**AGENDA**
RIO DELL CITY COUNCIL
**CLOSED SESSION – 5:00 P.M.**
**REGULAR MEETING - 6:30 P.M.**
**TUESDAY, OCTOBER 3, 2017**
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE

***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 American 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 the meeting.*

A. CALL TO ORDER

B. ROLL CALL

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

2) 2017/1003.02 - **Public Employee Appointment**
Title: Chief of Police (Pursuant to §54957 of the Government Code)

D. PUBLIC COMMENT REGARDING CLOSED SESSION

E. RECESS INTO CLOSED SESSION

F. RECONVENE INTO OPEN SESSION – 6:30 P.M.

G. ORAL ANNOUNCEMENTS

H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

## J. 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.*

## K. CONSENT CALENDAR

*The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council embers 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) 2017/1003.02 - Approve Minutes of the September 19, 2017 Regular Meeting **(ACTION)** 1

2) 2017/1003.03 - Approve Resolution No. 1357-2017 Amending and Adopting City Master Salary Table **(ACTION)** 17

3) 2017/1003.04 - Approve Pay Request No. 1 in the Amount of $25,940.25 to DCI Builders for work related to the CDBG Architectural Barrier Removal Project **(ACTION)** 21

4) 2017/1003.05 - Approve Resolution No. 1361-2017 Designating Projects to be Funded by the Road Maintenance and Rehabilitation Account (RMRA) During FY 2017/18 and Approving a Budget Adjustment to Reflect New Revenue **(ACTION)** 24

5) 2017/1003.06 - Approve Amended Agreement with Artist Dan McCauley for Wildwood Avenue Sculpture Exhibit **(ACTION)** 32

## L. ITEMS REMOVED FROM THE CONSENT CALENDAR

## M. SPECIAL PRESENTATIONS/STUDY SESSIONS

## N. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

1) 2017/1003.07 - Discussion on a Skate Park in the City of Rio Dell **(DISCUSSION/POSSIBLE ACTION)** 37

2) 2017/1003.08 - Approve Addition of an Open Door Policy to the Employee Handbook **(DISCUSSION/POSSIBLE ACTION)** 38

3) 2017/1003.09 - Discussion on the Display of the Motto "In God We Trust" in the City Council Chambers **(DISCUSSION/POSSIBLE ACTION** 40

4) 2017/1003.10 - Discussion on Possible Use of Measure X Tax Proceeds **(DISCUSSION/POSSIBLE ACTION)** 46

O. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

1) 2017/1003.11 - Unmet Transit Needs Public Hearing **(DISCUSSION/POSSIBLE ACTION)** 47

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P. REPORTS/STAFF COMMUNICATIONS

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for*
***Tuesday, October 17, 2017** at 6:30 p.m.*

**RIO DELL CITY COUNCIL**
**REGULAR MEETING**
**SEPTEMBER 19, 2017**
**MINUTES**

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

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| ROLL CALL: | Present: | Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Strahan |
| | Others Present: | City Manager Knopp, Finance Director Woodcox, Interim Chief of Police Beauchaine, and City Clerk Dunham |
| | Absent: | Community Development Director Caldwell and Water/ Roadways Superintendent Jensen |

## CEREMONIAL MATTERS

Proclamation Declaring the Week of September 17-23 as Constitution Week
Mayor Wilson read the proclamation declaring the week of September 17-23 as Constitution Week and presented it to a representative from Daughters of the American Revolution Constitution Committee.

Mayor Wilson noted that as a side note, the Rio Dell City Council is part of the minority with regard to reciting the Pledge of Allegiance at the beginning of each meeting.

## PUBLIC PRESENTATIONS

**Nick Angeloff** provided an update on Chamber of Commerce activities and said that he provided the City with the necessary paperwork to receive the sculpture grant from the McLean Foundation and the City should be receiving the $1,500 check soon. With regard to the $1,500 grant from the Headwaters Fund, there will be a slight delay pending submittal of some additional paperwork.

He also reported that the Christmas cutouts were coming along with a total of six being painted thus far. He noted that the painting is time-consuming and welcomed any volunteers that would like to help. He said with regard to the City's contribution toward the decorations, the Chamber will be submitting one invoice to the City for reimbursement of supplies rather than individual invoices.

**Dave Griffith** addressed the Council and said that he had previously asked that the City crew clean up the grass and weeds along the City right-of-ways adjacent to the sidewalks and noted that Monument Road is in dire need.

City Manager Knopp noted that City crews do weed maintenance along Wildwood Ave. regularly however; there have been some damages that have occurred to private properties

such as broken windows with weed eating activities. He pointed out that maintenance of sidewalks and the adjacent areas are the responsibility of the property owner.

**Amanda Shelton** addressed the Council regarding ongoing efforts to construct a skateboard park in Rio Dell noting that their group has meet with the City Manager, the Rio Dell School District and conducted several fund raisers. She said in moving forward, they are seeking support from the City in locating and acquiring suitable property for development of the skateboard park and asked the item to be placed on the next agenda for further discussion.

Consensus of the Council was to bring the matter back to Council on the October 3rd agenda.

**Cheryl Short** addressed the Council regarding adoption of the Recreational Cannabis Ordinance at the last meeting and said she was the only citizen present and expressed concern that most citizens were not properly notified so there was not adequate public input on the subject.

Mayor Wilson explained that the ordinance was properly noticed; first for the introduction of the ordinance at the August 15, 2017 meeting then for the final adoption at the September 5, 2017 meeting including the required public hearings.

## CONSENT CALENDAR

Councilmember Strahan asked that consent calendar item (4) be removed for separate discussion. Likewise, Mayor Wilson removed item (3).

Motion was made by Johnson/Garnes to approve the remaining consent calendar including minutes of the September 5, 2017 regular meeting; Pay Request No. 7 for the Metropolitan Wells Project in the amount of $329,717.16; and to receive and file the check register for August 2017. Motion carried 5-0.

## ITEMS REMOVED FROM THE CONSENT CALENDAR

Resolution No. 1358-2017 Year-End Transfer and Amending the Operating Budget for FY 2016-2017

Councilmember Strahan questioned the $42,218 increase in Sewer Operations appropriations and whether it was due to a shortfall in sewer revenue.

Finance Director Woodcox explained that it had to do with unavoidable sewer expenditures for FY 2016-17 noting that $20,278 was for equipment repairs and $21,940 for sewer plant permit renewal testing which is required every five (5) years by the State Water Resources Control Board.

Motion was made by Strahan/Johnson to approve Resolution No. 1358-2017 *Year-End Transfer and Amending the Operating Budget for FY 2016-2017*. Motion carried 5-0.

Resolution No.1357-2017 Adopting an Amended City Master Salary Table
Mayor Wilson referred to the Salary Table under *Contract Employees* and noted that there are only two (2) salary steps for the City Manager and Chief of Police positions rather than three (3) as there were previously.

Finance Director Woodcox noted that there was apparently an error with her spreadsheet and agreed to make the correction and bring it back on the next agenda.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

Mayor Wilson changed the order of the agenda and moved discussion on recruitment of Police Chief after the two resolutions to give GHD the opportunity to present their items first.

**ORDINANCES/SPECIAL RESOLUTIONS**

Approve Resolution No. 1359-2017 Authorizing the City Manager to execute Change Orders as necessary and file Notice of Completion for the Metropolitan Wells Project
City Manager Knopp distributed a supplemental memo from GHD to update the Council on the budget status of the Metropolitan Wells Project. The update included a breakdown of funding sources and the estimated remaining funds; a breakdown of project costs within the various funding categories; a summary of approved change orders; and a summary of estimated costs for pending change orders.

He noted that construction on the Metropolitan Wells Project is approximately 95% complete and Water/Roadways Superintendent Jensen was at the site today with consultants and pump manufacturers debugging the system and performing State mandated testing. He said there are some minor changes to the project and with the October 3rd deadline for completion approaching, staff is requesting additional flexibility to order and execute remaining change orders and coordinate with the three (3) funding agencies in addition to suppliers and contractors. The proposed resolution authorizes the City Manager to execute change orders as necessary and file the Notice of Completion for the project.

Discussion continued regarding the remaining contingency and additional change orders to include an emergency generator, additional exterior lighting, additional asphalt paving and electrical heaters for the exterior motors.

City Manager Knopp indicated that the emergency generator is one of the items requested by staff and although it is still on the priority list of items the other items need to be accomplished first.

He said the recommendation is to authorize the City Manager to execute change orders as necessary up to the contingency amount and file the Notice of Completion on the project.

He noted that Rebecca Crow from GHD was present to answer any questions the Council may have.

City Manager Knopp continued with review of the pending change orders and said staff had requested some additional exterior lighting at the rear of the building; additional wiring for additional features to the equipment; minor fencing and drainage modifications; as well as the portable backup generator. He said the estimated cost for these items is between $62,500 and $77,500 and as such, there will likely be a need for an additional $10,000 to $20,000 to complete the project, barring any other unforeseen problems.

He indicated that staff will return to the Council with a quote for the generator and a corresponding budget amendment request if necessary.

Mayor Pro Tem Johnson commented that he stopped by the site and took a brief tour and said everyone should be celebrating the fact that the City invested $57,000 and is getting a nearly $2 million project completed which will serve the City for many years. He said one of the great things about the design is that the wells will be able to be turned on and off with a smart phone and said he would hope to see a field trip to the site conducted once things are up and running. He added that the proposed resolution is minor in nature and recommended adoption.

Councilmember Garnes agreed and said the Council has been kept up to date on the status of the project and that staff needs to be able to move forward.

Mayor Wilson said according to GHD's estimate, there is approximately $80,000 remaining in the construction contingency and asked if that number is correct.

City Manager Knopp explained that the estimate was preliminary and since then GHD and staff has narrowed down the numbers and the current contingency balance is just under $58,000 after subtracting the four (4) pre-approved change orders identified under Table 3 in GHD's memo.

Councilmember Strahan referred to the four (4) change orders totaling $18,570.62 which were already taken out of contingency and asked if the remaining items on Table 4 at $62,500 - $77,500 are the final items to come out of contingency.

City Manager Knopp explained that the City was able to bill USDA for other additional costs associated with the project.

Rebecca Crow clarified that the $18,570.62 was already taken out of the contingency and the costs identified on Table 4 will also be taken out of the $58,000 remaining in contingency.

