

**RIO DELL CITY COUNCIL
REGULAR MEETING
JUNE 15, 2010
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 P.M. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Dunker, Marks, and Thompson

Absent: Councilmember Barsanti

Others Present: City Manager Henrickson, Governmental Consultant Stretch, Chief of Police Hill, Finance Director Beauchaine, Acting Public Works Director Jensen, Planning Consultant Williamson and City Clerk Dunham

CONSENT CALENDAR

Councilmember Thompson asked that Item 2010/00615.05 – *Travel Expense Schedule for Councilmember Dunker for FY 2010-2011 League of California Cities Conferences* be removed for separate discussion.

Motion was made by Thompson/Marks to approve the consent calendar including the approval of minutes of the May 11, 2010 study session; approval of minutes of the May 18, 2010 regular meeting; approval of minutes of the June 1, 2010 regular meeting; approval of minutes of the June 8, 2010 special meeting; approval of the Water Bill Claim Adjustment for Bob Vogel at 285 Tolman Place in the amount of \$168.02; approval of proposed rate adjustments with Eel River Disposal Co. and accepting it as amendment to the City's Solid Waste and Recycling Agreement effective July 1, 2010; approval of contract agreement with Adult Day Health Services for Transportation Services; and approval of fund raiser activity by Rio Dell Parks & Recreation Commission. Motion carried 4-0.

ORDINANCES/SPECIAL RESOLUTIONS

Approve Resolution No. 1079-2010 Designating a Voting Delegate for the League of California Cities 2010 Annual Conference

City Manager Henrickson stated this resolution simply identifies the City's representative to vote at the annual League of California Cities business meeting, and suggested action on this item be postponed pending discussion of Councilmember Dunker's Travel Expense Schedule.

Approve Resolution No. 1080-2010 Ratifying Rio Dell Employees' Association Memorandum of Understanding

Consultant Stretch explained this resolution simply ratifies the Rio Dell Employees' Association Memorandum of Understanding which expired on June 30, 2009. He said the new agreement covers a 15 month period from July 1, 2009 through September 30, 2010. He continued with review of the major negotiated changes which included a 2% salary adjustment, retroactive to July 1, 2009; the City contribution of 8% of salary into Employee Deferred Compensation (457) Plan to cease if and when the CalPERS retirement benefit becomes effective; salary adjustment of 0.491% payable if and when CalPERS retirement benefit is effective; employee on-call allowance for 7 day period increased from 2 hours pay to \$100.00; employee on-call allowance for a second employee for 7 day period established at \$50.00; and deletion of 5% adjustment of base salary for completion of Water or Wastewater certificates up to a Grade III.

Councilmember Marks referred to the Salary Schedule under Article 8 and asked if the numbers represented monthly rates or bi-weekly; Mr. Stretch explained the Salary Schedule was based on bi-weekly rates and noted the MOU would be corrected accordingly.

Mayor Woodall thanked the members of the Association for their patience in the negotiation process.

Motion was made by Marks/Thompson to approve Resolution No. 1080-2010 *Ratifying Rio Dell Employees' Association Memorandum of Understanding*. Motion carried 4-0.

Open Public Hearing, Conduct Second Reading and Approve Ordinance No. 267-2010 Prohibiting the Possession of Open Containers and the Consumption of Alcoholic Beverages in Specified Public Places and Around Schools and a Prohibition on the Consumption of Alcoholic Beverages on or near the Premises of Off-Sale Liquor Licenses

Consultant Stretch explained on May 18, 2010 the Council introduced the proposed ordinance, held a public hearing, and waived the first reading of the Ordinance, except by title only. The proposed ordinance is now ready for the second reading, by title only and adoption.

At 6:40 P.M. Mayor Woodall opened a public hearing to receive public input on the proposed ordinance.

Alice Millington, 378 Wildwood Ave., asked for an overview of the key points of the ordinance. Mr. Stretch reviewed 8 key provisions of the ordinance as follows:

- It is unlawful for any person to either consume or have in their possession an open container of alcoholic beverage in public or within 600 feet of a primary or secondary school, except in (3) designated areas in the City or by special permit.
- The (3) designated areas in the City are sidewalk cafes by encroachment permit, Fire District Park property and the City Hall property.
- The City may issue Special Event Permits at a cost of \$25.00 & \$75.00 per event, depending on the size of the group.

