and HWMA program analysts, Karen Sherman and Carlos Chavez, took place in March of 2014. These conference calls are becoming a regular, annual check-in by CalRecycle staff to build background before visiting a local jurisdiction. During site visits, CalRecycle sees what diversion programs and facilities are in place and offers assistance when needed.

Medical Sharps Disposal Container Distribution

HWMA applied for and administered a CalRecycle medical sharps container grant. One hundred and fifteen (115) red biohazard containers, used for responsible disposal of needles, were distributed two locations in Rio Dell. The Community Resource Center and local churches hosting a senior lunch program and food bank, agreed to distribute a case of quart sized containers to residents that can use them. Flyers listing sharps drop off locations were also given out with the containers.

Used Oil Activity

HWMA continued to support used oil collection in Rio Dell. Grant funds covered the cost of two 10 foot booms for use at 101 Auto's oil collection tank. Funds also covered 100% of brochure, print and television advertising to promote used oil collection, and covered 10% of the Household Hazardous Waste event costs hosted at Rio Dell City Hall on August 31, 2013. HWMA general funds covered disposal of the used booms that were replaced and also covered the annual CUPA fees for 101 Auto. Staff negotiated the free collection of antifreeze at 101 Auto but collection has not begun because staff is still in the process of determining the effect of additional antifreeze volumes on local CUPA fees and activity.

Waste Tire Activity

CalRecycle's waste tire grant continues to be administered through HWMA and ran between August 2013 and April 2014. During this time, 150 tire coupons were made available at Rio Dell city hall. Using this coupon, residents could self-haul and dispose of nine (9) or fewer waste tires free of charge at HWMA's transfer station in Eureka. By April of 2014, 349 tire coupons were redeemed at HWMA's transfer station, or about 30% of those distributed. HWMA also held a tire amnesty collection event in Eureka's waterfront district with 2,250 tires collected from the public.

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Rio Dell City Council

FROM: Karen Dunham, City Clerk

THROUGH: Jim Stretch City Manager

DATE: July 15, 2014

SUBJECT: Credit Card Account Administrator Update

RECOMMENDATION

Authorize the removal of Stephanie Beauchaine and Maria Knapek as account administrators on the City's Bank of America Business Visa account and add Brooke Woodcox and Joanne Farley as the new account administrators authorized to make changes or discuss matters related to the account. Also, authorize Brooke Woodcox and John (Rick) Chicora as additional users on the account.

BACKGROUND AND DISCUSSION

Staff recently contacted Bank of America to add Brooke Woodcox and John (Rick) Chicora as additional users on the City's Bank of America Business Visa account and learned that the only 2 people authorized to make changes to the account are Stephanie Beauchaine and Maria Knapek. In order to change the account administrators and add new users on the account, they must have the request submitted on City letterhead, signed by the City Manager, Mayor and 1 Councilmember, and receive a copy of the minutes appointing account administrators as the authorized contacts on the account, and authorizing Brooke Woodcox and Rick Chicora as additional users on the account.

Attachments:

Resolution No. 1195-2013, Establishing a Credit Card Policy
Fax to Bank of America
Letter of Response from Bank of America

RESOLUTION NO. 1195-2013
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIO DELL
ESTABLISHING A CREDIT CARD POLICY

WHEREAS; the City has authorized the distribution of City credit cards to employees for the purpose of making supply purchases, securing reservations, paying travel expenses, and doing City business in the most efficient and cost effective manner possible; and

WHEREAS; the City would like to establish and maintain internal controls and to designate the many responsibilities of being a City credit card holder; and

WHEREAS; a recent reorganizational change necessitates an amendment to the existing policy to add allowable credit card holders.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby adopt as follows:

1. **Purpose of City Credit Card:** A City credit card shall be issued to employees for the purpose of making supply purchases, securing reservations, paying travel expenses, placing phone orders, and doing City business in the most efficient and cost effective manner possible. Use of the City credit card is not intended to replace effective procurement planning which enables volume discounts.
2. **Acknowledgement and Receipt of Credit Card:** When a City credit card is issued, the Finance Department shall ask the employee to sign a form acknowledging his/her understanding of the policies and procedures for the use of the City credit card and acknowledging the receipt of the credit card.
3. **Cardholder and Approving Official:** The City Approving Official is the Finance Director through the City Manager. The Cardholder is the employee whose name is on the City credit card. City credit cards will be provided to the following staff at their request:

- | | |
|--------------------------------------|-----------------------------------|
| A. City Manager | F. Wastewater Superintendent |
| B. Chief of Police | G. Community Development Director |
| C. Finance Director | |
| D. City Clerk | |
| E. Water and Roadways Superintendent | |

If the holder of a credit card authorizes its use by a staff person, the holder of the card will be responsible for the appropriateness of the charges.

The Approving Official is responsible for maintaining credit card control procedures, and verifies that purchases comply with City policies. The Finance Department will collect all

receipts from the cardholders ensuring proper documentation, prior to payment authorization.

4. **Restricted Use of City Credit Card:** The following restrictions are placed on all City credit cards:
 - A. Credit cards are issued to City employees for the sole purpose of conducting official business of the City. Improper use of a City credit card will be treated as misuse of public funds and will subject the Cardholder to disciplinary action up to and including termination and prosecution.
 - B. Cardholders must ensure that sufficient funds are available prior to making purchases. The Finance Department can assist the Cardholder with the budget review.
 - C. Purchases cannot exceed the single transaction limit or the 30-day limit established for the City credit card. Purchases must not be split to circumvent purchasing policies.
 - D. Credit cards will not be utilized at a business which poses an open invoice with the City.
 - E. Personal charges, entertainment, and gifts are prohibited even if the intent is to reimburse the City.
 - F. No cash advances.

5. **Safekeeping of City Credit Card:** The Cardholder is responsible for the security of the City credit card. If the City credit card is used infrequently, the Finance Department shall store the credit card while it is not in use. The Finance Department shall maintain a sign in/out sheet for stored credit cards.

6. **Credit Card Purchase and Statement Procedure:** Cardholders shall complete the following steps with each purchase:
 - A. Require the vendor to provide the following information on the sales draft:
 - B. Imprint of City credit card.
 - C. Imprint of vendor name and identification.
 - D. Date of purchase.
 - E. Amount of sales tax and amount of total purchased.
 - F. Brief but specific description of items being purchased. For any meal charges, the names of the persons for whom the meals were purchased will be listed on the receipt, or provided as an attachment.
 - G. Retain the sales draft with accompanying receipt/invoice
 - H. For mail orders, maintain a copy of the order form.

Cardholders shall complete the following steps upon receipt of the credit card statement, which is sent to the Cardholder in care of City Hall at the end of the billing cycle:

- I. Balance all sales drafts, logs and order forms to the statement, which will show all transactions made during the billing cycle. All items must be accounted for on

the statement with a supporting sales draft, receipt/invoice, etc. If the Cardholder had no purchases during the billing cycle, no statement will be generated.

- J. Indicate the account number to be charged for each item by writing it on the statement.
 - K. Within three (3) days of receipt of the credit card statement, submit the balanced statement with attached sales draft, receipts/invoices, logs and order forms to the Finance Department for approval and payment processing.
7. **Billing Errors and Returned Items:** If a purchased item is billed incorrectly, the Cardholders are responsible for contacting the vendor and/or the issuer. The Cardholder shall notify the Finance Department of "questioned items", and provide a brief written explanation. Questioned items will be considered in dispute and will not be paid until resolved.
8. **Replacement of Worn Out/Defective Card:** If a City credit card needs to be replaced, the Cardholder shall notify the issuer of the need for replacement. They will also notify the Finance Department who will record the new card numbers.
9. **Lost or Stolen Credit Card:** Should a Cardholder lose or have his/her City credit card stolen, it is his/her responsibility to contact the bank immediately at 800-673-1044 to cancel the card and order a new one. Within one (1) working day, the Cardholder shall also notify the Finance Department.
10. **Cardholder Changes:** Changes to a Cardholder's name or address shall be reported immediately to the Finance Department. Upon leaving the City or transferring to another City department, the Cardholder shall return the City credit card to the Finance Department who will cancel the card immediately.

PASSED AND ADOPTED by the City of Rio Dell on this 5th day of March 2013, by the following vote:

AYES: Thompson, Marks, Wilson and Woodall
NOES: None
ABSENT: None
ABSTAIN: None


Jack Thompson, Mayor

ATTEST:


Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562
Phone: (707) 764-3532
FAX: (707) 764-5480
e-mail: Admin1@riodellicity.com

CITY OF RIO DELL

F a x

To: Bank of America Business Visa – Correspondence Department

From: Karen Dunham, City Clerk

Phone:

Page(s) 1 (including cover)

Fax: 888-958-2273

Date: 6/17/14

Re: Business Visa Account No. 4339 9311 6720 1714 – City of Rio Dell

- For Review
 - For Information
 - Please Reply
 - Original to Follow
-

It has come to our attention that both of the account administrators on our Visa Business Account are employees that no longer work here. As such, please remove Stephanie Beauchaine and Maria Knappek as administrators and add Brooke Woodcox and Joanne Farley. If any additional information is needed, please let me know.

Thanks!