She said the City submitted the first reimbursement claim in September and the Finance Director went back and identified some costs the City expended that were not eligible for grant

reimbursement. Because they were actual costs associated with the project they were applied toward the City's $57,000 required match. She said when those dollars were added into the project, money had to be moved from the contingency to backfill the City's dollars to make up the difference which explains the difference in Steve McHaney's estimated contingency of $80,000 and the $58,000.

Councilmember Strahan asked for clarification that the balance in the contingency is $58,000 yet the recommendation is to spend $68,000 to $77,000.

City Manager Knopp explained that the estimate includes the purchase of the standby generator which is not an immediate requirement of the project. He said staff can come back to the Council sometime in October after all of the other change orders are taken care of and consider the generator purchase at that time if it requires a city contribution to pay for it.

Rebecca Crow noted that there is some flexibility with the project in that USDA is the only funding agency with the October 3rd deadline for completion.

Discussion continued regarding discrepancies within the contingency.

Mayor Wilson commented that at the last meeting, the contingency was reported at $111,719 and now it's being reported at $58,000 and there doesn't seem to be the detail to back it up. He said that he is not diminishing anyone's integrity or diminishing the project but would like to know the specifics on why the number changed.

Rebecca Crow explained that the contingency is not just for construction costs but for the larger part of the project. She noted that the City has been very efficient in identifying not only historic costs for the USDA portion but even previous to that, dollars spent on expenditures related to the project.

Finance Director Woodcox explained that USDA approved some costs that the City could apply toward the $57,000 match and that is how this wound up going over budget. She said when GHD was doing their budgeting they didn't realize the City was holding $30,000 in USDA approved costs so there was basically a gap in information between GHD and the City.

Rebecca Crow noted that the USDA reimbursement comes with a by-the-penny accounting of every single dollar applied to the project. She said Finance Director Woodcox has a spreadsheet by category and funding source of every invoice related to the project and part of the discrepancy with the contingency is that the City has reclaimed a lot more in historic costs than was originally anticipated.

Finance Director Woodcox said another reason is that from an engineering perspective and an accounting perspective there was mis-information regarding the amount the City was holding. She added that she didn't know about GHD's (Rebecca's) contingency budget and when she

looks at things she looks strictly at grants and straight dollar amounts whereas Rebecca is looking at construction costs and tasks involved in the project.

Rebecca said in the end it is beneficial to the City because the costs invoiced to the City have now become reimbursable putting more dollars back to the City that might not have if that accounting had not been done. She said on the flip side it has created a convoluted story of what happened to the contingency but reassured the Council that every dollar can and has been tracked.

City Manager Knopp explained that the effort with the memo is to update the City Council and be as transparent as possible regarding the status of the project. He said staff can certainly distribute spreadsheets with all the detail as the Mayor requested.

He further clarified that the project is not over budget and if the generator is included which is an ideal add-on but critical to the project, the projected overrun will be around $20,000. Essentially by adding it on, the City will be paying $20,000 for a $60,000 - &70,000 generator. He reiterated that the decision regarding the generator can be made at a later date. The authorization for staff to approve the change orders would include everything except the generator and would not exceed the current contingency amount.

Motion was made by Johnson/.Garnes to approve Resolution No. 1359-2017 *Authorizing the City Manager to Execute Change Orders as Necessary within the Remaining Project Contingency and Further Authorizing the City Manager to File a Notice of Completion for the Project.* Motion carried 5-0.

<u>Approve Resolution No. 1360-2017 Approving a Scope of Services with City Engineer, GHD, Inc. for Plans and Specifications and Estimates and Other Services Related to the Active Transportation Program (ATP) Grant with further Authorization for the City Manager to Execute</u>
City Manager Knopp provided a brief recap of the grant program and said in May of 2014 the City made application for the Active Transportation Program's (ATP) Cycle 1 round of funding but did not score high enough to be awarded the grant. In 2015, the City made amendments to the original Cycle 1 ATP application with coordination of GHD to include a public education component and modifications to the off-ramp of US 101 and scored high enough to receive funding under the Cycle 2 round of funding. He explained that the State creates these grants with specific requirements in terms of statewide goals and what the City is attempting to do is use those grant dollars to provide as much benefit as possible to the community.

He said David Caisse from GHD was here to give a presentation on the ATP grant and give the Council and the public the opportunity to make any other requested modifications to the preliminary design of the project that were not identified through the prior public meetings.

David continued with an overview of the proposed improvements, programming phases, public comments from prior public meetings, project amendments within the scope of the grant, and next steps.

He pointed out that the grant was awarded for $1,533,000 and requires no city match however; any changes that impact the scope of the grant agreement must come with Caltrans approval and any work outside the scope becomes the City's responsibility.

He noted the primary project improvements include intersection improvements, bike lanes on Belleview Ave., Wildwood Ave. and Davis St., and curb ramp improvements.

He said the first phase of the project is PA&ED (Project Approval & Environmental Document) which is where the project is now.

He continued with review of the comments that came out of the second open house that was held in coordination with the Rio Dell School District on September 13th. The comments included:

- Extension of sidewalks on Eeloa Ave. toward CC Market;
- Improvements to Streetscape along Belleview Ave. adjacent to Highway 101;
- Keeping the Eeloa Ave. and Scenic Way intersection open and not so restrictive;
- Eliminating the pedestrian refuge island at Belleview Ave. and Wildwood Ave.
- Under the school educational component to encourage students to use the multi-use path along Wildwood Ave. rather than the bike lanes;
- Sidewalks are needed more than bike lanes

David elaborated on the $36,000 non-infrastructure component of the grant to include such things as a bicycle rodeo and educational training to encourage kids to use bike lanes.

He said with regard to the comment that sidewalks are needed more than bike lanes, as City Manager Knopp indicated, there is some flexibility with regard to design of the project but any major changes or loss of benefit impacting the scope of the grant must go back to Caltrans for approval and the City could potentially lose funding. He explained that he went through the list of comments and eliminated items not relevant under the scope of the project including improvement to the Streetscape along Belleview Ave., elimination of the pedestrian refuge island at Belleview and Wildwood, and additional sidewalks.

David said the remaining item under the PA&ED Phase is to complete the preliminary design and submit the PS&E allocation request which was originally scheduled to be submitted in September but has tentatively been pushed off until December because public meetings are still being conducted. He noted that up to 20% of the Right-of-Way ($100,000) can be transferred into other phases such as Construction or Non-Infrastructure and if that is the plan, it needs to be requested. He said the non-infrastructure phase can technically be submitted now but recommended it be held off until spring as it goes hand-in-hand with the construction phase. He said construction funds are expected to be expended in 2018-2019 with construction to begin in April 2019.

The recommendation was to approve the preliminary design with minor modifications and approve the resolution approving the Scope of Services with GHD for plans, specifications and estimate, utility and right-of-way engineering, non-infrastructure component, and construction engineering services for the ATP grant.

David suggested the possibility of the City seeking other grant opportunities for construction of sidewalks or other needed improvements.

Mayor Wilson commented that he understood the School District was going to have input on the design of the project early on but in moving forward, statistics show that only 3% of kids ride bikes to school and 30% walk to school. One of the stated goals is that when this is done it will increase biking and walking to 75%.

He said he would like to work towards getting more sidewalks constructed and perhaps the City can allocate some funds and add some sidewalks adjacent to where others are going in and save money by utilizing the same contractor.

David commented that a map of sidewalks in the city would be helpful because sometimes there may be a short stretch of 200 feet that would connect multiple lots and have a full block of sidewalks.

Councilmember Strahan questioned who was involved in early discussions of the project and who determined sidewalks were not needed.

David stated that he actually went back and found letters of support for the project from the Mayor, Chief of Police, School District, School Board, Parent/Teachers Association, Chamber of Commerce, and Rio Dell Fire Department; all of which were aware of the plan for bike lanes when supporting the project. He noted there was a lot of local support as well including Caltrans, HCAOG and the County Department of Health.

Councilmember Strahan recited from a website the goal and purpose of Safe Routes to School projects and said it focuses on health and active transportation including biking as well as walking. She indicated that she would like to do it together so wherever there is a bike lane there is also a sidewalk. She said that is what kids need to get them elevated off the street for their own safety.

David pointed out that the cost of bike lanes is pennies compared to the cost of constructing sidewalks and with $1.5 million eliminating bike lanes will only pay for a very small portion of sidewalks and reiterated that there are other grant opportunities for sidewalk construction projects the City can pursue.

Mayor Wilson opened the public hearing to receive public input on the proposed project.

**Joe Enes** asked if the plan includes bike lanes on one or both sides of Belleview Ave.

**Jacqueline Wilson** agreed with improving the Streetscape along Belleview Ave.

Mayor Wilson commented that his hope is that everyone learned from this process and next time makes a more assertive effort to get notice out to the community.

Councilmember Strahan asked the City Manager if he was involved in the process from the beginning and if he had consulted anyone regarding bike lanes versus sidewalks.

City Manager Knopp stated that he was only involved in the process for Cycle 2 funding and explained how the ranking system works for scoring points to become eligible for funding. He said the focus in the beginning was on the intersection at Eeloa Ave. and Scenic Way then improvements to the Highway 101 off ramp was added and the pedestrian safety zone at Belleview and Wildwood. He said this was an area where there was a fatality about 2 years ago involving a Rio Dell resident in a wheel chair.

Mayor Wilson said regarding the off ramp, the Council discussed it extensively and it got incorporated and noted that grant funds were already secured at the time of that accident.

City Manager Knopp noted that the off ramp has been a long standing issue to correct as it was not well designed and in the opinion of Chief Hill is the most dangerous intersection in the City. He said it is the logical progression for work on Wildwood Ave.

He further explained that several transportation programs including Safe Routes to School were consolidated into one program, the Active Transportation Program (ATP) so this grant is not strictly a "Safe Routes to School Grant." He said the ATP program encourages increased use of active modes of transportation such as biking and walking and it is a competitive grant where local projects are scored against a series of statewide priorities and criteria and grants are awarded on a point's basis.

He said if the City Council would like to see more dollars appropriated towards sidewalks, the Council can certainly direct that to occur but what staff is trying to do is make sure the City is in compliance with the grant, pull down those dollars and get these much needed improvements done. He thanked David for taking on this project where someone else left off and that he has done a remarkable job moving the project forward.

Mayor Wilson closed the public comment period and called for a motion.

Motion was made by Johnson/Garnes to approve the preliminary design with minor modifications and adopt Resolution No. 1360-2017 *Approving the Scope of Services with GHD, Inc. for Plans, Specifications & Estimates (PS&E), Utility and Right-of-Way Engineering, Non-Infrastructure Component and Construction Engineering Services for the Active Transportation Program Grant.*

Councilmember Strahan stated that she had asked about the specifications of the bike lanes and whether they would be 4 feet or 5 feet in width.

David responded that he was correct in his response to her at the school public meeting and stated that it is 4 feet whenever there is a shoulder to run off of but where there is a vertical curve with gutter it is 5 feet. He noted that this comes from Section 300 from the Highway Code and agreed to forward her link to the website.

**Francesca Cumero** asked if anyone thought to ask parents why only 3% of kids ride bikes to school whereas 30% walk to school. She questioned whether it was a financial issue and if it would help to provide some sort of financial assistance or if parents feel it's a safety issue.

Mayor Wilson noted that one of the teachers at the school took pictures at various times of the bike racks and of the 320 students in both schools only 16% of them had bikes in the racks on those days. He said the hope is to increase the percentage from 33% to perhaps 75% for kids riding or walking to school noting that at this point 50-60% of kids are driven to school. He said the Council will take note of her comments and pursue the issue.

Motion then carried 5-0.

Discussion on Recruitment for Police Chief

City Manager Knopp provided a brief staff report and said at the request of the Mayor; the procedures for the appointment of a Chief of Police were agenized for further review and discussion.

He quoted the relative verbiage under Chapter 2.25.050 of the Rio Dell Municipal Code (RDMC) which reads: *"Appointment of Chief. The City Manager shall appoint a Chief of Police after coordination and confirmation of the Council to serve in compliance with existing law, ordinance, resolution, City personnel rules and a memorandum of understanding."*

Mayor Wilson stated that the Council came to a decision on the creation of an Ad Hoc Committee consisting of the Mayor and Mayor Pro Tem and said the way he interprets the code is that at the end of the day the City Council ultimately confirms the appointment of a Chief of Police. He commented that recruitment of a Chief of Police is not something that is done frequently in the City and his personal opinion is that the City Council should own this decision.

He said the last recruitment was in 2004 when Chief Hill was appointed and deferred to Julie Woodall as to how the recruitment was done then since she was on the City Council during that time.

Julie commented that the Council was involved in the interview process and collectively made the decision.

Mayor Wilson said what he would like to see provided if it is legal, to follow the process as defined, discuss the recommendation of the Ad Hoc Committee in closed session with the Council and the City Manager and hopefully come to a collective decision then place it on the on the next consent calendar to confirm the appointment. He said hopefully there would be no debate in a public forum about the pros and cons of the candidates.

Mayor Pro Tem Johnson said the way he envisions the process is to have a four (4) member interview panel consisting of the City Manager, Mayor, Mayor Pro Tem and a law enforcement expert such as a current or retired chief or sheriff; review applications, conduct interviews, and come to a consensus on the selection with confirmation of the City Council without participating in the interview process.

City Manager Knopp interjected that he is coordinating with the Council through the Ad Hoc Committee and they talked about some of the decisions they've made up to this point in the process and felt everyone understood why these decisions were being made. He said as the process moves forward he would absolutely want buy-in from the Council on any Police Chief selection as it is probably one of the biggest decisions any city manager or city council has to make for the primary service delivered to the community. He said in moving forward he is trying to schedule the interview process with the Ad Hoc Committee and certainly will be sitting down and discussing what the best options are. He said at the end of the day, the City Manager has to make a recommendation to the full City Council in closed session and the Council will be voting on that recommendation and providing direction to the City Manager. He said it is certainly not in the best interest of any city manager to be submitting a candidate that is not going to receive full confidence of the council noting that the results of that vote should remain confidential for the City Council's sake and the sake of the process itself. He said the City Manager will receive feedback from the Council at that point and either proceed with hiring or go back and possibly conduct more interviews or re-fly the position. He said as he interprets the Rio Dell Municipal Code, that is the process and what they are required to follow.

He commented that if the Council wants to amend the ordinance to change the appointment process they can do so but it is a fairly lengthy process.

Councilmember Strahan asked if the Council as a whole can be the Ad Hoc Committee.

City Manager Knopp explained the purpose of the Ad Hoc Committee and said there are Brown Act concerns regarding the full Council being on the committee. He said having the City Manager work with two members of the Council and coordinating with the full Council is a more efficient process.

Consensus of the Council was to proceed as recommended.

Mayor Wilson called for public comment on the process.

**Julie Woodall** commented that if she were on the Council she would not like that process as candidates would be eliminated before other council members even got to look at the applications. She said when Pat Medina was appointed as Chief she recalls the entire Council reviewing all of the applications in closed session. She said if there is some way to involve the entire Council in the full process it would be best because the way it is now, three of the Councilmembers may only have a choice of two applicants whereas the other two Councilmembers have the choice of all applicants.

Councilmember Strahan felt that all members of the Council should be involved in the interview process and suggested staff obtain a legal opinion from the City Attorney on the process; particularly if the Council can conduct interviews in closed session

City Manager Knopp commented that the City Attorney could be invited to attend the next meeting however; reminded the Council that the RDMC does state that the City Manager shall make the appointment and also reminded them that once a recommendation is made by the City Manager, the Council as a whole has to confirm the appointment. He added that several applications were received for the position and it is not necessary to bog the process down by allowing the Council to interview each and every candidate. He pointed out that ultimately it will be the City Manger's responsibility for overseeing the Chief and he will be held accountable for that. He said the process will be transparent and they will explain to the Council what decisions were made and why they were made and if the Council as a body doesn't like the decisions, they don't have to confirm the appointment.

Councilmember Strahan reiterated that all the councilmembers live in the city and at some point they all will have to deal with the Police Chief and agreed with the Mayor that they all should be part of the interview process.

Councilmember Marks stated that he was on the Rio Dell School Board for many years and when they hired a new superintendent they formed an Ad Hoc committee to review the applications and make a recommendation to the Board so he doesn't see a problem with the City following the same process. He added that he trusts their judgement and supports the process as it is.

Councilmember Garnes commented that the more people involved in coming to a consensus the harder it is and close to impossible for these five members to come to a collective decision so she is going to trust the Ad Hoc committee consisting of the Mayor and Mayor Pro Tem to work with the City Manager and make the best recommendation for the City. She said if she or another council member has discomfort with the recommendation, they can express their concern in closed session. She questioned where the Council goes from here if they don't trust the Ad Hoc committee to make the right decision.

City Manager Knopp stated that he thinks the language in the code stands but if the Council would like clarification, staff can ask the City Attorney to draft a memo regarding the process

and potential Brown Act implications, the interview process and if something needs to be agenized staff can bring the matter back on the October 3rd agenda. He noted the earliest confirmation of the Police Chief will probably be October 17th.

The consensus of the council was to obtain a legal opinion from the City Attorney as suggested.

**REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp distributed a written City Manager Update of recent activities and events (Attachment 1 to these minutes) and said scheduled for the November 7th meeting is a presentation from the Employment Development Department (EDD) on the 2017 Edition of the Targets of Opportunity Study of the regional economy; provided a brief update on the ADA Porch Project; said staff will be working on compliance with the requirements of the Road Maintenance and Rehabilitation Act funding that has recently become law; said staff is working with the Dan McCauley in efforts to get a signed contract and move forward with the sculpture project; staff will be acquiring a quote for street sweeping services from Recology for semi-regular street sweeping; reported on the E-Waste collection event held on September 16th; and provided a brief update on the Metropolitan Wells Project with the project more than 95% complete.

Mayor Wilson noted that there are only six (6) remaining Council meetings for the year and there are some priority items the Council might want to look at. He suggested staff work on scheduling that discussion. He acknowledged that Mayor Pro Tem will be away on a scheduled hunting trip and suggested the City Manager send out an email to members to see if everyone will be available for the upcoming meetings barring any unforeseen circumstances.

He also asked about the status of the City's website in which City Manager responded that staff simply hasn't had time to get everything uploaded to get it launched.

Mayor Wilson suggested staff consider hiring someone to input the information if necessary. He also questioned the schedule to promote the Cannabis Tax Measure and asked when information will be going out to the community. He said the focus needs to be on the positive aspects of what the revenue can do for the City and suggested the idea of agenizing an item to discuss potential ideas for spending the money.

City Manager Knopp stated that staff will be putting out a newsletter prior to the November election strictly as informational and including potential impacts. He said the ballot measure explains how the money can be spent and he doesn't want to bind the Council's hands with a particular commitment. He clarified that the tax is a general tax and wants to make sure the status is not raised to the level of a special tax by identifying a specific purpose for the tax revenue. He said the appropriate time to discuss the tax revenue is after the election.

Finance Director Woodcox reported on recent activities and events in the finance department and said the auditors arrived and are here working on the FY 2016-2017 audit and reminded the Council that she put the Streets Variance Report Budget in their mailboxes as requested by Councilmember Strahan. She also noted that staff was set up in the Council Chambers to receive payments and wait on customers with the main entrance closed off for the porch construction noting the payment drop box will be unavailable until the construction is completed at the main entrance.

Interim Chief of Police Beauchaine reported on recent activities and events in the police department and said the department documented 112 calls for service, took 26 incident reports, 15 of which resulted in arrest, transported 15 dogs to Miranda's Rescue, and announced that Officer Valk will be in Merced the following week participating in a Field Training Course.

**COUNCIL REPORTS/COMMUNICATIONS**

Mayor Pro Tem Johnson reported on Thursday's HCAOG meeting and said the Board will be discussing potential use of the money that typically goes to the call boxes. He explained the revenue is generated from vehicle registration fees with $1.00 per year per vehicle registration going to HCAOG. He said there are well over 100,000 vehicles registered and HCAOG maintains 100 or so call boxes between Highways 101 and 299 and it costs approximately $50,000/yr. to maintain that program. As such, they have built up a surplus of $1.6 million and he will be proposing to the Board that a good portion of that money be used to do some more enforced enhancement on the safety corridor between Eureka and Arcata. He said any councilmember or concerned citizen who would like to attend and support the proposal can attend the meeting on Thursday, September 21st at 4:00 p.m. in the Eureka City Council Chambers.

He also reported on his attendance at the annual League of California Cities Conference in Sacramento and said there were approximately 1,800 people in attendance representing cities statewide. He said there were a lot of excellent seminars and that he was able to attend six or so of them. One of the seminars was on law enforcement and he learned that a camp on the river bar is essentially a man's home and an officer must knock and announce who he/she is before entering.

Also, one of the Councilwomen from Bakersfield provided a handout on "In God We Trust America" and requested an item agenized for the October 3rd meeting discussion and consideration of displaying a "In God We Trust" plaque in the City Council Chambers.

He added that councilmembers not only get smarter by attending the League conferences but make some great contacts which is great for the City.

Mayor Wilson asked for a consensus of the Council to place the item on the agenda in which all members agreed.

Councilmember Garnes reported that she also attended the LOCC conference and really enjoyed it. She said she went to a lot of different workshops and brought back valuable information that she shared with the City Manager.

She reported that the opening keynote speaker was the first female helicopter fighter pilot in the U.S. Marines and said her presentation was very inspiring. One of the things she talked about was to be gutsy, live gutsy and don't be afraid.

She commented that as a Council they shouldn't be afraid to be leaders and one of the things she got out of that session was the importance for the Council to have a team building exercise to come together as a body and try to build some kind of cohesiveness between each other so they can actually move the City forward in a positive way. She said when everyone is all over the place they don't take the time to get together to really knowing each other in effort to learn how to work together as a team. She said she thinks that is one of the most important things the Council can do considering the Brown Act restrictions noting that the way to get to really know someone doesn't mean it has to involve talking about City business.

Mayor Wilson was in favor of the idea.

Mayor Wilson then reported on his attendance at the Redwood Coast Energy Authority (RCEA) meeting and said they are looking at doing some interesting things with the money coming in from the CCE Program. He noted that the opt out of the program is around 5% as opposed to 10% as anticipated and one of the projects they are looking at investing in is a solar unit at the Eureka-Arcata Airport to feed back into the grid.

Councilmember Strahan commented that one of the suggestions made during the meeting at the school on the ATP Project was to put in a crosswalk from Riverside to Painter St. and at Painter St. and Ireland Ave.

City Manager Knopp stated that there is some money budgeted for street painting this year so that request will be noted.

Councilmember Strahan also asked if water meters are currently being read or if customers are billed for average usage and mentioned there was a resident experiencing an abnormally high usage.

City Manager Knopp explained that meters are read monthly and if someone has a complaint about a high reading staff is sent out to verify the reading and investigate the problem as thoroughly as possible. If a leak is determined to be on the property side of the meter, the property owner is ultimately responsible for the repair.

Councilmember Strahan also asked if the weed eating and mowing had been scheduled on Monument Road as Mr. Griffith requested.

City Manager Knopp explained that the area he was referring to is areas adjacent to sidewalks which is technically the responsibility of the property owner to maintain. He said the City crew does spray weed killer from time to time in those areas. He reiterated that weed removal in those areas has caused some damage requiring the City to assume the cost to replace broken windows. He suggested putting something in the next City Newsletter to encourage residents to take responsibility for maintaining those areas.

Councilmember Strahan asked if they was a plan for putting the sidewalk mapping plan on the agenda for further discussion.

Mayor Wilson said he would expect to see the item on an agenda in early 2018.

Mayor Wilson asked if the weed removal along sidewalks is a nuisance abatement issue.

Interim Chief of Police Beauchaine noted that he has actually gone to resident's homes and asked them to clean up their property and would be willing to meet with Mr. Griffith and discuss the issue with him.

**ADJOURNMENT**

Motion was made by Johnson/Garnes to adjourn the meeting at 8:53 p.m. to the October 3, 2017 regular meeting. Motion carried 5-0.

_____
Frank Wilson, Mayor

Attest:

_____
Karen Dunham, City Clerk

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

October 3, 2017

TO: Rio Dell City Council

THROUGH: Kyle Knopp, City Manager

FROM: Brooke Woodcox, Finance Director

SUBJECT: Adoption of Resolution No. 1357-2017 Amending and Adopting City Master Salary Table

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve adoption of Resolution No. 1357-2017 amending and adopting City Master Salary Table.

BACKGROUND AND DISCUSSION

Summary of minor changes:

- Accountant I amendment due to incorrect typing entry
- Administrative Technician amendment due to incorrect typing entry

Attached:

Salary Table with Highlighted Amendments
Resolution 1357-2017 with proposed salary table

| Peace Officers Association | | | | | |
|---|---|---|---|---|---|
| | Salary Range | | | | |
| **JOB TITLE** | A | B | C | D | E |
| Police Officer | 43,078 | 44,370 | 45,701 | 47,072 | 49,190 |
| Police Corporal | 47,385 | 48,807 | 50,271 | 51,779 | 54,109 |
| Sergeant | 52,124 | 53,688 | 55,298 | 56,957 | 60,659 |

| Rio Dell Employee's Association | | | | | |
|---|---|---|---|---|---|
| | Salary Range | | | | |
| **JOB TITLE** | A | B | C | D | E |
| Accountant I | 44,622 | 45,961 | 47,340 | 48,760 | ~~50,233~~ |
| *Correction* → | | | | | **50,223** |
| Accountant II | 49,084 | 50,557 | 52,074 | 53,636 | 55,245 |
| Administrative Assistant | 30,356 | 31,266 | 32,204 | 33,170 | 34,166 |
| Administrative Technician | 36,848 | 37,954 | 39,092 | 40,265 | ~~41,437~~ |
| *Correction* → | | | | | **41,473** |
| Fiscal Assistant I | 29,919 | 30,816 | 31,741 | 32,693 | 33,674 |
| Fiscal Assistant II | 33,542 | 34,548 | 35,584 | 36,652 | 37,751 |
| Office Assistant | 24,839 | 25,584 | 26,352 | 27,142 | 27,956 |
| Public Works Leadman | 34,678 | 35,718 | 36,789 | 37,893 | 39,030 |
| Records Technician | 34,140 | 35,164 | 36,219 | 37,306 | 38,425 |
| Senior Fiscal Assistant | 38,457 | 39,611 | 40,799 | 42,023 | 43,284 |
| Utility Worker I | 27,400 | 28,222 | 29,069 | 29,941 | 30,839 |
| Utility Worker II | 30,154 | 31,059 | 31,991 | 32,951 | 33,939 |
| Water/Wastewater Plant Operator I | 36,334 | 37,424 | 38,547 | 39,703 | 40,895 |
| Water/Wastewater Plant Operator II | 39,968 | 41,167 | 42,402 | 43,674 | 44,984 |

| Contract Employees | | | | | |
|---|---|---|---|---|---|
| | Salary Range | | | | |
| **JOB TITLE** | A | B | C | D | E |
| City Clerk | 53,644 | 55,253 | 56,911 | 58,618 | 60,377 |
| City Manager | 106,875 | 110,081 | 113,384 | | |
| Chief of Police | 79,540 | 81,926 | 84,384 | | |
| Finance Director | 67,473 | 69,497 | 71,582 | | |
| Community Development Director | 75,595 | 77,863 | 81,756 | 85,623 | 85,623 |
| Wastewater Superintendent Trainee | 49,192 | | | | |
| Wastewater Superintendent | 54,717 | 56,359 | 58,050 | 59,791 | 61,585 |
| Water/Streets Superintendent | 61,556 | 63,403 | 65,305 | 67,264 | 69,282 |

**RESOLUTION NO. 1357-2017**
**A RESOLUTION OF THE CITY COUNCIL**
**OF THE CITY OF RIO DELL**
**AMENDING AND ADOPTING CITY MASTER SALARY TABLE**

**WHEREAS**, the City of Rio Dell recognizes the value of adopting a salary schedule that promotes the recruitment and retention of employees; and

**WHEREAS**, an pay structure with competitive salaries is essential in attracting and retaining a skilled, motivated work force, thereby increasing the level of service to the City's residents; and

**WHEREAS,** a salary table helps provide transparency in compensation; and

**WHEREAS,** Section 36506 of the Government Code of the State of California provides that the City Council shall, by Resolution or Ordinance, fix the compensation for all appointive officers and employees.

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Rio Dell hereby amends and adopts the following Master Salary Table and that All prior resolutions (Resolution No. 1318-2017, 1348-2017, 1351-2017) concerning compensation for City employees that are in conflict with this Resolution or the attached Master Salary Tables are hereby repealed, and this Resolution shall be effective October 3, 2017:

Peace Officers Association

| | Salary Range | | | | |
|---|---|---|---|---|---|
| **JOB TITLE** | A | B | C | D | E |
| Police Officer | 43,078 | 44,370 | 45,701 | 47,072 | 49,190 |
| Police Corporal | 47,385 | 48,807 | 50,271 | 51,779 | 54,109 |
| Sergeant | 52,124 | 53,688 | 55,298 | 56,957 | 60,659 |

Rio Dell Employee's Association

| | Salary Range | | | | |
|---|---|---|---|---|---|
| **JOB TITLE** | A | B | C | D | E |
| Accountant I | 44,622 | 45,961 | 47,340 | 48,760 | 50,223 |
| Accountant II | 49,084 | 50,557 | 52,074 | 53,636 | 55,245 |
| Administrative Assistant | 30,356 | 31,266 | 32,204 | 33,170 | 34,166 |
| Administrative Technician | 36,848 | 37,954 | 39,092 | 40,265 | 41,473 |
| Fiscal Assistant I | 29,919 | 30,816 | 31,741 | 32,693 | 33,674 |
| Fiscal Assistant II | 33,542 | 34,548 | 35,584 | 36,652 | 37,751 |

| Rio Dell Employee's Association | | | | | |
|---|---|---|---|---|---|
| | Salary Range | | | | |
| **JOB TITLE** | A | B | C | D | E |
| Office Assistant | 24,839 | 25,584 | 26,352 | 27,142 | 27,956 |
| Public Works Leadman | 34,678 | 35,718 | 36,789 | 37,893 | 39,030 |
| Records Technician | 34,140 | 35,164 | 36,219 | 37,306 | 38,425 |
| Senior Fiscal Assistant | 38,457 | 39,611 | 40,799 | 42,023 | 43,284 |
| Utility Worker I | 27,400 | 28,222 | 29,069 | 29,941 | 30,839 |
| Utility Worker II | 30,154 | 31,059 | 31,991 | 32,951 | 33,939 |
| Water/Wastewater Plant Operator I | 36,334 | 37,424 | 38,547 | 39,703 | 40,895 |
| Water/Wastewater Plant Operator II | 39,968 | 41,167 | 42,402 | 43,674 | 44,984 |

| Contract Employees | | | | | |
|---|---|---|---|---|---|
| | Salary Range | | | | |
| **JOB TITLE** | A | B | C | D | E |
| City Clerk | 53,644 | 55,253 | 56,911 | 58,618 | 60,377 |
| City Manager | 106,875 | 110,081 | 113,384 | | |
| Chief of Police | 79,540 | 81,926 | 84,384 | | |
| Finance Director | 67,473 | 69,497 | 71,582 | | |
| Community Development Director | 75,595 | 77,863 | 81,756 | 85,623 | 85,623 |
| Wastewater Superintendent Trainee | 49,192 | | | | |
| Wastewater Superintendent | 54,717 | 56,359 | 58,050 | 59,791 | 61,585 |
| Water/Streets Superintendent | 61,556 | 63,403 | 65,305 | 67,264 | 69,282 |