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- Special events are defined as gathering of 15 or more persons.
- Public Works is to post appropriate signs at parks.
- Police Department issues Special Open Container Permits.
- Alcoholic beverages may not be consumed on the premises of any off-sale business.
- The Rio Dell Police Department is to enforce the Ordinance.

Alice Millington asked if the Chamber of Commerce would need a Special Event or Open container Permit if they were to hold an event that was within 600 feet of the school; Mr. Stretch explained they would need a permit if more than 15 persons attend the event.

John Lane, 1249 Riverside Dr. stated according to his recollection, this law has been in existence in the City of Rio Dell for a number of years and asked if this was a new ordinance or an amendment or an existing ordinance. City Clerk Dunham commented that she was not aware of any previous Open Container Ordinances in the City and noted that the new Municipal Code would have identified the ordinance if it were in existence.

There being no further public comment, the public hearing closed at 6:47 P.M.

Motion was made by Thompson/Marks to approve Ordinance No. 267-2010 *Prohibiting the Possession of Open Containers and the Consumption of Alcoholic Beverages in Specified Public Places and Around Schools, and a Prohibition on the Consumption of Alcoholic Beverages on or Near the Premises of Off-Sale Liquor Licenses*. Motion carried 4-0.

SPECIAL CALL ITEMS

Approve Travel Expense Schedule for Councilmember Dunker for FY 2010-2011 League of California Cities Conferences

Councilmember Thompson stated he would like to have a financial report showing year-to-date travel expenditures for Councilmembers before considering any additional out-of-the-area travel expenses.

City Manager Henrickson stated he could only comment on the draft operations budget noting that approximately \$100,000 would be coming out of the reserves to balance the FY 2010-2011 budget.

Councilmember Dunker commented that this year's proposed travel budget represented a large decrease from previous year's budget.

Mayor Woodall called for a motion on the proposed Travel Expense Schedule for Councilmember Dunker's attendance of FY 2010-2011 League of California Cities Conferences. No motion was made therefore no action was taken.

Authorize the City Manager to Sign a Grant Application for the Coast Central Credit Union – Community Investment Program Fall 2010 Grant Awards

Mayor Woodall reported on the status of the grant application and stated that the Parks and Recreation Commission identified a local Coast Central Credit Union Community Investment Grant that will be awarded to local organizations ranging from \$5,000 - \$25,000 with the idea of using the funds to make up the difference in monies needed for the play equipment or safety ground cover for the Fireman's Park Project. She said they were awaiting information from Winzler & Kelly regarding the \$220,000 2002 Resources Bond Act Grant for improvements at the Fireman's Park to identify what improvements will be included with that grant before applying for additional funding through the Coast Credit Union Grant.

Councilmember Marks asked if the Parks and Recreation Commission should bring forward to the City Council, any potential grants that don't cost the City money. City Manager Henrickson said any grants beneficial to the City should be brought forward for consideration, however not all grants are free.

Motion was made by Marks/Thompson to authorize the City Manager to sign a grant application for the Coast Central Credit Union Community Investment Program Fall 2010 Grant Awards. Motion carried 4-0.

Solids and Disinfection Management Change Order No. 7

City Manager Henrickson stated this item has to do with the fabric building at the wastewater treatment plant that was originally constructed as a temporary use until its relocation to the permanent wastewater treatment plant at the Eel River Site. Due to the decision not to relocate the plant, it is necessary that the fabric building/structure be constructed on a permanent foundation. He said there could be cost savings of approximately \$10,000 if grindings from the Wildwood Ave. Paving Project can be utilized. Staff's recommendation was contingent on information from Megan Brown, State Water Resources Control Board Grant Manager, regarding the possibility of the grant covering the cost associated with this change order and availability of funds. City Manager Henrickson stated that staff learned today that additional grant funding would not be available. Staff's recommendation was to proceed with the change order to construct a perimeter foundation for the fabric building to be used for the new sludge dewatering and storage area, for a cost not to exceed \$49,734.23 which included 10% contingency. Staff noted that funds for this project would come from Sewer Capital Funds and rolled into the final wastewater project funding package.

Motion was made by Thompson/Marks to approve the Change Order No. 7 in the amount of \$49,734.23 for labor, equipment and materials necessary for preparing prefabricated building foundation and pad foundation for sludge dewatering area per PCO#109. Motion carried 4-0.

Public Hearing – Review of Proposed Sphere of Influence; General Plan and Zoning Amendments, and Municipal Service Review Determinations for Annexing Scotia to Rio Dell

Mayor Woodall opened the public hearing at 6:58 P.M. and asked for a report from staff.