Bank of America
PO Box 982238
El Paso, TX 79998-2238

CITY OF RIO DELL

JUN 30 2014

RECEIVED



June 24, 2014

000054

CITY OF RIO DELL
675 WILDWOOD AVE
RIO DELL, CA 95562-1544

Account number ending in: XXXX-XXXX-XXXX-6239

Dear CITY OF RIO DELL:

Thank you for your recent inquiry concerning your Bank of America business card account. In order to complete your request, please provide the following information:

A request on organizational letterhead signed by officers of the company - *cm, Mayor, Council member*
Owner/Guarantor/Authorized Officer signature required
Meeting minutes authorizing individual to be appointed as an authorized contact for publicly held, non profit, and government entities

It is important that you provide this information within 30 days from the date on this letter; otherwise, we will be unable to give further consideration to your request. Please return the requested information, along with a copy of this letter, to Business Card Services, P.O. Box 982238, El Paso, TX 79998-2238. For faster service, you may also fax your information to us at 1.888.958.2273. We will continue processing your request once this information has been received and verified.

If you have any questions, please call us toll free at 1.800.300.3084, 24 hours a day, 7 days a week. Our knowledgeable associates are ready to assist you. We value your business and appreciate the opportunity to be of service.

Sincerely,

Customer Service Department

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



July 15, 2014

TO: Rio Dell City Council
FROM: Jim Stretch, City Manager
SUBJECT: Public Meeting Prayer Guidelines

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide staff direction on prayer guidelines for public meetings.

BACKGROUND AND DISCUSSION

As the result of the Supreme Court decision in the case of Greece v. Galloway concerning prayer at public meetings, the City Council directed staff to contact Greece, New York and other cities in the Humboldt County area to gather information as to the guidelines they follow.

Staff contacted the City of Greece NY who responded through their Attorney that they do not have a prayer policy, only the custom and practice as described in the Supreme Court decision.

The Cities of Fortuna, Eureka, Arcata, Blue Lake and Trinidad, as well as Humboldt County all responded to our inquiry, but only the City of Eureka has prayers or invocations at their City Council meetings. Crescent City did not respond. Neither the County nor other cities in the area, except Eureka, may change their policy or practice as the result of the Supreme Court decision.

The City of Eureka's policy on invocations is attached for your information. Please note that the City Council is considering amending it since the Greece decision, though there was no mention as to what the amendment(s) may be.

Wikipedia on the Town of Greece v. Galloway includes a discussion on the ruling and lists a "Constitutional prescription for legislative prayers". The factors include:

1. Legislative prayers are not confined to meetings of Congress or state legislatures, but may also be recited in the more intimate and familiar setting of local government meetings.
2. The prayer portion of the meeting must be conducted only during a ceremonial part of the government body's session, not mixed in with action on official policy.
3. The body may invite anyone in the community to give a prayer and (if it has the money) could have a paid chaplain. The officials on the body may also join in the prayer by

bowing their heads or showing other signs of religious devotion, such as crossing themselves.

4. The body may not dictate what is in the prayers and what may not be in the prayers. A prayer may invoke the deity or deities of a given faith, and need not embrace the beliefs of multiple or all faiths.
5. In allowing “sectarian” prayers, the body’s members may not “proselytize” i.e. promoting one faith as the true faith, and may not require persons of different faith preferences, or of no faith, to take part, and may not criticize them if they do not take part.
6. The “sectarian” prayers may not disparage or discriminate against a specific faith, but officials need not go to extra lengths to make sure that all faiths do get represented in the prayer sessions — even if that means one faith winds up as the dominant message.
7. Such prayers are permissible when most, if not all, of the audience is made up of adults.
8. A court, in hearing a challenge to a prayer practice, is confined to examining “a pattern of prayers,” and does not have the authority to second-guess the content of individual prayer utterances. In judging such a pattern, the proper test is not whether it tends to put forth predominantly the beliefs of one faith, but whether it has the effect of coercing individuals who do not share that faith.

Also attached is the legal advice offered by Rio Dell’s City Attorney, which was to “avoid choosing prayer givers and monitoring the content of prayers.” Instead, opting for “a moment of silence at the beginning of each meeting may be the best course”.

Attachments: City of Eureka prayer/innovation policy
Advice from Rio Dell City Attorney
Response from Greece, New York City Attorney on invocation policy

Jim Stretch

From: Brian E. Marianetti <BMarianetti@greeceny.gov>
Sent: Thursday, July 03, 2014 6:39 AM
To: cm@riodellcity.com
Subject: Re: Public Prayer Policy

Hello Mr. Stretch,

The Supervisor forwarded me your inquiry in regards to establishing a prayer policy. Here in the Town of Greece, we do not have a written policy. We simply have our custom and practice as described in the decision.

If you'd like to discuss further, feel free to give me a call at the below number.

Thanks,

Brian

Brian E. Marianetti
Town Attorney
Town of Greece
One Vince Tofany Boulevard
Rochester, New York 14612
(585) 723-2337

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CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: INVOCATIONS AT CITY
COUNCIL MEETINGS

Date Adopted: May 1, 2012

File 1.25
Number

POLICY OBJECTIVE

I. Background

Invocations at City Council meetings have been a long standing tradition.

On April 6, 2012, the City Council received a letter from Gregory P. Allen, Chair of the ACLU Redwood Chapter requesting that the City Council to take steps to ensure that invocations during City Council meetings are nonsectarian.

II. Legal Framework

The law relating to legislative invocations revolves around the Establishment Clause of the First Amendment of the United States Constitution which provides, in relevant part, that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof"

In *Marsh v. Chambers* (1983) 463 U.S. 782, the United States Supreme Court held that legislative invocations do not violate the Establishment Clause of the First Amendment. At issue in *Marsh*, was the Nebraska Legislature's practice of opening each legislative day with a prayer by a State paid chaplain. Finding that "[t]he opening of sessions of legislative and other deliberative public bodies with prayer is deeply embedded in the history and tradition of this country", the Supreme Court upheld the practice. (*Id.* at p. 786.) The Supreme Court pointed out that:

The content of the prayer is not of concern to judges where, as here, there is no indication that the prayer opportunity has been exploited to proselytize or advance any one, or to disparage any other, faith or belief. That being so, it is not for us to embark on a sensitive evaluation or to parse the content of a particular prayer.

(*Id.* at p. 795.)

In *Rubin v. Burbank* (2002) 101 Cal. App. 4th 1194, a California state court held that an invocation that invoked the name of Jesus Christ violated the principle set forth in the *Marsh* case. The court rejected the City's argument that, because only about 20% of the volunteers providing the prayer mentioned Jesus Christ, the prayer opportunity was not being exploited to advance or disparage any one faith or belief. Rather, the court interpreted *Marsh* to mean that ". . . any legislative prayer that proselytizes or advances one religious belief or faith, or disparages any other, violates the establishment clause." (*Id.* at p. 1204.)

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: INVOCATIONS AT CITY
COUNCIL MEETINGS

Date Adopted: May 1, 2012

File 1.25
Number

The Court of Appeal also rejected the argument that requiring the City to advise prayer participants that sectarian prayers are not permitted amounts to unconstitutional censorship or viewpoint discrimination. The Court pointed out that the prayers were forms of "public" rather than "private" speech, and therefore censorship was not at issue. The Court based this determination on the fact that the invocation ". . . took place on government property, was authorized by the long-standing policy of the city council, was part of the official agenda of the council meeting, and was for the purpose of calling for spiritual assistance in the work of the legislative body . . ." (*Id.* at p. 1207.)

III. Clarification of the City's Invocation Policy

Staff believes it is important to make it clear to the public that anyone who wishes to offer an invocation before a regular City Council meeting may do so.

Staff also believes it is important to make it clear to those giving invocations that the City:

- recognizes the important role invocations have in binding people of varying faiths together in the common purpose of requesting wisdom, solemnity, and blessing on the work of the City Council;
- strongly encourages invocations designed to make prayers accessible to people who come from a variety of backgrounds, and which do not exclude or disparage a particular faith; and
 - abides by legal standards for legislative invocations which have been established by the courts.

Therefore, staff will send a Volunteer Application to anyone who offers to give an invocation reminding them of these points (Attachment "A").

ASSIGNED RESPONSIBILITY

CITY CLERK

APPLICABILITY

Applies to all individuals who wish to give an invocation at City Council meetings.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: INVOCATIONS AT CITY
COUNCIL MEETINGS

Date Adopted: May 1, 2012

File Number 1.25

PROCEDURES

1. Anyone who wishes to give an invocation at a City Council meeting should contact the City Clerk.
2. The City Clerk will provide the individual with a Volunteer Application (Exhibit A).
3. Once the Volunteer Application has been signed the individual will be permitted to give the invocation at a City Council meeting.
4. The City Clerk will schedule the date and time of the invocation.

CITY OF EUREKA

Category: ADMINISTRATION

POLICIES & PROCEDURES

Subject: INVOCATIONS AT CITY
COUNCIL MEETINGS

Date Adopted: May 1, 2012

File 1.25
Number



**City of Eureka
Volunteer Application
Invocations at City Council Meetings**

Name: _____

Mailing Address: _____

Telephone Number: _____

Email: _____

Name of Church or Organization (if applicable): _____

I, _____, would like to volunteer periodically to deliver the invocation at Eureka City Council meetings. I understand that:

1. It is a privilege to deliver the invocation at City Council meetings. The City of Eureka retains the right to withdraw this privilege at its discretion.
2. The invocation should be less than three (3) minutes and respectful to City Council meeting participants.
3. The invocation must be non-sectarian. The courts have ruled that the invocation may not reference a specific religion, prophet, or deity. The invocation may include only non-sectarian terms such as God or Creator.

SIGNATURE

DATE

Please return this application to:
City Clerk, City of Eureka
531 K Street
Eureka, CA 95501

Jim Stretch

From: Russ Gans <RGans@mitchelllawfirm.com>
Sent: Monday, June 02, 2014 10:02 AM
To: Jim Stretch
Cc: Julie Gilbride
Subject: RE: CC Agenda 2014-06-03.doc

Jim,

I've reviewed the Supreme Court's recent ruling on prayer at public meetings a number of commentaries by Constitutional scholars regarding its implementation. The problem, as I see it, is that the Supreme Court (in its 5-4 Ruling) did not establish a clear enough "guidelines" regarding what is permissible prayer and what is not.

Justice Kennedy (the author of the majority opinion), lays out specific ground rules for legislative prayers: No proselytizing (inducing someone to join a specific faith), no denigrating other faiths and the government must have a non-discrimination policy when selecting people to pray.

The problem with these "prayer rules" is that could lead to even greater government censorship of religious speech. It will be hard for government officials to figure out when prayers cross the proselytizing line or come across as disparaging of other religions. Also, how will local governments practice "non-discrimination" in the selection of prayer givers? All "prayer givers" must be allowed to express their faith. Apparently, in Florida, an activist has already petitioned his local city commission and the state Legislature to allow him to open one of their sessions with a Satanist prayer.

The most conservative advice is to avoid choosing prayer givers and monitoring the content of their prayers. A moment of silence at the beginning of each meeting may be the best course.

Thanks.

Russell S. Gans
MITCHELL, BRISSO, DELANEY & VRIEZE, LLP
Attorneys at Law
P.O. Drawer 1008
814 Seventh Street
Eureka, CA 95501
Phone: (707) 443-5643
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e-mail: rgans@mitchelllawfirm.com

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675 Wildwood Avenue
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(707) 764-3532
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July 15, 2014

TO: Rio Dell City Council

FROM: Jim Sretch, City Manager

SUBJECT: Emergency Water Rate Penalty Schedule for Excess Use

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt by Resolution an emergency water rate penalty schedule for excess water usage during a declared water shortage.

BACKGROUND AND DISCUSSION

Bartle Wells Associates and Freshwater Environmental Services are both working on an urgent basis for policy options for the Council to consider for the establishment of a penalty rate schedule for excess water use during a declared water shortage.

As of the time of this writing there were no results to include in the packet, but there may be information to share by the July 15, 2014 meeting. If not, the City Council may want to schedule a special meeting for this topic for 7-22-14.

CITY OF RIO DEL L CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002861	6/12/2014	[0576] 101 AUTO PARTS	LINCH PIN PLUG KIT	6.75
0002862	6/12/2014	[3108] ACCUFUND, INC.	COMPUTER SUPPORT	87.50
0002908	6/26/2014	[5235] ADVANTAGE FINANCIAL SERVICES	MONTHLY PAYMENT FOR DOCSTAR 3.12 SOFTWARE PAC	148.35
0002863	6/12/2014	[5443] AIRGAS USA, LLC	CYLINDER RENTAL	16.64
0002864	6/12/2014	[3527] ALLIANT INSURANCE SERVICES (DRIVER)	CRIME INSURANCE FOR 7/1/2014 TO 7/1/2015	950.00
0002865	6/12/2014	[2247] ANTHEM BLUE CROSS	HEALTH INSURANCE FOR JULY 2014	18,660.00
0002892	6/20/2014	[2224] AQUA BEN CORPORATION	HYDROFLOC 750E 55 GAL DRUM	803.03
0002841	6/05/2014	[2225] AQUA SIERRA CONTROLS, INC	DWYER SUBMERSIBLE TRANSDUCER	573.33
0002909	6/26/2014	[5573] AQUAFIX	FILAMENT BUSTER & VITASTIM	2,492.63
0002842	6/05/2014	[3975] AT&T - 5709	PHONE EXPENSES FOR MAY 2014	446.14
0002843	6/05/2014	[5528] AVERY ASSOCIATES, INC	HIRING COSTS FOR NEW CITY MANAGER	5,000.00
0002866	6/12/2014	[5528] AVERY ASSOCIATES, INC	HIRING COSTS FOR NEW CITY MANAGER	1,549.53
0002910	6/26/2014	[5528] AVERY ASSOCIATES, INC	HIRING COSTS FOR NEW CITY MANAGER	6,229.72
0002911	6/26/2014	[2237] BANK OF AMERICA BUSINESS CARD	GOTOMYPC CREDIT MONTHLY PMT	146.36
0002912	6/26/2014	[4729] LAUREN & ALLE BAUM ROSE	JOHNNY'S FLOORING - VINYL FOR TRAILER	
0002867	6/12/2014	[2102] JOHN D BEAUCHAINE	RMI - 7 TO 4 CONNECTOR	
0002868	6/12/2014	[4892] KEVIN T CALDWELL	CUSTOMER DEPOSIT REFUND	41.39
0002913	6/26/2014	[4892] KEVIN T CALDWELL	REPLACE CHECK #1835 FOR ANTHEM BLUE CROSS REB	12.33
0002893	6/20/2014	[4907] CALIFORNIA CONTRACTORS SUPPLIES, INC	REIMBURSEMENT FOR 1 BOX OF LEGAL SIZE PAPER A	471.06
0002869	6/12/2014	[2261] CALIFORNIA STATE DISB UNIT	MILEAGE & PER DIEM REIMBURSEMENT FOR SVABO WO	
0002914	6/26/2014	[2261] CALIFORNIA STATE DISB UNIT	LOGGING REIMBURSEMENT FOR CALBO WORKSHOP IN S	228.80
0002844	6/05/2014	[5330] CAPITAL ONE COMMERCIAL	6 - 14 LED HANDS FREE HEADLAMPS	152.68
0002915	6/26/2014	[5330] CAPITAL ONE COMMERCIAL	GARNISHMENT CASE #200000001183524 FOR PPE 5/3	81.69
0002894	6/20/2014	[4924] SCOTT CHESHIRE	GARNISHMENT CASE #200000001183524 FOR PPE 6/1	81.69
0002870	6/12/2014	[2293] CITY OF FORTUNA	HOT CUPS	22.71
0002895	6/20/2014	[2293] CITY OF FORTUNA	COSTCO - SPOONS, KNIVES, CUPS & 4 PK LAMINATE	99.53
0002871	6/12/2014	[2303] COAST CENTRAL CREDIT UNION	CUSTOMER DEPOSIT REFUND	23.17
0002916	6/26/2014	[2303] COAST CENTRAL CREDIT UNION	POLICE DISPATCH SERVICES FOR JUNE 2014	1,542.00
0002872	6/12/2014	[3883] DARRYL J SELBY DBA SUPERIOR INSTALLS	ANIMAL CONTROL SERVICES FOR MARCH 2014 THROUGH POA DUES FOR PPE 5/30/2014 POA DUES FOR PPE 6/13/2014 LABOR & MATERIALS TO INSTALL EMERGENCY LIGHTS	2,400.00

CITY OF RIO DELLE
CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002845	6/05/2014	[2335] DAVIDSON BROTHERS LOCK & SAFE	THREE NEW PADLOCKS & TWENTY KEYS FOR RIVER AC	211.09
0002873	6/12/2014	[5127] DELTA DENTAL	DENTAL INSURANCE FOR JULY 2014	2,099.94
0002846	6/05/2014	[4382] DOCUSTATION	MONTHLY MAINTENANCE & COPY CHARGES FOR MAY 20	629.70
0002840	6/03/2014	[2366] EEL RIVER DISPOSAL INC	GARBAGE BAGS FOR MAY 2014	707.80
0002847	6/05/2014	[5177] AUSTIN H EVANS	CLOTHING ALLOWANCE - SAFETY GLASSES & GLOVES	54.80
0002874	6/12/2014	[5177] AUSTIN H EVANS	CLOTHING ALLOWANCE - SUNGLASSES & 2 WORK CREW	67.69
0002875	6/12/2014	[2393] FASTENAL COMPANY	3 - 8 PIECE PLIER SETS, SAFETY BLADES, 3 HOLE	725.72
0002917	6/26/2014	[2394] FEDEX	MAIL WASTE WATER SAMPLES TO PACIFIC ECORISK,	254.11
0002848	6/05/2014	[2407] FORBUSCO LUMBER	TWO QUARTS HENRY 356	13.96
0002849	6/05/2014	[2405] FORTUNA ACE HARDWARE	SIX BARS POISON OAK SOAP	163.80
0002876	6/12/2014	[2405] FORTUNA ACE HARDWARE	TWO CONTRACTOR/FARM HOSES 3/4 X 50; TWO BRASS	157.54
0002896	6/20/2014	[4855] FRESHWATER ENVIRONMENTAL SERVICES	6 - SCH 80 OVC NIPPLES, BUSHING, 2 SCH 40 TEE PLUMBING TUBING, SUMP PUMP, FITTING & BUSHING	1,200.00
0002877	6/12/2014	[5241] GE CAPITAL	DROUGHT PROPOSAL PREPARATION, PROP 84; WATER	475.49
0002897	6/20/2014	[0000] GHD, INC	XEROX COPIER RENTAL PAYMENT FOR JUNE 2014	11,791.00
0002878	6/12/2014	[2437] HACH	PROFESSIONAL SERVICES FOR WATER NOI	177.00
0002918	6/26/2014	[2501] HAJOCA CORPORATION	PROFESSIONAL SERVICES FOR WATER CIP UPDATE	126.28
0002919	6/26/2014	[5608] JON HANKEN	PROFESSIONAL SERVICES FOR ATP GRANT APPLICATI	815.34
0002920	6/26/2014	[4885] HDR ENGINEERING, INC.	THREE REAGENT SET, CHLORINE FREE CL17	8,501.25
0002879	6/12/2014	[2228] HUMBOLDT COUNTY ASSESSOR	TWO SCH 40 PVC ADAPTERS	97.15
0002921	6/26/2014	[2474] HUMMEL TIRE & WHEEL, INC	REIMBURSEMENT FOR TRAVEL EXPENSES TO INTERVIEW	38.54
0002922	6/26/2014	[5607] SEAN HUTCHISON	COMPLETED CONSTRUCTION OF AS-BUILT DRAWINGS F	1,291.21
0002923	6/26/2014	[2484] INDEPENDENT BUSINESS FORM	CITY OF RIO DELLE OWNERSHIP & MAILING ADDRESS	691.99
0002898	6/20/2014	[2499] J.P. COOKE CO.	FLAT TIRE REPAIR FOR MOWER	66.77
0002924	6/26/2014	[2513] LACO ASSOCIATES CONSULTING ENGINEERS	REIMBURSEMENT FOR TRAVEL EXPENSES TO INTERVIEW	554.25
			LASER UTILITY BILLS	
			ANIMAL LICENSE TAGS	
			PROFESSIONAL SERVICES FROM 12/1/2013 TO 1/4/2	

CITY OF RIO DELL CHECK REGISTER

General Checking - US Bank of California

Check	Date	Vendor	Description	Check / Payment
0002880	6/12/2014	[4908] MITCHELL BRISSO DELANEY & VRIEZE	PROFESSIONAL SERVICES FOR MAY 2014	2,346.32
0002925	6/26/2014	[4360] MODERN MARKETING, INC	PROFESSIONAL SERVICES FOR MAY 2014	380.50
0002850	6/05/2014	[2570] NILSEN COMPANY	TWO LARGE CONTAINERS OF WEED KILLER	174.13
0002851	6/05/2014	[2410] NORTH COAST CLEANING SERVICES, INC.	MONTHLY CLEANING SERVICE FOR MAY 2014	471.00
0002881	6/12/2014	[2569] NORTH COAST LABORATORIES, INC.	TESTING - DRINKING WATER DIGESTION, ICAP META TESTING - AMMONIA NITROGEN WITHOUT DISTILLATI	179.00
0002852	6/05/2014	[4393] NYLEX.NET	MONTHLY MAINTENANCE: MAY 15 THRU JUNE 14, 201	1,350.00
0002899	6/20/2014	[4629] OLKIN & JONES, DRS	MONTHLY MAINTENANCE: JUNE 15 THRU JUNE 30, 20	50.00
0002926	6/26/2014	[5053] PACIFIC ECORISK	PRE EMPLOYMENT DRUG - FINANCE DIRECTOR	6,402.67
0002882	6/12/2014	[2603] PG&E	TOXICITY TESTING SERVICES - EFFLUENT	19,769.59
0002900	6/20/2014	[3343] PITNEY BOWES RESERVE ACCOUNT	UTILITY EXPENSES FOR MAY 2014	400.00
0002901	6/20/2014	[2619] PITNEY BOWES, INC. (QTR Pymnt)	POSTAGE PURCHASE FOR RESERVE QUARTERLY PAYMENT FOR MARCH 30, 2014 TO JUNE	166.41
0002853	6/05/2014	[4338] QUILL CORPORATION	DESKTOP STAPLER	48.85
0002883	6/12/2014	[4338] QUILL CORPORATION	1 PACK INKJET LABELS; 1 PACK PAPER CLIPS; QUI	23.64
0002927	6/26/2014	[4338] QUILL CORPORATION	1 BOX OF RIBBONS FOR EPSON RECEIPT PRINTERS	366.98
0002884	6/12/2014	[5222] R.J. RICCIARDI, INC	LEGAL SIZE QB FASTENER FOLDERS	7,361.95
0002885	6/12/2014	[3029] REDWOOD COFFEE SERVICE	LETTER SIZE QB A-Z LEGAL INDEXES	63.00
0002854	6/05/2014	[2659] RIO DELL PETTY CASH	TWO PACKS LEGAL SIZE QB FILE FOLDER POCKETS	58.20
0002855	6/05/2014	[2742] SCOTIA TRUE VALUE HARDWARE	ONE PACK LEGAL QB FILE FOLDER POCKETS	3.14
			FOUR CARTONS PAPER; TWO BROTHER INK CARTRIDGE	
			PROFESSIONAL SERVICES RE: AUDIT FOR THE PERIO	
			PROFESSIONAL SERVICES TO RECORD AUDIT ENTRIES	
			COFFEE	
			CAR WASH FOR CITY CAR; POSTAGE FOR WWTP PROJE	
			LOCKNUT & SCREW	
			2 NICKEL PLATED KEYS	

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Check	Date	Vendor	Description	Check / Payment
0002902	6/20/2014	[2742] SCOTIA TRUE VALUE HARDWARE	10 - WEED/FEED 80# CONCRETE MIC 8 OZ VOC PVC CEMENT, ADAPTER & COUPLING 80 LB CONCRETE MIC 8 X 100 POLY TUBE BLACK FOAM TAPE ADAPTERS FOR SPRINKLERS ELBOWS FOR SPRINKLERS COUPLING COMPUTER SUPPLIES PW FUEL EXPENSES FOR MAY 2014 PD FUEL EXPENSES FOR MAY 2014 PD FUEL EXPENSES FOR JUNE 2014 PW FUEL EXPENSES FOR JUNE 2014 STORAGE SERVICES & BOX RETRIEVAL/ REFINING FO	268.21
0002928	6/26/2014	[2742] SCOTIA TRUE VALUE HARDWARE	VALVE SOL 2 WAY BRS 3/8	4.02
0002903	6/20/2014	[5376] SCOTTY'S CUTTERS EDGE	SWITCH SONIC START 200 MS DELAY	19.34
0002929	6/26/2014	[3923] SHAW COMPUTER SERVICES	GOOSENECK TABLE MIC; MAYOR'S POSITION, BASE	172.00
0002904	6/20/2014	[2694] SHELL OIL CO.	W	2,452.69
0002856	6/05/2014	[4525] SHERLOCK RECORDS MGMT	PAGING SERVICES FOR JUNE 2014	193.20
0002886	6/12/2014	[5315] SMITH & LOVELESS INC.	INTERNET SERVICE FOR 6/10/14 TO 7/9/14	447.16
0002905	6/20/2014	[5315] SMITH & LOVELESS INC.	SAFE DRINKING WATER STATE REVOLVING FUND	567.93
0002887	6/12/2014	[5506] SOUND ADVICE	PRIN	499.75
0002857	6/05/2014	[2710] STARPAGE	6 PALLETS COARSE ROCK SALT	12.95
0002888	6/12/2014	[2319] SUDDENLINK COMMUNICATIONS	TWO MINI MAG DEBIT/CREDIT CARD READERS	134.95
0002907	6/20/2014	[5606] SWRCB/Safe Drinking Water State Revolving Fund	(USB)	68,000.00
0002930	6/26/2014	[4818] THREE G's HAY & GRAIN	CASE #04-012-0941603860 CODE 92 LOAN NUMBER	1,860.97
0002858	6/05/2014	[5596] U.S. MERCHANT SYSTEMS, LLC	0	191.00
0002889	6/12/2014	[2758] USDA RURAL DEVELOPMENT	RETIREMENT FOR PPE 5/30/2014	28,375.00
0002890	6/12/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 6/13/2014	4,822.61
0002931	6/26/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	PART FOR VACTOR TRUCK: SEALED BLACK SPRING	4,822.61
0002932	6/26/2014	[2772] WENDT CONSTRUCTION, INC	BR	48.91
0002891	6/12/2014	[2779] WILDWOOD SAW	STIL FS 110R TRIMMER	318.59
0002906	6/20/2014	[2779] WILDWOOD SAW	HARNESS FOR BACKPACK BLOWER, TRIMMER LINE	505.50
0002859	6/05/2014	[2787] WYCKOFF'S	STIHL MS 271 WOOD BOSS W/20" BAR & CHAIN, BAR	49.19
0002933	6/26/2014	[2787] WYCKOFF'S	PARTS FOR THREE HOSES	97.82
0002860	6/05/2014	[4310] CAMERON D YAPLE	PULLDOWN FAUCET FOR SINK CLOTHING ALLOWANCE - GLOVES	24.70
Total Checks/Deposits				229,420.92