**PASSED AND ADOPTED** by the City of Rio Dell on this 3rd day of October, 2017 by the following roll call vote:

Ayes:
Noes:
Abstain:
Absent:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk

*675 Wildwood Avenue*
*Rio Dell, CA 95562*
*(707) 764-3532*
*(707) 764-5480 (fax)*
*E-mail: kknopp@cityofriodell.ca.gov*

**CITY OF RIO DELL**
**STAFF REPORT**
**CITY COUNCIL AGENDA**
**October 3, 2017**

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Brooke Woodcox, Finance Director

DATE: October 3, 2017

SUBJECT: CDBG Architectural Barrier Removal Pay Request #1 – DCI Builders

**Recommendation**

Receive and File Pay Request #1

**Background and discussion**

The City Council approved construction at City Hall for architectural barrier removal (ABR) on June 6, 2017 for a total of $296,785. Change order #1 – Removal of decorative walls – has reduced project costs by $7,000 for a current total completion cost of $289,785. Construction for the project began September 18, 2017 and is scheduled to be completed on December 8, 2017.

**Budgetary Impact**

Pay Request #1 amount of $25,940.25 is funded through CDBG program income (PI). 10% retention to date is $2,882. Remaining amounts to complete the ABR project total $260,963. Pay Request #1 and subsequent payments will be paid per contract agreement dated August 3, 2017.

DCI BUILDERS
118 PORT KENYON ROAD
FERNDALE, CA 95536
(707) 786-5450 Fax (707) 786-4566

CUSTOMER #: CORD
INVOICE #: 68340
INVOICE DATE: 09/25/17
DUE DATE: 09/30/17

BILL TO:
CITY OF RIO DELL
675 WILDWOOD AVENUE
RIO DELL, CA 95562

JOB: 17260
CITY OF RIO DELL
ARCHITECTURAL BARRIER
REMOVAL IMPROVEMENTS
RIO DELL, CA 95562

| CODE | DESCRIPTION | CURRENT CONTRACT | PREVIOUS BILLED | PREV % | % COMPL | CURRENT BILLING |
|---|---|---|---|---|---|---|
| | PLEASE SEE ATTACHED SCHEDULE OF VALUES FOR A MORE COMPREHENSIVE BILLING DETAIL. | | | | | |
| 00 | Contract | 296,785.00 | | | 9.7 | 28,822.50 |
| | **TOTALS:** | 296,785.00 | | | 9.7 | 28,822.50 |
| C001 | REMOVE DECORATIVE | -7,000.00 | | | | |
| | **CHANGE ORDER TOTALS:** | -7,000.00 | | | | |

| | |
|---|---|
| **SUBTOTAL:** | 28,822.50 |
| **LESS RETENTION:** | -2,882.25 |
| **NET DUE:** | 25,940.25 |

**Thank you! We appreciate your business!**

DCI Builders Lic # 638887

# 17260 ~ City of Rio Dell- ADA Barrier Removal Project at City Hall

Application No: 1
Application Date: 09/25/17
Period To: 09/30/17
Contract/SOV Date: 08/03/17

Schedule of Work Completed

| Description of Work | Scheduled Value | From Previous Application | This Period | Materials Presently Stored(not in D or E) | Total Completed & Stored to Date (D+E+F) | % Complete (G/C) | Balance To Finish (C-G) | 10% Retention |
|---|---|---|---|---|---|---|---|---|
| General Requirements/mobilization | 9,375.00 | | 7,500.00 | | 7,500.00 | 80.00% | 1,875.00 | 750.00 |
| Demolition/disposal | 18,700.00 | | 5,610.00 | | 5,610.00 | 30.00% | 13,090.00 | 561.00 |
| Site prep/layout | 1,750.00 | | 525.00 | | 525.00 | 30.00% | 1,225.00 | 52.50 |
| Footing excavation | 3,900.00 | | 390.00 | | 390.00 | 10.00% | 3,510.00 | 39.00 |
| Parking/striping/signage | 2,460.00 | | | | 0.00 | 0.00% | 2,460.00 | 0.00 |
| Fill material | 16,100.00 | | | | 0.00 | 0.00% | 16,100.00 | 0.00 |
| Landscaping | 1,075.00 | | | | 0.00 | 0.00% | 1,075.00 | 0.00 |
| Concrete- forming | 54,050.00 | | 5,405.00 | | 5,405.00 | 10.00% | 48,645.00 | 540.50 |
| Concrete- strip forms | 7,950.00 | | | | 0.00 | 0.00% | 7,950.00 | 0.00 |
| Concrete- rebar/ties | 14,350.00 | | 2,870.00 | | 2,870.00 | 20.00% | 11,480.00 | 287.00 |
| Concrete- pour | 45,475.00 | | 4,547.50 | | 4,547.50 | 10.00% | 40,927.50 | 454.75 |
| Concrete- decorative/stamp walls | 17,500.00 | | | | 0.00 | 0.00% | 17,500.00 | 0.00 |
| Metal fabrication/painting | 40,650.00 | | | | 0.00 | 0.00% | 40,650.00 | 0.00 |
| Carpentry- temporary access | 4,500.00 | | | | 0.00 | 0.00% | 4,500.00 | 0.00 |
| Storefront doors | 24,500.00 | | | | 0.00 | 0.00% | 24,500.00 | 0.00 |
| Windows | 11,800.00 | | | | 0.00 | 0.00% | 11,800.00 | 0.00 |
| Plumbing | 2,900.00 | | | | 0.00 | 0.00% | 2,900.00 | 0.00 |
| Electrical/light fixtures | 19,750.00 | | 1,975.00 | | 1,975.00 | 10.00% | 17,775.00 | 197.50 |
| | | | | | | | | |
| **Total Contract:** | **296,785.00** | **0.00** | **28,822.50** | **0.00** | **28,822.50** | **9.71%** | **267,962.50** | **2,882.25** |
| | | | | | | | | |
| Changer Order #1: Remove Decorative Pattern Stamped Walls/Change to Standard Formed Walls & Colored/Pattern Stamped Walks | (7,000.00) | | | | 0.00 | 0.00% | (7,000.00) | 0.00 |
| | | | | | | | | |
| **Total Change Orders PR #1:** | **(7,000.00)** | **0.00** | **0.00** | **0.00** | **0.00** | **0.00%** | **(7,000.00)** | **0.00** |
| | | | | | | | | |
| **Total Adjusted Contract:** | **289,785.00** | **0.00** | **28,822.50** | **0.00** | **28,822.50** | **9.95%** | **260,962.50** | **2,882.25** |

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

October 3, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Resolution No. 1361-2017 Designating Projects to be Funded by the Road Maintenance and Rehabilitation Account (RMRA) During Fiscal Year 2017/18 and Approving a Budget Adjustment to Reflect New Revenue.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve of Resolution No. 1361-2017.

BACKGROUND AND DISCUSSION

On April 28, 2017, Governor Brown signed into law Senate Bill 1 which created a new funding source for local street and road maintenance known as the Road Maintenance and Rehabilitation Account (RMRA).

Funds will begin to accumulate in the RMRA in November 2017 as new registration fees and fuel taxes are collected. The first distributions from the RMRA are due in early 2018. Because the RMRA is only in place during a portion of this fiscal year, staff anticipates that the City of Rio Dell will receive approximately $19,301 during this fiscal year. During Fiscal Year 18/19, this amount is anticipated to increase to roughly $57,899.

The balances in the street funds have been declining for a number of years in order to perform the current level of maintenance. In recent years, deficits in streets have varied from $6,591 to $56,359 primarily associated with the staffing levels. Additionally, between 2013/14 and 2016/17 revenue in all non-RMRA sources for the streets department declined by $41,632 or approximately 15% annually. New RMRA funds return the streets department to pre-2013/14 revenue levels.

Historically, major road rehabilitation projects have been accomplished via grants for Wildwood Avenue, or statewide funding allocations from various propositions or acts of the Legislature for "recent" pavement jobs such as Chase Avenue (TCRF). The City submitted a road tax and bond proposal in June and November of 2012: Measure X (55.61% Yes); Measures J (62.7% Yes). These efforts failed to garner the necessary two-thirds super majority and failed. The only recent pavement rehabilitation work done that did not utilize state sources of funding was the recent work on Davis Street and Belleview Avenue completed in mid-2017. This project utilized

general fund dollars made possible by the Measure U Sales Tax. The City also continues to draw down grant dollars today in order to accomplish major improvements as exampled by the ATP project set for construction in 2019 or 2020. Overall though, State sources of funds for asphalt rehabilitation have become increasingly scarce and more competitive.

In order to be eligible for funding from the RMRA, the City must formally adopt a project list and forward that list to the California Transportation Commission (CTC). The list is non-binding. Staff has prepared a project list in a format acceptable to the CTC and included it as an attachment to the accompanying resolution. In future RMRA funding cycles, similar lists will be adopted with the Capital Improvement Plan (CIP) or streets budget.

By law, the list must be submitted to the CTC no later than October 15, 2017.

///

**RESOLUTION NO. 1361-2017**

**RESOLUTION AMENDING THE 2017-18 BUDGET ESTABLISHING AND INCORPORATING A LIST OF PROJECTS FUNDED BY THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT**

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant transportation funding shortfalls statewide and creating the Road Maintenance and Rehabilitation Account (RMRA); and

**WHEREAS**, the City of Rio Dell maintains a network of approximately 13.9 centerline miles of streets; and

**WHEREAS**, the City faces significant funding shortfalls for proper maintenance of its street network and needs approximately $1,700,000 over the next ten years to simply maintain its current Pavement Condition Index (PCI) rating of 51 ("fair"); and

**WHEREAS**, RMRA revenue is projected at $19,301 for this fiscal year 17/18, and approximately $57,899 for the next fiscal year 18/19, thereby getting the City closer to maintain the current PCI rating of 51; and

**WHEREAS**, pursuant to Streets and Highways Code 2034(a)(1), prior to receiving an apportionment of RMRA funds in a given fiscal year, the City of Rio Dell must adopt a list of projects to be completed with said funds and submit the list to the California Transportation Commission.

**NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Rio Dell as follows:

1. That the projects listed in Attachment 'A' are hereby adopted as the City's RMRA funded projects for the Fiscal Year 2017/18; further,

2. Authorizing that the budget be amended to reflect $19,301 in new revenue for the streets funds for Fiscal Year 2017-2018.

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell, State of California, on October 3, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Frank Wilson, 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 Resolution No. 1361-2017 approved and adopted by the City Council of the City of Rio Dell on October 3, 2017.

_____

Karen Dunham, City Clerk

# ATTACHMENT A

# Local Streets and Roads Program

| Agency Name: | | Agency Contact: |
|---|---|---|
| Rio Dell | | Kyle Knopp |
| | | (707) 764-3532 |
| LoCode: | 5396 | knoppk@cityofriodell.ca.gov |

| FY |
|---|
| 17/18 |

## Summary of Proposed Project List

| Project No. | Project Title | Project Description | Project Location | Estimated Completion Date (mm/dd/yyyy) | | Estimated Useful Life (# of yrs) | |
|---|---|---|---|---|---|---|---|
| | | | | Pre-Construction | Construction | Min. | Max. |
| PP01 | General Maintenance and Repairs | General Streets Maintenance and Repairs, including but not limited to potholes, vegetation management, storm drain maintenance etc. | City-Wide - Maintenance needs are to be determined by future road conditions. | 07/2017 | 06/2018 | 1 | 5 |
| PP02 | | | | | | | |
| PP03 | | | | | | | |
| PP04 | | | | | | | |
| PP05 | | | | | | | |
| PP06 | | | | | | | |
| PP07 | | | | | | | |
| PP08 | | | | | | | |
| PP09 | | | | | | | |
| PP10 | | | | | | | |
| PP11 | | | | | | | |
| PP12 | | | | | | | |
| PP13 | | | | | | | |
| PP14 | | | | | | | |
| PP15 | | | | | | | |
| PP16 | | | | | | | |
| PP17 | | | | | | | |
| PP18 | | | | | | | |
| PP19 | | | | | | | |
| PP20 | | | | | | | |
| PP21 | | | | | | | |
| PP22 | | | | | | | |
| PP23 | | | | | | | |

## Scenario 2: Maintain Current PCI

Over the next ten years, a total of $1.7 million is required to maintain the current network PCI of 51. By 2026, approximately 51.3% of the network will be in "Good" condition. The deferred maintenance will increase to $4.3 million, and the remaining service life is projected to increase to 16 years. The results of the budget scenario analysis for Scenario 2 are summarized in Table 5 and Figure 7

Table 5: Summary Results for Scenario 2

| Year | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Budget ($ Thousands) | 25 | 150 | 437 | 133 | 184 | 191 | 103 | 154 | 197 | 152 | 1,726 |
| Deferred Maintenance ($ Thousands) | 3,559 | 3,771 | 3,454 | 3,425 | 3,415 | 3,564 | 3,892 | 3,938 | 4,047 | 4,334 | -- |
| PCI | 51 | 51 | 52 | 51 | 51 | 52 | 51 | 51 | 51 | 51 | -- |
| Remaining Service Life (Years) | 15 | 15 | 15 | 15 | 15 | 16 | 15 | 16 | 16 | 16 | -- |

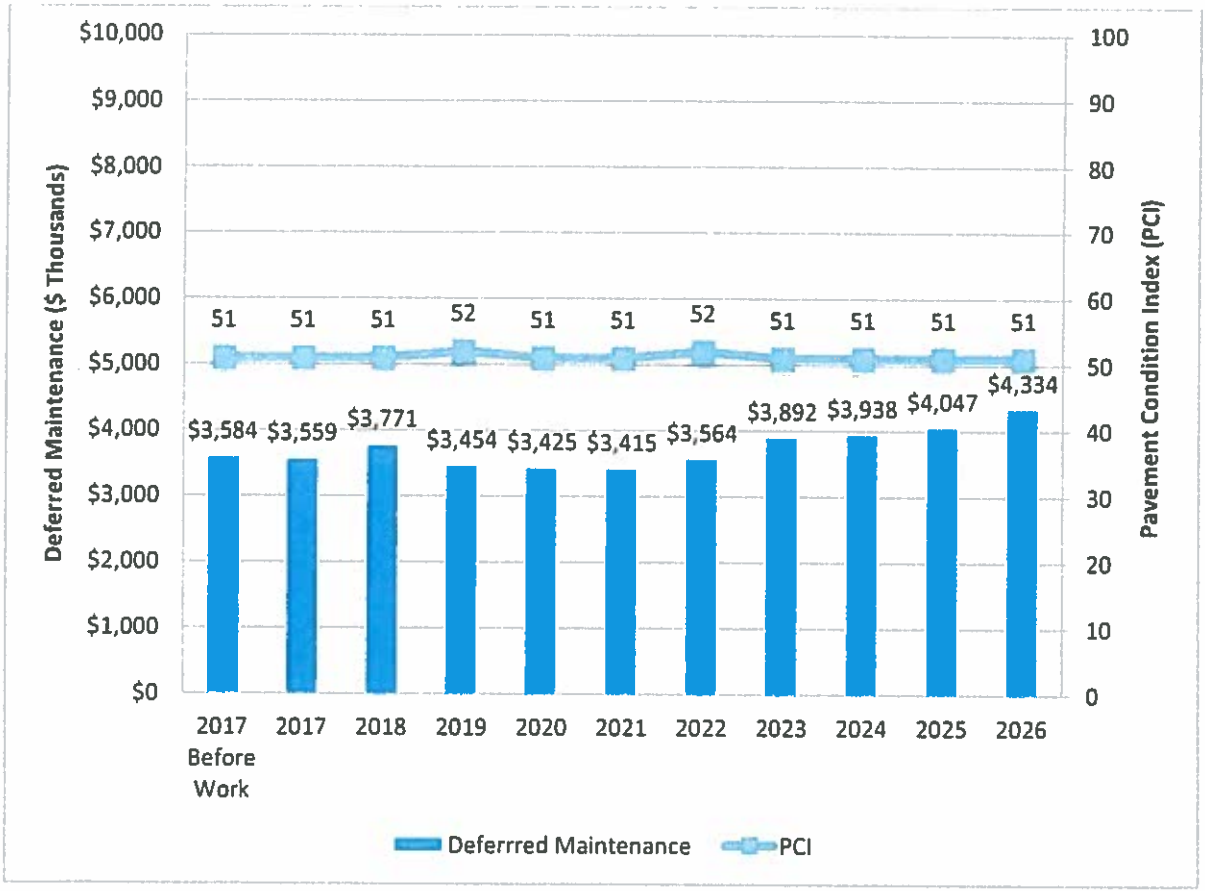


Figure 7: PCI vs Deferred Maintenance for Scenario 2

**STREETS FUNDS**
**Summary of Revenues and Expenditures**
**Beginning fiscal year 2013/14 through 2016/17**

| | ACTUAL | | | | | BUDGET |
|---|---|---|---|---|---|---|
| **REVENUE** | 2013/14 | 2014/15 | 2015/16 | 2016/17 | | 2017/18 |
| Gas Tax (4048 00 020) | 109,540 | 103,581 | 80,540 | 79,588 | -27% | 74,339 |
| TDA (4045 00 024) | 117,477 | 114,888 | 108,609 | 111,856 | -5% | 114,217 |
| RSTP (4712 00 026) | 25,171 | 22,572 | 23,117 | 22,358 | -11% | 22,000 |
| Misc. Revenue | | | 361 | 2,569 | | |
| | 252,188 | 241,041 | 212,627 | 216,371 | -14% | 210,556 |
| **EXPENITURES** | | | | | | |
| Streets Department | | | | | | |
| Salary and Benefits (5000-5099) | 86,314 | 127,344 | 86,666 | 48,916 | | 101,063 |
| Operating Supplies (5100-5999) | 112,663 | 101,621 | 119,145 | 109,897 | | 135,250 |
| | 198,977 | 228,965 | 205,811 | 158,813 | | 236,313 |
| Administration | | | | | | |
| Salary and Benefits (5000-5099) | 47,390 | 19,107 | 38,945 | 36,004 | | 9,418 |
| Operating Supplies (5100-5999) | 27,183 | 12,952 | 24,230 | 13,145 | | 4,231 |
| | 74,573 | 32,059 | 63,175 | 49,149 | | 13,649 |
| Capital Projects | | | | | | |
| Heavy Equipment (6300) | 4,170 | - | - | 15,000 | | 17,250 |
| Vehicles (6400) | 1,335 | - | - | - | | 7,000 |
| Infrastructure (6500) | 205 | - | - | - | | 50,000 |
| Builing and Improvements (6525) | 205 | - | - | - | | - |
| Land improvements (6600) | 2,354 | - | - | - | | - |
| | 8,269 | - | - | 15,000 | | 74,250 |
| ALL EXPENDITURES | | | | | | |
| Salary and Benefits (5000-5099) | 133,704 | 146,451 | 125,611 | 84,920 | | 110,481 |
| Operating Supplies (5100-5999) | 139,846 | 114,573 | 143,375 | 123,042 | | 139,481 |
| Capital Projects (6000 | 8,269 | - | - | 15,000 | | 74,250 |
| | 281,819 | 261,024 | 268,986 | 222,962 | | 324,212 |
| DECREASE IN RESERVES | (29,631) | (19,983) | (56,359) | (6,591) | | (113,656) |
| **RESERVE BALANCE AT FY YEAR END** | 330,088 | 310,105 | 253,746 | 247,155 | -25% | 133,499 |

*Rio Dell City Hall*
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October 03, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Amended Agreement with Artist Dan McCauley for Wildwood Avenue Sculptures

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the amended agreement.

BACKGROUND AND DISCUSSION

Following the approval of the last version of the contract, the artist requested some additional amendments to the contract in consultation with an attorney. The City Attorney has reviewed, concurred and made those amendments to the attached contract. All changes from the last version of the agreement are represented with changes highlighted in yellow. The changes are not considered significant by staff but are being returned to the Council for your approval.

///

Final Draft

**City of Rio Dell**
**Wildwood Avenue Sculpture Exhibit,**
**Waiver of Liability, and Assumption of Risk**
**Agreement**

DRAFT

This City of Rio Dell Wildwood Sculpture Exhibit, Waiver of Liability, and Assumption of Risk Agreement (this "Agreement") is entered into as of the _____day of _____ by and between the **City of Rio Dell,** 675 Wildwood Avenue, Rio Dell, California, hereinafter referred to as the "City" and **Dan McCauley, Dan's Custom Metals, 474 Redmond Road, Eureka, California,** hereinafter referred to as the "Artist".

WHEREAS, the City of Rio Dell has installed (2) concrete art pedestals in the medians on Wildwood Avenue for the purpose of displaying sculptures created by local artists; and

WHEREAS, the Rio Dell City Council has established the Wildwood Avenue Sculpture Committee consisting of 5 members with the responsibility of the selection and management of sculptures placed on City pedestals in the Wildwood Avenue medians; and

WHEREAS, all artists desiring to exhibit their sculptures in the Wildwood Avenue median pedestals must present their request to the Wildwood Avenue Sculpture Committee including photos and/or renderings showing the detail from all sides of the sculpture(s); and

WHEREAS, the artist must agree to display the sculpture for not less than 90 days and up to 1 year unless the artist and the City mutually agree to extend the display beyond 1 year.

NOW, THEREFORE, in consideration of the undertakings of the parties hereinafter set forth and for other good and valuable considerations, it is hereby agreed between the City and the Artist as follows:

**RESPONSIBILITY OF THE ARTIST**

1) The Artist agrees to construct and deliver (4) large sculptures to display in the Wildwood Avenue median.
2) The Artist agrees to install and remove the sculptures with the assistance of the Committee or City annually on a rotational basis.

3) The Artist agrees to assist the City in the construction and cost of 2 additional pedestals to accommodate the 2 larger sculptures in an amount not exceeding $200. The Artist shall submit a proposal to the City Council for their consideration and approval, including a fixed dollar amount for construction of the pedestals.

4) The Artist agrees to maintain the sculptures throughout the term of exhibition in good condition and agrees to repair, restore or replace any damaged or defective components, or remove the art, as directed by the City Manager. In the event that the Artist's out of pocket costs for repair (excluding labor) exceed $500.00, the City will provide reimbursement thereafter to the Artist up to an additional $500.00. In no event shall the City reimburse the Artist any sum(s) in excess of $500.00 for repairs.

5) The Artist agrees to supply an identifying plaque placed at the base of the pedestal identifying the artwork, artist, selling price and other pertinent information as to size, media and weight.

6) The Artist agrees to comply with the adopted provisions of the Wildwood Avenue Sculpture Guidelines on all matters not covered under this Agreement. The Wildwood Avenue Sculpture Guidelines are attached to as an Exhibit to this contract.

DRAFT

**RESPONSIBILITY OF THE CITY**

1) The City agrees to pay the artist a one-time payment of $4,000; 50% on execution of the Agreement and the remainder after the first sculpture is delivered and installed.

2) The City shall provide staff support to assist in installing and removing the sculptures from the City's pedestals.

3) The City agrees to assist the artist in the construction and cost of 2 additional pedestals to accommodate the 2 larger sculptures. The City Council shall consider any such proposal from The Artist. The artist shall not pay more than $200 towards the costs of the pedestals.

**SALE OF ART**

After 90 days, the Artist will have the option of removing a sculpture sold to a third party provided the sculpture is replaced with another sculpture of approximate equivalent quality at the time of removal.

## TERM OF AGREEMENT

This Agreement shall remain in effect for a period of five (5) years. At the end of the term of the Agreement, the four (4) sculptures on display at that time (assuming all meet the Wildwood Avenue Sculpture Guidelines) will remain as property of the City.

DRAFT

## INSURANCE

The Artist must place a reasonable value on the Sculpture in writing to the City prior to installation. Any Sculpture that is valued over $5,000.00 will only be permitted if the Artist procures an insurance policy, at its own cost and expense, insuring against any damage to the Sculpture.

## WAIVER/ASSUMPTION OF RISK OF LOSS.

Artist acknowledges that during installation and while the sculptures are on display on City property Artist shall unilaterally bear all risk of loss attendant to theft, vandalism, damage or destruction, and said sculptures shall be displayed without any representation or warranty from the City regarding security or site suitability. In the event of any damage or destruction to the sculptures during installation or while on display on City property, Artist shall rely exclusively on any and all insurance policies Artist may procure, at Artist's expense, as the sole form of remuneration and/or reimbursement for any loss or damage.

## INDEPENDENT CONTRACTOR

Artist acknowledges that he shall unilaterally control the method of performing the work, production of the sculptures and/or services contemplated by this Agreement, and Artist is and shall be deemed an independent contractor, and not an agent or employee of the City. Artist acknowledges that the City has no obligation under this Agreement to procure any form of insurance on Artist's behalf, and Artist is not covered by any worker's compensation or other form of insurance maintained by the City. Artist shall procure his own policies of worker's compensation, general liability, medical and other forms of insurance in Artist's discretion.

_____

Dan McCauley Date

City of Rio Dell

By:_____
Kyle Knopp, City Manager Date

As to Form:

By:_____
Russ Gans, City Attorney Date

DRAFT

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

October 3, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on a Skate Park in the City of Rio Dell

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, if any.

BACKGROUND AND DISCUSSION

Member of the public Amanda Shelton appeared before the City Council on September 19, 2017 and requested an item be agendized to discuss work underway to build a skate park in Rio Dell. The Council agreed to place an item on the agenda.

///

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October 3, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action Reviewing and Approving the Addition of an Open Door Policy to the Employee Handbook as Recommended by the City Attorney

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the addition of the attached Open Door Policy to the Employee Handbook.

BACKGROUND AND DISCUSSION

The City attorney has provided the attached Open Door Policy as his recommendation for addition to the Employee Handbook as requested by the Council.

///

**Proposal from the City Attorney for addition to the Employee Handbook**

## A. Open Door Policy

For employee complaints involving: (i) harassment employees should refer to Section _____, page ___ of this Handbook, (ii) for complaints involving workplace violence, Section _____, page ___ of this Handbook; (iii) for the City's "whistleblower policy", employees should refer to Section _____, page ___ of this Handbook; and (iv) Termination, Discipline and Rules of Conduct, Section ___, page ___ of this Handbook. For other, more generic issues and problems, this "Open Door Policy" applies.

Most problems can be resolved simply and fairly, or avoided entirely, if the issue or incident is dealt with through the Open Door Policy. The City's Open Door Policy is informal. If the employee is having a problem, complaint, or dispute, the employee should make every effort to resolve the matter through informal discussion with the employee's immediate Department Head. If the matter remains unresolved or directly relates to the employee's immediate Department Head, the employee should speak to the City Manager, who has final authority on all personnel matters. If the matter relates solely to the City Manager, the City Manager shall be informed of the nature of the matter and refer the matter to the Ad Hoc Committee formed by the Rio Dell City Council for personnel matters generally. Once referred, the Ad Hoc Committee, in its sole discretion, will elect whether it wishes to directly speak with the employee further, or provide a response through the City Manager. In no event will the Ad Hoc Committee have any supervisorial authority over any employee, nor will it have the authority to bind the City to any specific course of action related to personnel matters. In this circumstance, the Ad Hoc Committee serves solely as an outlet to hear issues relating directly to the City Manager, and potentially facilitate better communication between the affected employee and City Manager, with no obligation of any sort to act assigned to the Ad Hoc Committee.

City employees may express their concerns or complaints at any time without fear of reprisal in accord with this policy. It is always best, however, to resolve problems right away, as small problems tend to turn into big problems if they are not raised as soon as possible.

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October 3, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on the Display of the Motto "In God We Trust" in the City Council Chambers

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Staff recommends this item be referred to the City Attorney for comment and returned back to the Council.

BACKGROUND AND DISCUSSION

At the September 19, 2017 City Council meeting Councilmember Gordon Johnson requested that an item appear on the agenda regarding the display of the motto "In God We Trust" in the City Council Chamber. The City Council concurred.

This issue has come up before with the City Council passing Resolution No. 1064-2009 on November 3, 2009. The Resolution stated "*...that the national motto "In God We Trust" shall become a prominent motto for our City and that these historic and patriotic words shall become permanently displayed above the City seal in the City of Rio Dell Council Chambers.*"

Members of the Council also volunteered to collect donations from the community in order to display the motto so that no public funds were used for the display. A member of the City Council received a redwood burl as a donation, but the burl was deemed unsuitable for the display. One donation of $25.00 from "Landmark Missionary" was deposited with the City. The display never materialized.

Issues:

- It is unclear if this issue was ever reviewed by the City Attorney. Since this item came to the Council in 2009, the City has a different City Attorney. It is recommended that the City Attorney first review this issue and advise the Council before any other action is taken.

- Assuming the motto is to be displayed in the Chamber, the Council may wish to discuss how it is displayed, where it is displayed, who installs the display, who designs the display and how the display is financed. ///

**RESOLUTION NO. 1064-2009**
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL SUPPORTING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN A PROMINENT LOCATION ABOVE THE CITY SEAL**

**WHEREAS,** "In God We Trust" became the United States National Motto on July 30, 1956, shortly after our nation led the world through the trauma of World War; and

**WHEREAS,** the words have been used on U.S. currency since 1864; and

**WHEREAS,** the same inspiring slogan is engraved above the entrance to the Senate Chamber as is above the Speaker's dais in the House of Representatives; and

**WHEREAS,** in both war and peace, these words have been a profound source of strengt5h and guidance to many generations of Americans; and

**WHEREAS,** the City desires to display this patriotic motto in the Council chambers as a way to solemnize public occasions and express confidence in our society;.

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

Section 1: That the City Council of the City of Rio Dell does hereby determine that the national motto "In God We Trust" shall become a prominent motto of our City and that these historic and patriotic words shall become permanently displayed above the City seal in the City of Rio Dell Council Cambers.

Section 2: The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 3rd day of November, 2009 by the following vote:

| | |
|---|---|
| Ayes: | Mayor Pro Tem Woodall, Councilmembers Dunker and Thompson |
| Noes: | None |
| Abstain: | None |
| Absent: | Mayor Woodall and Councilmember Barsanti |

_____
Melissa Marks, Mayor Pro Tem

ATTEST:

_____
Karen Dunham, City Clerk

Approve Resolution No. 1063-2009 Authorizing the City Manager to Submit an Application through the Energy Efficiency Conservation Block Grant Program
Councilmember Thompson read the resolution authorizing the City Manager to submit an application to the Energy Efficiency Conservation Block Grant Program for funding of a cost-effective energy efficiency project for the City of Rio Dell. He noted a correction to the second paragraph stating it should read "eligible *for* local governments … He went on to explain that this is the final step necessary for the City to receive $25,000 allotted to complete a qualifying project such as update of the City's air conditioning, heating and ducting at City Hall.

Interim City Manager Hill noted there are no matching funds required by the City for the grant.

Motion was made by Thompson/Dunker to approve Resolution No. 1063-2009 *Authorizing the City Manager to Submit an Application to the Energy Efficiency Conservation Block Grant Program.* Motion carried 3-0.

Approve Resolution No. 1064-2009 Supporting the Display of the National Motto "In God We Trust" in the City Council Chambers in a Prominent Location above the Seal
Interim City Manager Hill stated that since this issue was brought forward by Councilmember Dunker he thought that it would be appropriate that he summarize the staff report and proposed resolution.

Councilmember Dunker summarized his reasons for bringing the request forward for the display of the national motto "In God We Trust" to be permanently displayed above the City seal in the City of Rio Dell Council Chambers.

Motion was made by Dunker/Thompson to approve 1064-2009 *Supporting the Display of the National Motto "In God We Trust" in the City Council Chambers in a Prominent Location above the City Seal.*

Mayor Pro Tem Marks then asked for public comment on the proposed resolution.

John Lane 1249 Riverside Dr. addressed the Council stating that when he first saw the words proposed to be placed above the City seal he questioned whether it was appropriate. He said for 300 years this country has separated church from state and felt it was immoral to mix government with religion and unfair to those who don't have the same beliefs fearing it would offend a lot of people. He commented that by displaying this motto, the Council would be taking sides which they should not do.

Nita Waters, 624 Monument Road said she agreed with John Lane, stating the City has done quite well without display of the motto and felt it would almost be saying that the City Council is not responsible for their actions and would be relying on God. Looking at the world-wide aspect, she said it would be better to honor our ancestors.

Marilyn (Berkeley St. resident) said she was in support of the display of the motto stating this country was founded on Christianity and on the principles of God. She said the expression of students who placed the American flag upside down below the Mexican flag is demoralizing and felt it is important to keep on acknowledging "In God We Trust."

Dennis Wendt, 1660 Newburg Road, Fortuna said he agreed that it is the right thing to do to display the motto as was recently done in the City of Fortuna.

Maggie Todd, 100 Painter St. said she was in support of the Resolution and pointed out that it takes a lot of money to keep the City running and that same money that keeps the City running displays those very words.

Councilmember Thompson stated that anyone who has visited Washington D.C. must know how inspiring it is to walk into the halls of Congress where the motto "In God We Trust" is displayed and said he was in support of the Resolution but felt the cost incurred should come strictly from donations as with the sign on the front lawn at City Hall.

Councilmember Dunker agreed with the idea and said he would like to give the community the opportunity to come forward with donations. Both he and Councilmember Thompson offered to make a donation toward the cost associated with the construction/installation of the sign.

Motion then carried 3-0.

**SPECIAL CALL ITEMS**

Approve Road Improvement Agreement Between the City of Rio Dell and Albin Enterprises LLC (APN 052-162-061)
Interim City Manager Hill reviewed the staff report as submitted stating that Albin Enterprises LLC has agreed to grant an easement to properties without access on North Street for ingress, egress and public utilities contingent upon the City of Rio Dell agreeing to allow the same road improvements for North St. when and if development occurs as set forth for May St. when it was developed.

Councilmember Marks asked if the agreement would be transferred to the new property owner in the event the property is sold prior to Albin Enterprises LLC developing the property; Matt Allen, realtor for the seller commented that the agreement would be transferred.

Councilmember Marks also asked if there would be a way to make sure that all affected properties are included to avoid additional agreements; Matt Allen said he would like the surveyor to prepare legal descriptions so that all of the property owners are granted access and

Interim City Manager Stretch stated that although it was only his second day on the job he had taken the liberty to review the Draft Employee Handbook and noted that he had a friend that was an expert in the area of Employee Relations who agreed to review the document and provide some direction to the City Council on a couple of issues at no cost to the City. He also reported that he had contacted the City Attorney regarding a number of issues that he was asked to work on and he indicated that he had not been working on them stating he was "waiting for the dust to settle." He said he asked him to provide a list and cost to complete those tasks by the next meeting. He then asked the Council to think about how they wished him to proceed with the City Manager recruitment process and come back with suggestions at the next meeting. Lastly, he commented on the public address system stating there seemed to be a lack of a nexus between microphone system and the camera and said he would like to bring some ideas forward for upgrade of the council chambers to be more effective. He expressed concern that prospective candidates would be seeking our web site as well as the public access channel only to find that they can't follow the meeting because of the sound. He said he would like to put together some thoughts and have a conversation at the next meeting.

Councilmember Dunker asked for a Study Session to follow up on the proposed resolution regarding the "In God we Trust" motto and also to consider an ex-parte discussion.

Chief of Police Hill reported on recent activities in the police department and stated he was attempting to get emerged back into the police chief mode stating he was trying not to overwhelm the City Manager but was available if needed.

Acting Director of Public Works Jensen reported on recent activities in the public works department stating they held a pre-construction meeting with K.G. Walters regarding the Solids and Disinfection Management project stating that Winzler & Kelly indicated they would like the contractor to be prepared to proceed in three weeks; provided a progress report on the Safe Routes to School Project and said the last work directive was signed off leaving three pending items to address; and said the Draft plans for the Wildwood Ave. Paving Project would be coming to Council by the end of the month.

Mayor Pro Tem Marks stated the Council had discussed the possibility of additional striping on Wildwood Ave. and asked if that was still being planned; Acting Director of Public Works stated additional striping was not being planned at this time but they may be coming back to the Council at the end of the project with ideas for some horizontal parking.

## COUNCIL REPORTS/COMMUNICATIONS

Councilmember Thompson reported on recent meetings stated he attended an RCEA meeting where they voted to ratify a 4 year audit contract; said they would be signing a 3 year contract with PG&E for around $3 million in regard to energy grants; said RCEA may be moving to a larger building; would be attending an HTA meeting as alternate in Mayor Woodall's absence;

Manager Stretch commented that he believed he would be able to make time but if it were to become a burden, he would inform the Council.

Councilmember Dunker stated that regardless of the issues that would need to be considered with regard to a city owned bottling enterprise, he felt it is not the appropriate time due to the limited time left for the Interim City Manager and the various projects he has been tasked with including recruitment of a new City Manager.

Mayor Woodall said her only thought was that the Council should set priorities for projects before making a decision to devote time to this project.

Councilmember Marks asked Councilmember Thompson if he would be willing to put the idea on hold for the time being; he indicated that he would be willing but said it seemed that when things are put off, they tend to fall between the cracks and are forgotten.

Bud Leonard, 300 Woodland Dr. commented that as a tax payer, he objected to the City competing with private business and said he was very familiar with "surface water" and said that water from fire hydrants was probably better. He felt it would be a waste of taxpayers' money to pursue this idea and felt the Interim City Manager had more important things to do.

Consensus of the Council was that the idea be discussed during the "Goal Setting" City Council study session.

**PUBLIC PRESENTATIONS**

None

**REPORTS/STAFF COMMUNCIATIONS**

Interim City Manager Stretch reported on recent meeting and activities and announced that the City received notification that the City's application for funding under the General Allocation of the State CDBG Grant Program for paving of Rigby Ave. was not approved because the application did not score high enough in points. He said the Finance Director spoke with representatives of the State and they said they would get a copy of the score sheet to the city so that we could do better next round. He said it was a disappointment but not a shock since it was a competitive grant. He also reported that he had a meeting with Councilmembers Dunker and Thompson on November 30th to discuss the placement of the motto "In God We Trust" in Council Chambers and said that although a beautiful burl slab was donated by the Dunham's it was not really the right shape for display of the "In God We Trust" motto along with the City Seal. That discussion gravitated to the question of whether the City actually had an official City Seal which he noted staff will need to research. He said he planned to come back to the Council with a recommendation to adopt an official city seal or motto for use on City stationary as well.

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October 3, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on Possible Uses of the Tax Proceeds from Measure X

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff.

BACKGROUND AND DISCUSSION

The Mayor has requested that this item be agendized for discussion.

Measure X is the designation assigned to the cannabis business tax proposal headed to the voters of Rio Dell for the November 7, 2017 general election. Measure X is a General Tax that requires a simple majority of voters to pass. The tax is expected to generate approximately $980,000 annually, however actual receipts are expected to vary widely from this figure. The tax only applies to commercial cannabis operations and is not applied to personal uses, medical or recreational.

As a general tax, the proceeds would go to the General Fund (if the tax is passed and if the taxable activity occurs) and can be used for any public purpose, including police services, streets or other city functions. The current City Council cannot bind the actions of future City Council's regarding the uses of these funds. However, the Council may have a discussion on current possible priority uses of these funds. Should the tax pass and the taxable activities occur, the revenues would be appropriated through the annual budget process and be subject to all public auditing requirements and pertinent state law.

///

*675 Wildwood Avenue*
*Rio Dell, CA 95562*

**TO:** Mayor and Members of the City Council

**FROM:** Karen Dunham, City Clerk

**THROUGH:** Kyle Knopp, City Manager

**DATE:** October 3, 2017

**SUBJECT:** **Unmet Transit Needs Public Hearing**

## RECOMMENDATION

Open the public hearing and receive input on any unmet transit needs in the community. Close the public hearing and make a motion to direct staff to send a letter to Humboldt County Association of Governments (HCAOG) relaying the comments made during the public hearing regarding unmet transit needs.

## BACKGROUND AND DISCUSSION

Each spring the Humboldt County Association of Governments (HCAOG), as the Regional Transportation Planning Agency (RTPA) conducts a citizen participation process to assess unmet transit needs within Humboldt County. This annual "unmet transit needs" process helps HCAOG properly apply funds provided by the Transportation Development Act. HCAOG will hold a public hearing for community members to express any unmet needs they have for specific public transit and paratransit service.

In addition to the County unmet transit needs hearing, HCAOG recommends each entity conduct a separate hearing to receive comments specific to their jurisdiction. Any public comments made at the local meeting will be sent to HCAOG and included in the Unmet Transit Needs Report of Findings.

Provided there are no unmet transit needs identified, all of the funds will be allocated for street improvements.