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Contract Planner Williamson stated there was a considerable amount of work done in preparation of the Public Hearing materials for LAFCo on why annexation of the Town of Scotia to Rio Dell should be selected over the proposed Community Services District formation by Jim Stretch with significant contributions from Winzler & Kelly and Planwest Partners, in addition to the City Manager and Finance Director. He said the message we want to relay to LAFCo is that the City is ready, willing and able to annex Scotia to provide the full range of municipal services to the area in a seamless manner should they consider annexation over the formation of a CSD.

He noted the original date for the LAFCo public hearing was scheduled for June 23, 2010 however, the firm creating the notice did not get it posted in time for that meeting so the public hearing was rescheduled for July 21, 2010.

City Manager Henrikson pointed out the obvious cost savings based on Economy of Scale for annexation over a CSD.

Jim Stretch commented that when you look at the LAFCo Commissioners Handbook, it clearly states that “new, expanded or consolidated services should be reviewed by one of the following governmental agencies shown in descending order of preference”; one being Annexation to an existing City; and six being Formation of a new multi-purpose district, which makes it seem to be an open and shut case especially since the City of Rio Dell is willing and able to move forward with annexation. He said there has been good coordination between staff and consultants in preparing a very strong compelling letter to LAFCo to look at both proposals and state a preference. He noted that the analysis shows that annexation would be 43% cheaper than CSD because the CSD would have to duplicate services already provided by the City.

John Lane, 1249 Riverside Dr., referred to Page 2 of the May 11, 2010 Study Session minutes (the last bulleted item) which states “Annexation will be beneficial to Rio Dell for numerous reasons” and commented that the reasons should be specified.

Jim Stretch referred to Page 7 of the staff report from Planner Williamson, noting the benefits to Rio Dell residents were outlined in that portion of the report. He reviewed the benefits which included the following key points:

- Annexation will be beneficial to Rio Dell to cover the cost of police services for call that we know will come to us, directly or indirectly.
- Increasing the City’s population by 25% allows for the spreading of costs for services like water and wastewater services to a larger base, thereby reducing the cost to everyone.
- Annexation expands the property tax base with commercial and industrial uses, thereby reducing the funding burden on households.
- The potential contamination of Rio Dell’s freshwater intake by Scotia’s wastewater plant would be eliminated.

- The combined mix of land uses under annexation makes for a much more balanced community.

Mayor Woodall presented to the City Clerk, a memo from the Town of Scotia (Frank Shaw Bacik, V.P., Director of Legal Affairs) to be included as part of the record.

There being no further public comment, the public hearing closed at 7:10 P.M.

PUBLIC PRESENTATIONS

None

REPORTS/STAFF COMMUNICATIONS

City Manager Henrickson reported on recent meetings and activities in the city manager department stating that Acting Public Works Director Jensen presented him with a memo regarding the use of grindings; and announced there would be a budget study session on June 22, 2010 at 5:00 P.M. followed by a special meeting on June 29, 2010 for adoption of the FY 2010-2011 Operations Budget.

Accounting Supervisor Beauchaine reported on recent activities in the finance department stating the majority of the finance department's efforts were spent on preparation of the budget stating that she had completed the Draft Operations Budget and would have the Capital Projects Budget completed by June 22nd.

Acting Director of Public Works Jensen reported on recent activities in the public works department and announced the City would be sponsoring an e-waste event on Friday and Saturday (June 18th & 19th) and said the event was open to everyone including out of city residents free of charge.

COUNCIL REPORTS/COMMUNICATIONS

Councilmembers reported on recent meetings they attended and Councilmember Marks noted that she reviewed the Open Container Ordinance and noted the Chamber of Commerce would be exempt from obtaining an Open Container Permit for special events.

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

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- 1) Conference with Labor Negotiator; the City's Designated Representative Interim City Manager Jim Stretch and City Manager Ron Henrickson concerning Rio Dell Police Officers' Association (Government Code Section 54957.6)

Mayor Woodall announced the City Council would be recessing into closed session to discuss the above noted matter and asked for public comment. There being no public comment, the Council recessed into closed session at 7:22 P.M.

The regular meeting reconvened at 7:55 P.M. Mayor Woodall announced there was no reportable action taken in closed session.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:57 P.M. to the June 22, 2010 Study Session.

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk