



RIO DELL CITY COUNCIL AGENDA REGULAR MEETING - 6:30 PM TUESDAY, JUNE 20, 2023

City Council Chambers - 675 Wildwood Avenue, Rio Dell

Welcome - 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 and available on the City's website at cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

SPECIAL PUBLIC HEALTH EMERGENCY ALTERNATIONS TO MEETING FORMAT CORONAVIRUS (COVID 19)

Effective immediately, the City of Rio Dell will reopen City Council meetings held in City Hall Council Chambers to in-person attendance by the public. The public may also attend these meeting virtually through Zoom. The meetings will also be viewable via livestreaming through our partners at Access Humboldt via their YouTube channel or Suddenlink channels on Cable TV.

Public Comment by Email:

In balancing the health risks associated with COVID-19 and need to conduct government in an open and transparent manner, public comment on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note the agenda item the comment is directed to (example: Public Comments for items not on the agenda) and **email no later than one-hour prior to the start of the Council meeting**. Your comments will be read out loud, for up to three minutes.

Meeting can be viewed on Access Humboldt's website at <https://www.accesshumboldt.net>. Suddenlink Channels 10, 11 & 12 or Access Humboldt's YouTube Channel at <https://www.youtube.com/user/accesshumboldt>.

Zoom Public Comment:

When the Mayor announces the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call the toll-free number **1-888-475-4499**, enter meeting **ID 987 154 0944** and press star (*) 9 on your phone – this will raise your hand. You will continue to hear the meeting on the call. When it is time for public comment on the item you wish to speak on, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. Please state your name and begin your comment. You will have 3 minutes to comment.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

1. 2023/0620.01 - Introduction and Swearing in of Police Officer Aimee House

E. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not allowed under the Ralph M. Brown Act. 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 2/3 of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

F. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers 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 following action on the remaining consent calendar items.

1. 2023/0620.02 - Approve Minutes of the June 6, 2023 Regular Meeting **(ACTION)** - Pg. #4
2. 2023/0620.03 - Approve Resolution No. 1584-2023 Adopting FY 2023-24 Operating and Capital Budget and Position Allocation Table **(ACTION)** - Pg. #12
3. 2023/0620.04 - Approve Purchase of Services for Annual Audit for FY 2022-23 and Authorize the City Manager or designee to sign the Letter of Engagement **(ACTION)** - Pg. #19
4. 2023/0620.05 - Adopt Resolution No. 1583-2023 Adopting the Gann Appropriations Limits for FY 2023-24 **(ACTION)** - Pg. #27
5. 2023/0620.06 - Approve Memorandum of Understanding (MOU) between the City of Rio Dell, County of Humboldt, and Cities of Eureka, Arcata, Fortuna, Blue Lake, Trinidad and Ferndale for Management of an Edible Food Recovery Program **(ACTION)** - Pg. #34
6. 2023/0620.07 - Authorize the City Manager to Execute a Special Salary Adjustment **(ACTION)** - Pg. #45
7. 2023/0620.08 - Receive & File Check Register for June **(ACTION)** - Pg. #47

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. REPORTS/STAFF COMMUNICATIONS

- [1.](#) 2023/0620.09 - City Manager/Staff Update (**RECEIVE & FILE**) - Pg. #52

I. SPECIAL PRESENTATIONS/STUDY SESSIONS

- [1.](#) 2023/0620.10 - Letter of Support - US Department of Energy Grant Application for Solar/Battery Project (**RECEIVE & FILE**) - Pg. #57

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

- [1.](#) 2023/0620.11 - Discussion on City Council Meeting Time (**DISCUSSION/POSSIBLE ACTION**) - Pg. #65

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- [1.](#) 2023/0620.11 - Introduction and First Reading (by title only) of Ordinance No. 399.2023 Amending Ordinance No. 335-2015, Chapter 13.10, Section 241 of the Rio Dell Municipal Code (RDMC) and adding Chapter 13.10, Sections 242-246 Property Tax Liens for Nonpayment of Delinquent Sewer Bills for Customers that do not Subscribe to Water Service and a Means of Collecting the Delinquent Charges on the Property Tax Bill (**DISCUSSION/POSSIBLE ACTION**) - Pg. #66

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Thursday, July 6, 2023 at 6:30 PM.*

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
JUNE 6, 2023**

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

ROLL CALL: Present: Mayor Pro Tem Carter, Councilmembers Orr, Wilson and Woodall

Absent: Mayor Garnes (excused)

Others Present: City Manager Knopp, Finance Director Sanborn, Water/Roadways Superintendent Jensen, Wastewater Superintendent Taylor, Senior Fiscal Assistant Maciel, City Clerk Dunham, and Community Development Director Caldwell (attended remotely)

PUBLIC PRESENTATIONS

Mayor Pro Tem Carter invited public comment on non-agenda matters. No public comment was received.

CONSENT CALENDAR

Mayor Pro Tem Carter asked if any councilmember, staff or member of the public would like to remove any item from the consent calendar for separate discussion. No items were removed.

Motion was made by Woodall/Orr to approve the consent calendar including the following items:

- 1) Minutes of the May 16, 2023 regular meeting;
- 2) Approve Resolution No. 1582-2023 Adopting a List of Projects for FY 2023-24 Funded by SB-1 – The Road Repair and Accountability Act of 2017;
- 3) Receive & File Request the Local Roadway Safety Plan (LRSP) Draft Report;
- 4) Approve Resolution No. 1580-2023 Approving amendments to the City’s CDBG Housing Rehabilitation Guidelines to include the use of CalHOME Funds and to expand the program to include rental properties.

Motion carried 4-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and said that the City has been fielding a number of questions from the State of California related to the Painter St.

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Wastewater Line Upsizing project. He noted that this is good news because they will be diving into some of the City's prior audits and financial data which means they are taking a very close look at this particular project. They typically don't do that unless there is some positive news coming our way.

He reported that staff met with representatives of PG&E to discuss progress toward the additional electrical capacity by the end of 2024. According to PG&E everything appears to be on target so possibly by the middle of 2024, there will be additional capacity on the grid so there should be limited to no impact to development in the City related to electricity.

He also noted that staff also discussed with Redwood Coast Energy (RCEA), the potential for a new DC Fast Charging grant with potential locations in both public city-controlled areas such as City Hall and Memorial Park as well as some private locations.

Mayor Pro Tem Carter called for questions from the Council on the Staff Update.

Councilmember Wilson asked if PG&E would be providing the City with a letter of commitment to say that the additional power will be available by the end of 2024.

City Manager Knopp noted that the City would not be the recipient of such letter but rather the individual applicants and/or developers. He said that PG&E would likely not be willing to put the commitment in writing however; staff has seen PG&E workers at the transfer station here so some work has been performed.

Councilmember Wilson commented that just because PG&E is working on the sub-station, doesn't necessarily mean they are working on the capacity issues. He said that he would feel more comfortable if the City had something in writing from PG&E saying that "yes" they will be able to provide electricity to customers. He pointed out that residents on the Dinsmore Plateau received "will-serve" letters from PG&E previously yet didn't get the power they needed.

City Manager Knopp agreed to forward the request to PG&E for a letter of commitment and report back to the Council regarding their response.

Councilmember Woodall commented that based on the Staff Update, everyone has been really busy and expressed her thanks and appreciation for everything staff has been doing.

Mayor Pro Tem Carter echoed that sentiment.

SPECIAL PRESENTATIONS/STUDY SESSIONSPresentation on FY 2023-24 Recommended Budget

City Manager Knopp began by thanking Finance Director Sanborn for all of his work in putting together the budget.

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Finance Director Sanborn provided a power point presentation on the FY 2023-24 recommended budget. On May 16, 2023, the Council received a presentation of the recommended budget, organizational chart, summary of capital and special projects, and the budget calendar.

The proposed budget totaled \$8.77 million split between operating expenditures, debt service, and capital and special projects. Revenues for the upcoming fiscal year were projected at \$7.58 million with approximately \$1.2 million coming from the use of unassigned fund balances.

He explained that the budget process begins in early March when budget worksheets are compiled and distributed to department heads. In April, department heads return the budget requests to be compiled by Finance and the initial draft of the recommended is prepared by the Finance Department for the City Manager's approval. In May, a special study session was held with the City Council and each fund was discussed and reviewed for the upcoming fiscal year in addition to budgeting, city staffing and anticipated capital costs. In the month of June, staff offers the recommended budget for adoption for the upcoming fiscal year.

At the May 16 City Council meeting, the Council identified five central priorities for the fiscal year 2023-24 which included the following:

- Recruitment/Retention
- Public Works Infrastructure
- Community Development
- Economic Development Plan
- Public Safety – Staffing

During the special study session, the City Council and staff identified the following changes to the draft budget:

- \$22,000 split between the Sewer (050) and Water (060) Operations Funds to procure a summer GIS intern.
- Adjusted part-time Public Works Utility Worker position from 0.5 FTE non-benefited position to 1.0 FTE benefited position expensed to the Water Operations Fund (060).
- Pro-Rated benefits were added to the Police Department Records Technician position.
- \$32,000 has been added to the Sewer Operations Fund (050) to complete the NPDES Permit Renewal.
- Adjusted Insurance projections based on SCORE forecasts.

The recommended budget for FY 2023-24 was \$8.77 million; a 2% decrease from the prior year mainly due to the reduction in capital and special project expenses.

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The two largest budgeted activities in the projected budget were grant capital projects approaching nearly \$2.6 million and the Police Department budget covered almost exclusively by the General Fund at \$1.37 million.

City revenues were estimated at \$7.58 million compared to \$8.04 million last year, representing a 6% decrease.

Two of the largest revenue sources, the Bradley Burns Retail Sales Tax and the local Measure J Sales Tax were projected to decrease due to local, state and national economic uncertainties.

Finance Director Sanborn commented that the water and sewer funds were established in the most recent Water/Wastewater Rate Study completed in 2022 for revenue rate projections.

He said that the General Fund is the City's primary operating fund with revenues available for general purposes and are used to fund the City's operations including police services, general operations, management of City services, as well as special and capital projects. Appropriations to the General Fund were budgeted at \$1.95 million in the upcoming fiscal year. Police services were budgeted at \$1.2 million or 62% of the total General Fund costs while capital projects and City administration costs were anticipated to account for 10.1 and 13.9% respectively.

The General Fund is predominately supported by property taxes, vehicle-in-lieu fees, sales taxes and cannabis taxes. General Fund revenues were projected at \$1.63 million for the upcoming fiscal year; representing a decrease of approximately \$130,000 or 7% from the previous fiscal year. This is primarily due to lower sales in cannabis tax projections for the upcoming year.

The Capital Projects budget included \$3.6 million in capital and special projects budgeted from the General Fund, the Per Capita Park Bond, the Parks Capital Fund, the ARPA Fund, and water and sewer capital costs. Budgeted capital projects were 16% less from the prior year.

In reviewing the City Organizational Chart, there were 25.65 budgeted full-time employees for FY 2023-24 which is an increase of less than one full-time employee from the prior year.

Finance Director Sanborn ended the presentation by thanking the City Council for their participation in the budget process and continued commitment to the fiscal responsibility of the City. He also acknowledged and thanked City staff and their support in building the budget for this fiscal year.

Mayor Pro Tem Carter called for questions from the Council on the recommended budget.

Councilmember Woodall asked if the plan was to repair or replace the bio-solids tent roof.

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Wastewater Superintendent Taylor noted that the tears that they are seeing could possibly be repaired, at a substantial savings over replacement but it will depend on the cost savings between the two options and recommendation of the manufacturer.

Councilmember Wilson referred to the Sewer Department expenditures and noted that it appears that those expenditures have increased over the past three years by around \$100,000/yr.

Finance Director Sanborn said that his assumptions on that trend were correct and the increases were primarily due to increased salary and benefit costs as well as chemical cost increases.

Councilmember Wilson asked if that is something staff is anticipating to continue in moving forward and if the City was scheduled to do another salary study anytime soon.

City Manager Knopp recalled the last salary study being done in 2021 followed by benefit enhancements in preparation for inflation.

He noted that there was also a 5-year rate study done for water and wastewater and while customers will see a slight decline in water rates over the next few years, there will be an increase in the wastewater rates. He commented that the next rate study is about 4 years out.

Councilmember Wilson expressed concern about continued increased costs, particularly in wastewater and said that that salaries and benefits will continue to increase resulting in a reduction in the reserve fund balance. He said that this puts up a red flag noting that the City seems to be heading in a position where they should not be headed.

City Manager Knopp explained that with regard to water and wastewater, there is a 5% adjustment built into the rate study per year to provide for increases in salary and benefit costs. He noted that benefit costs will continue to escalate, mostly with regard to medical insurance and hopefully that will match those costs over the 5-year period.

Councilmember Wilson said that some of the other agencies he is involved with, are giving 5-7% salary increases.

City Manager Knopp said that one of the previous rate studies indicated that there would be significant inflation and suggested watching the trends and if necessary, make adjustments prior to the end of the 5-year period.

Councilmember Wilson complimented staff for presenting the budget below the previous year's budget amount.

City Manager Knopp pointed out that the City is currently in a good financial position in terms of having healthy reserves. Having those reserves allows for unexpected

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occurrences and also allows time to analyze ways to make the best long-term decisions for the City.

Finance Director Sanborn said that staff will bring back the final budget for adoption at the June 20, 2023 regular meeting.

Mayor Pro Tem Carter called for questions from the public on the recommended budget. No question or comments were received.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Second Reading (by title only) and Adoption of Ordinance No. 398-2023 Amending Chapter 10.05 “Use of Streets for Storage of Vehicles Prohibited”, Section 10.05.530 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report recommending adoption of Ordinance No. 398-2023 related to the storage and parking of vehicles on City streets.

He noted that this amendment was brought forward at the request of the City’s Community Services Officer, the Nuisance Advisory Committee and the Traffic Committee. He said that the changes as proposed are not substantial but they are important. The proposed amendments to the ordinance were as follows:

- 1) No person who owns or has possession, custody or control of any vehicle, ***including trailers, recreational vehicles and boats*** shall park such vehicle upon any street or alley for more than a consecutive period of 72 hours.
- 2) ***After any vehicle including trailers, recreational vehicles and boats has been parked or left standing in the same location on a street or alley for 72 hours or more consecutive hours, such vehicle must be moved at least one block or 300 lineal feet whichever is more, to avoid violation of California Vehicle Code Section 22651(k) of this section.***
- 3) ***In the event a vehicle is parked, including trailers, recreational vehicles and boats stored or left standing upon a street or alley in excess of 72 hours, the City may cause to remove such vehicle from the street or alley subject to the requirements of the California Vehicle Code.***

Mayor Pro Tem Carter expressed support of the proposed changes and said that it will help to address some of the safety issues around the City and give the police department another tool with regard to enforcement.

A public hearing was opened to receive public comment on the proposed ordinance amendment. No public comment was received and the public hearing was closed.

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Motion was made by Woodall/Wilson to adopt Ordinance No. 398-2023 Amending Chapter 10.05 "Use of Streets for Storage of Vehicles Prohibited", Section 10.05.530 of the Rio Dell Municipal Code (RDMC). Motion carried 4-0.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Woodall reported that she would be attending a Humboldt Transit Authority (HTA) meeting tomorrow and the Fire Department Board of Directors meeting on Thursday.

Councilmember Wilson reported that he would be attending a Humboldt Waste Management Authority (HWMA) meeting on Thursday.

Councilmember Orr reported that he attended an HCAOG meeting where they had presentations on the Offshore Wind Power Project and mentioned that they are working on getting a hydrogen powered bus to meet the needs of the transit link from here to the Bay area including the installation of hydrogen powered fueling sites throughout the County.

They also had a presentation from Caltrans and the County of Humboldt on ideas to deal with the homeless situation. One of the ideas they presented was an offer from HWMA to provide trash containers at the temporary homeless encampments in attempt to keep the areas cleaned up.

Mayor Pro Tem Carter reported that the May RREDC meeting was cancelled. She said she attended the Beautification, Walkability and Pride Committee meeting last Friday and they are working on a volunteer community clean-up day on Saturday, July 29, 2023 which will be hosted by the Community Resource Center. The plan is to pick up trash and pull weeds along portions of Wildwood Ave. She announced the next meeting of the committee will be on Friday, July 7, 2023 at 9:00 a.m.

She reported that the Chamber of Commerce also met last Friday and announced that the Scotia Lodge does the "Pints for Non-Profits" event on the third Friday of every month and the July recipient will be the Rio Dell-Scotia Chamber of Commerce. She invited everyone to attend the event on July 21, 2023 from 5-8 p.m. and said a portion of the proceeds will go to the Chamber of Commerce.

She also announced there would be a Bike Rodeo at the Fire Department on June 17, 2023 from 11:00-1:00 p.m.

Councilmember Woodall announced that Friday, June 9th from 2:30-5:00 p.m. is Garden Day where community volunteers will be helping to prepare the community garden located next to the Rio Dell Baptist Church.

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ADJOURNMENT

Motion was made by Woodall/Orr to adjourn the meeting at 7:03 p.m. to the June 20, 2023 regular meeting. Motion carried 4-0.

Amanda Carter, Mayor Pro Tem

Attest:

Karen Dunham, City Clerk

**675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)**



DATE: June 20, 2023
TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager
FROM: Travis Sanborn, Finance Director
SUBJECT: Adoption of Fiscal Year 2023-24 City Budget

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution 1584-2023 adopting the Fiscal Year (FY) 2023-24 Operating and Capital Budget and Position Allocation Table.

BACKGROUND AND DISCUSSION:

On May 16, 2023, the Council received a presentation of the recommended budget, organizational chart, summary of capital and special projects, and the budget calendar. During the special study session, the Council and staff recommended the following changes:

- \$22,000 split between the Sewer (050) and Water (060) Operations Funds to procure a summer GIS intern.
- Adjusted part-time Public Works Utility Worker position from 0.5 FTE non-benefitted position to 1.0 FTE benefitted position expensed to the Water Operations Fund (060).
- Pro-rated benefits were added to the Police Department Records Technician position.

On the June 6th Council meeting, the following changes were made:

- \$32,000 has been added to the Sewer Operations Fund (050) to complete the NPDES Permit Renewal.
- Adjusted Insurance projections based on SCORE forecasts.

The proposed budget totals \$8,769,395 (operating expenditures \$4,648,763; debt service and pass-thru amounts \$488,881; and capital projects \$3,631,751). This is a decrease of \$184,211, or 2% under last year's adopted budget. This decrease is primarily due to the completion of the multi-year street improvement capital projects. Revenues utilized to finance FY 2023-24 are \$7,577,932 with \$1,191,463 coming from the use of unassigned fund balance. All estimated

ending fund balances remain above the 30% target reserve minimum, with the exception of the Sewer Operations Fund (050), Solid Waste Fund (027), and Water Dinsmore Zone (064) funds.

ATTACHMENTS:

Resolution 1584-2023 Fiscal Year 2023-24 Operating and Capital Budget
Budget Documents and Worksheets



**RESOLUTION NO. 1584-2023
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL ADOPTING THE
OPERATING & CAPITAL BUDGET FOR FISCAL YEAR 2023-24**

WHEREAS, the City is required to adopt an annual operating budget pursuant to City of Rio Dell Resolution 1227-2014; and

WHEREAS, the City Manager’s proposed budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024, has been reviewed and revised at various public meetings by the City Council; and

NOW THEREFORE BE IT RESOLVED, that the City of Rio Dell City Council does hereby approve and adopt the City of Rio Dell Fiscal Year (FY) 2023-24 Operating & Capital Budget comprised of revenues totaling \$7,577,932 and expenditure appropriations in the amount of \$8,769,395, with a net draw from the fund balance of \$1,191,463 as follows

FUND	NAME	RESERVES	REVENUES	EXPENDITURES		RESERVES		
		EST Beginning Fund Bal.	Projected Totals	Projected Totals	Transfers	Change in Fund Balance	Est. End. Fund Balance	Target 30% Reserve
005	Admin Fund	52,176	40,000	1,600		38,400	90,576	480
008	Building Fund	-	56,150	125,936	(69,786)			NA
037	CDBG Fund	-		-		-	-	-
039	CDBG RRLF Fund	571,131	5,000	-	4,664	336	571,467	-
000	General Fund	1,654,938	1,632,600	1,951,792	62,068	(381,260)	1,273,678	585,538
003	Economic Development	278,221	-	77,000	-	(77,000)	201,221	23,100
044	Measure Z Fund	-	-	-		0	-	-
074	Recycling Fund	29,350	5,000	9,000		(4,000)	25,350	2,700
015	Parks Fund	18,184	-	-		-	18,184	-
014	Park Per Capita Grant	-	177,952	177,952		-	-	NA
040	SLESF Fund	119,563	150,000	155,666		(5,666)	113,898	46,700
018	Trails & Parks (Clean CA)	2,412,799	2,412,799	2,412,799		-	2,412,799	NA
052	Sewer Capital Fund	1,194,272	105,000	265,000		(160,000)	1,034,272	79,500
054	Sewer Debt Svc Fund	113,651	302,934	302,934		-	113,651	-
054	Sewer Restricted Reserve	302,822	-	-		-	302,822	302,822
050	Sewer Operations Fund	357,736	1,063,000	1,249,637		(186,637)	171,099	374,891
027	Solid Waste Fund	6,708	5,000	9,820	3,054	(7,874)	(1,166)	2,946
093	Spay & Neuter Fund	3,228		-		-	3,228	-
020	Gas Tax Fund (HUTA)	168,852	104,517	102,407		2,110	170,962	30,722
024	TDA Fund	50,207	125,803	119,675		6,128	56,335	35,902
026	RSTP Fund	31,521	27,000	24,103		2,897	34,418	7,231
021	SB1 (RMRA) Fund	122,488	83,727	70,257		13,470	135,958	21,077
076	ARPA-SIFRF	736,150	-	340,000		(340,000)	396,150	NA
062	Water Capital Fund	1,235,056	263,375	138,000		125,375	1,360,431	41,400
063	Water Metro Wells Fund	46,841	18,375	29,099		(10,724)	36,117	8,730
064	Water Dinsmore Zone	28,977	23,200	110,100		(86,900)	(57,923)	33,030
061	Water Restricted Reserve	136,000	-	-		-	136,000	136,000
061	Water Debt Svc Fund	258,930	136,000	136,000		-	258,930	40,800
060	Water Operations Fund	1,289,075	840,500	960,618		(120,118)	1,168,957	288,185
	TOTAL	11,218,876	7,577,932	8,769,395	-	(1,191,463)	10,027,413	2,061,754

BE IT FURTHER RESOLVED, that staffing is adopted and funded in the FY 2023-24 Operating Budget as follows:

FISCAL YEAR 2023-24						
POSITION ALLOCATION TABLE						
DEPARTMENT/POSITION	FULL-TIME EMPLOYEES (FTEs)					
	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
ADMINISTRATION						
Management Analyst I/II/Sr	--	--	--	1.00	1.00	1.00
City Clerk	1.00	1.00	1.00	1.00	1.00	1.00
City Manager/Public Works Director	1.00	1.00	1.00	1.00	1.00	1.00
Community Development Director	0.80	0.80	0.80	0.80	0.80	0.80
Total FTEs	2.80	2.80	2.80	3.80	3.80	3.80
FINANCE DEPARTMENT						
Accountant I/II	1.00	1.00	1.00	1.00	1.00	1.00
Finance Director	1.00	1.00	1.00	0.60	0.60	1.00
Fiscal Assistant I/II	1.00	1.00	1.00	1.00	-	-
Senior Fiscal Assistant	1.00	1.00	1.00	1.00	2.00	2.00
Total FTEs	4.00	4.00	4.00	3.60	3.60	4.00
POLICE DEPARTMENT						
Chief of Police	1.00	1.00	1.00	1.00	1.00	1.00
Community Service Officer	--	--	1.00	1.00	1.00	1.00
Police Corporal	--	--	--	1.00	1.00	1.00
Police Officer	4.00	4.25	4.25	3.25	3.25	4.15
Police Officer Recruit	--	--	--	--	1.00	-
Records Technician	0.70	0.70	0.70	0.70	0.70	0.70
Sergeant	1.00	1.00	1.00	1.00	1.00	1.00
Total FTEs	6.70	6.95	7.95	7.95	8.95	8.85
PUBLIC WORKS DEPARTMENT						
Operator in Training (OIT)	1.00	1.00	1.00	1.00	1.00	1.00
Public Works Leadman	1.00	1.00	1.00	1.00	1.00	1.00
Utility Worker I/II/III	2.50	2.50	2.50	2.50	2.50	3.00
Wastewater Superintendent Trainee	1.00	--	--	--	--	--
Wastewater Superintendent	--	1.00	1.00	1.00	1.00	1.00
Water/Streets Superintendent	1.00	1.00	1.00	1.00	1.00	1.00
Water/Wastewater Plant Operator I/II/III	2.00	2.00	2.00	2.00	2.00	2.00
Total FTEs	8.50	8.50	8.50	8.50	8.50	9.00
TOTAL CITY FTEs	22.00	22.25	23.25	23.85	24.85	25.65

BE IT FURTHER RESOLVED, as follows:

Section 1.

It is the City Council's intention to approve and adopt an annual budget to provide financial guidance for routine operations of City business, and capital projects and to provide information to the general public.

Section 2.

The adopted annual City budget will be implemented and maintained in accordance with City Budget Policy as outlined in Resolution 1227-2014.

Section 3.

Adoption of the annual budget does not expressly approve expenditures of funds in excess of purchasing authority as outlined by City Resolution, Ordinance, State, or Federal law.

Section 4.

Adoption of the FY 2023-24 Budget includes one fund which is not projected to have the minimum Reserve balance (15%) as set forth in City policy. Therefore, an exception to the City's Minimum Fund Balance Policy established by Resolution No. 1154-2012 is hereby granted for the Sewer Operations Fund (050), Solid Waste Fund (027), and Water Dinsmore Zone Fund (064).

Section 5.

Adoption of the FY 2023-24 budget includes the following inter-fund transfers:

From:

027	Solid Waste	\$	3,054	For City Manager time on solid waste activities
039	CDBG	\$	592	For Community Development Director time on CDBG activities
039	CDBG	\$	4,072	For City Manager time on CDBG activities
008	Building	\$	4,072	For City Manager time on Building activities
000	General Fund	\$	69,786	Subsidy for Building fund activities that exceed actual revenues
	Total	\$	81,576	

To:

000	General Fund	\$	3,054	From Solid Waste for City Manager staff costs
000	General Fund	\$	592	From CDBG for Community Development Director staff costs
000	General Fund	\$	4,072	From CDBG for City Manager staff costs
000	General Fund	\$	4,072	From Building for City Manager staff costs
008	Building	\$	69,786	From General Fund to cover expenses that exceed charges for services
	Total	\$	81,576	

Section 6.

Adoption of the FY 2023-24 Budget authorizes the use of fund balance (expenditures exceeding revenues and transfers) in the following funds in the following amounts: General Fund (000) \$381,260, Economic Development Fund (003) \$77,000, Solid Waste Fund (027) \$7,874, Recycling Fund (074) \$4,000, SLESF Fund (040) \$5,666, Sewer Operations Fund (050) \$186,637, Sewer Capital Fund (052) \$160,000, ARPA-SLFR Fund (076) \$340,000, Water Operations Fund (060) \$120,118, Water Metro Wells (063) \$10,724, and Water Dinsmore Zone (064) \$86,900.

PASSED AND ADOPTED by the City of Rio Dell on this 20th day of June 2023, by the following roll call vote:

- Ayes:
- Noes:
- Abstain:
- Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

FY 2023-24 RECOMMENDED OPERATING AND CAPITAL BUDGET
 Resolution 1584-2023, Adopted June 20, 2023
 City of Rio Dell
 Budget Summary by Department and by Fund

FUND	NAME	RESERVES	REVENUES	CITY OPERATIONS								PUBLIC WORKS OPERATIONS			OTHER			EXPENDITURES		RESERVES			over/(under)		
		EST Beginning Fund Bal.	Projected Totals	Admin Car	Building Dept.	City Council Dept.	City Manager Dept.	Finance Dept.	General Govt. Dept.	Planning Dept.	Police Dept.	Recycling and Solid Waste	Facilities and Grounds	Sewer Dept	Streets Dept	Water Dept	Capital Projects	Pymts and Debt Svc	Contingency	Projected Totals	Transfers	Change in Fund Balance		Est. End. Fund Balance	Target 30% Reserve
005	Admin Fund	52,176	40,000	1,600															1,600		38,400	90,576	480	90,096	
008	Building Fund	-	56,150		125,936														125,936	(69,786)			NA		
037	CDBG Fund	-																							
039	CDBG RRLF Fund	571,131	5,000																	4,664	336	571,467		571,467	
000	General Fund	1,654,938	1,632,600			9,513	270,462	112,294	29,189	53,463	1,214,468	64,404				198,000			1,951,792	62,068	(381,260)	1,273,678	585,538	688,140	
003	Economic Development	278,221	-					77,000											77,000		(77,000)	201,221	23,100	178,121	
044	Measure Z Fund	-	-																		0				
074	Recycling Fund	29,350	5,000								9,000								9,000		(4,000)	25,350	2,700	22,650	
015	Parks Fund	18,184	-																			18,184		18,184	
014	Park Per Capita Grant	-	177,952													177,952			177,952				NA		
040	SLESF Fund	119,563	150,000								155,666								155,666		(5,666)	113,898	46,700	67,198	
018	Trails & Parks (Clean CA)	2,412,799	2,412,799													2,412,799			2,412,799			2,412,799	NA		
052	Sewer Capital Fund	1,194,272	105,000													265,000			265,000		(160,000)	1,034,272	79,500	954,772	
054	Sewer Debt Svc Fund	113,651	302,934														302,934		302,934			113,651		113,651	
054	Sewer Restricted Reserve	302,822	-																			302,822	302,822		
050	Sewer Operations Fund	357,736	1,063,000			8,154	110,456	170,882				40,253	919,893						1,249,637		(186,637)	171,099	374,891	(203,793)	
027	Solid Waste Fund	6,708	5,000								9,820								9,820	3,054	(7,874)	(1,166)	2,946	(4,112)	
093	Spay & Neuter Fund	3,228																				3,228		3,228	
020	Gas Tax Fund (HUTA)	168,852	104,517			815	12,273	4,882				11,271		73,166					102,407		2,110	170,962	30,722	140,239	
024	TDA Fund	50,207	125,803			544	8,182	4,882				4,830		51,290			49,947		119,675		6,128	56,335	35,902	20,433	
026	RSTP Fund	31,521	27,000											24,103					24,103		2,897	34,418	7,231	27,187	
021	SB1 (RMRA) Fund	122,488	83,727											70,257					70,257		13,470	135,958	21,077	114,881	
076	ARPA-SLFRF	736,150	-													340,000			340,000		(340,000)	396,150	NA		
062	Water Capital Fund	1,235,056	263,375													138,000			138,000		125,375	1,360,431	41,400	1,319,031	
063	Water Metro Wells Fund	46,841	18,375																29,099		(10,724)	36,117	8,730	27,387	
064	Water Dinsmore Zone	28,977	23,200											10,100	100,000				110,100		(86,900)	(57,923)	33,030	(90,953)	
061	Water Restricted Reserve	136,000	-																			136,000	136,000		
061	Water Debt Svc Fund	258,930	136,000														136,000		136,000			258,930	40,800	218,130	
060	Water Operations Fund	1,289,075	840,500			8,154	110,456	195,294				40,253			606,462				960,618		(120,118)	1,168,957	288,185	880,772	
TOTAL		11,218,876	7,577,932	1,600	125,936	27,179	511,828	488,235	106,189	53,463	1,370,133	18,820	161,011	919,893	218,815	645,661	3,631,751	488,881	-	8,769,395	-	(1,191,463)	10,027,413	2,061,754	7,965,659

2,703,383	1,945,380	4,120,632	8,769,395
CITY-WIDE OPERATIONS		4,648,763	
		4,698,710	2,879,222

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



DATE: June 20, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Travis Sanborn, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Approve Purchase of Services for Annual Audit for Fiscal Year 2022-23

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the purchase of services for the annual audit for fiscal year (FY) 2022-23 and authorize the City Manager or designee to sign the letter of engagement.

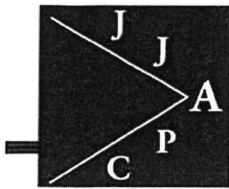
BACKGROUND AND DISCUSSION:

In 2017, the City of Rio Dell issued a Request for Proposals (RFP) for auditing services beginning with FY 2016-17. JJACPA, Inc. was selected to provide auditing services through June 30, 2022. Government Code 12410.6(b) allows a local agency to use the same accounting firm for audit services for six years. The Controller may waive this requirement if the Controller finds that another eligible public accounting firm is not available to perform the audit.

In March of 2023, the City of Rio Dell issued a Request for Proposals (RFP) for auditing services beginning with FY 2023-24. The City received no proposals and requested the Controller waive the requirement in Government Code 12410.6(b) for one year. The Controller granted this request and waived this requirement for one year. City staff has reached out to JJACPA, Inc. and they have agreed to perform the FY 2022-23 audit for an estimated fee of \$22,250. It is recommended that JJACPA, Inc. be contracted to provide services to the City for FY 2022-23. Staff will issue an RFP for auditing services for fiscal years 2023-24 through 2027-2028 next year.

ATTACHMENTS:

- JJACPA, Inc. Engagement Letter
- Audit Rotation Waiver Letter



JJACPA, Inc.

A Professional Accounting Services Corp.

June 2, 2023

Travis Sanborn
Finance Director
675 Wildwood Avenue
Rio Dell, CA 95562

Dear Travis:

The following represents our understanding of the services we will provide the City of Rio Dell (City).

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, the aggregate remaining fund information, and the budgetary comparison information of the City, as of June 30, 2023, and for the year then ended and the related notes to the financial statements, which collectively comprise the City’s basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit.

Accounting principles generally accepted in the United States of America require that management’s discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management’s responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management’s Discussion and Analysis

Supplementary information other than RSI will accompany the City’s basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining and individual nonmajor fund financial statements

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section

The Objective of an Audit

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

General Audit Procedures

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and Government Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Internal Control Audit Procedures

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and Government Auditing Standards.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

Compliance with Laws and Regulations

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error,

fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and

- c. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- d. For including the auditor's report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities; and
- f. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

Reporting

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the governing body of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

The timing of our audit will be scheduled for performance and completion as follows:

	<i>Begin</i>	<i>Complete</i>
Document internal control and preliminary tests	11/7/2023	11/9/2023
Mail confirmations	11/9/2023	11/9/2023
Delivery of Trial Balance	1/9/2024	1/9/2024
Perform year-end audit procedures	1/16/2024	1/19/2024
Issue audit report	2/23/2024	2/23/2024

Joseph J. Arch, CPA, is the engagement partner for the audit services specified in this letter. His responsibilities include supervising JJACPA’s services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices will be rendered every two weeks and are payable upon presentation. We estimate that our fee for the audit will be \$22,250 plus out-of-pocket expenses. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use the City’s personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

We will provide the City with the following nonattest services:

- Prepare the annual financial statements based on information in the trial balance and other relevant information that is provided by, and is the responsibility of, management.
- Prepare the Annual State Controller’s Financial Transactions Report based on information that is provided by, and is the responsibility of, management.

With respect to any nonattest services we perform, the City’s management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

This agreement shall be governed by the laws of the State of California. If a dispute arises out of the audit engagement described herein and if the dispute cannot be settled through negotiations, the parties agree first to try in good faith to settle the dispute by mediation using an agreed upon mediator. If the parties are unable to agree on a mediator, the parties shall petition the state court that would have jurisdiction over this matter and request the appointment of a mediator, and such appointment shall be binding on the parties. Each party shall be responsible for its own mediation expenses and shall share equally in the mediator's fees and expenses.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least seven years from the date of our report.

At the conclusion of our audit engagement, we will communicate to the City Council the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of JJACPA and constitutes confidential information. However, we may be requested to make certain audit documentation available to state and federal agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of JJACPA's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies or regulators. The agency or regulator may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

In accordance with the requirements of Government Auditing Standards, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

JJACPA, Inc.

JJACPA, Inc.
7080 Donlon Way, Suite 204
Dublin, CA 94568

RESPONSE:

This letter correctly sets forth our understanding.

City of Rio Dell

Acknowledged and agreed on behalf of the City of Rio Dell by:

Name: _____

Title: _____

Signature: _____

Date: _____



MALIA M. COHEN
CALIFORNIA STATE CONTROLLER

April 28, 2023

Travis Sanborn, Finance Director
City of Rio Dell
675 Wildwood Avenue
Rio Dell, CA 95562

Re: Waiver Request for the Audit Partner Rotation Requirement of Government Code section 12410.6(b)

Dear Mr. Sanborn,

The State Controller's Office reviewed your Request for the Waiver of the Audit Partner Rotation requirements and approved for the following reason:

The City of Rio Dell provided a compelling reason to establish that the City of Rio Dell will sustain a hardship by allowing a different firm to perform the annual audit.

This exemption waiver will expire on April 28, 2024, one year after the date of this letter.

If you have any questions regarding this letter, please contact a member of my Single Audit staff by telephone at (916) 324-6442 or by email at singleaudits@sco.ca.gov.

Sincerely,

Joel James, Chief
Financial Audits Bureau
Division of Audits

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250

SACRAMENTO 3301 C Street, Suite 700, Sacramento, CA 95816 | 916.324.8907

LOS ANGELES 901 Corporate Center Drive, Suite 200, Monterey Park, CA 91754 | 323.981.6802

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



DATE: June 20, 2023
TO: Honorable Mayor and Members of the City Council
FROM: Travis Sanborn, Finance Director
THROUGH: Kyle Knopp, City Manager
SUBJECT: Resolution No. 1583-2023 Adopting the Gann Appropriations Limit for Fiscal Year 2023-24

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt Resolution 1583-2023 establishing the City of Rio Dell Gann Appropriation Limit for fiscal year (FY) 2023-24.

BACKGROUND AND DISCUSSION:

Voters approved Proposition 4, also commonly known as the Gann Initiative, in November of 1979 adding Article XIII B to the California Constitution. The Gann Initiative placed limits on the growth of expenditures for all public agencies. Division 9 of Title 1, Sections 7900-7914 of the Government Code were added to establish the process for calculating state and local agency appropriations limits and appropriations subject to limitation under Article XIII B of the California Constitution. These constitutional and statutory sections explain and define the appropriations limit and appropriations subject to limitation as they apply to state and local agencies and require that each entity of government formally adopt its appropriations limit each fiscal year. The calculations used to determine the City’s appropriations limit and the resolution adopting the limit are attached.

The Gann Appropriations Limit for the City of Rio Dell is:

FY 2023-24 Gann Appropriations Limit:	\$ 1,604,686
<u>City of Rio Dell’s Amount Subject to Limit:</u>	<u>1,372,625</u>
Amount Under Limit:	\$ 232,061

A jurisdiction may not exceed the appropriations limit unless there is a declared emergency and the funds are used for that purpose. The voters of a jurisdiction may, by majority approval, increase the appropriations limit. The voter-approved override may not exceed four years.

ATTACHMENTS:

- Resolution 1583-2023 Establishing Gann Limit
- City of Rio Dell FY 2023-24 Gann Limit Worksheet



**RESOLUTION NO. 1583-2023
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIO DELL
ESTABLISHING THE GANN APPROPRIATIONS LIMIT
FOR FISCAL YEAR 2023-24**

WHEREAS, the voters of the State of California in November 1979 approved Proposition 4, commonly known as the Gann Initiative, which added Article XIII B to the California Constitution; and

WHEREAS, the provisions of that Article establish maximum appropriation limits, commonly called the “Gann Limits,” for public agencies, including California cities; and

WHEREAS, the City must establish a projected Gann Limit for the 2023-24 fiscal year in accordance with the provisions of Article XIII B and applicable statutory law;

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Rio Dell hereby adopts the Gann Appropriations limit of \$1,604,686 for fiscal year (FY) 2023-24 and declares that the applicable appropriations in the Budget for FY 2023-24 do not exceed the limit.

I HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed, and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 20th day of June 2023 by the following vote:

- Ayes:
- Noes:
- Abstain:
- Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

Appropriations Subject to Limitation City of Rio Dell FY 2023-24 Gann Limit Worksheet			
a)	FY 2022-23 Appropriations Limit (prior year)		1,544,654
	Calculation of FY 2023-24 Appropriations Limit		
	Annual Adjustment Factors:		
b)	Per Capita Personal Income	4.44%	
c)	City of Rio Dell Population Change OR	-1.39%	
d)	Humboldt County Population Change (whichever is greater)	-0.53%	
e)	Calculation: $(1 + .0444) \times (1 - .0053) =$		1.0388647
f)	FY 2023-24 Appropriations Limit (a x e)		1,604,686
g)	FY 2023-24 Estimated Tax Proceeds Subject to Appropriations Limit		
	Property Taxes	150,375	
	Property Tax In Lieu VLF	456,250	
	Sales & Use Taxes	640,000	
	Transient Occupancy Taxes	20,000	
	Transfer Taxes	10,000	
	Business License Taxes	10,000	
	Cannabis Tax	186,000	
	Total Tax Proceeds Subject To Limit (sum of g)		1,472,625
	FY 2023-24 Expenditures Exempt From Limit		
	Capital Streets Project	100,000	
h)	Total Expenditures Exempt From Limit		100,000
i)	FY 2023-24 Appropriations Subject To Limit (g - h)		1,372,625
j)	Under (Over) Limit (f - i)		232,061



Gavin Newsom ■ Governor
1021 O Street, Suite 3110 ■ Sacramento CA 95814 ■ www.dof.ca.gov

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2023, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2023-24. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2023-24 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2023.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

JOE SPEPHENSHAW
Director
By:

Erika Li
Chief Deputy Director

Attachment

May 2023

Attachment A

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2023-24 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2023-24	4.44

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2023-24 appropriation limit.

2023-24:

Per Capita Cost of Living Change = 4.44 percent
 Population Change = -0.35 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.44 + 100}{100} = 1.0444$

Population converted to a ratio: $\frac{-0.35 + 100}{100} = 0.9965$

Calculation of factor for FY 2023-24: $1.0444 \times 0.9965 = 1.0407$

Fiscal Year 2023-24

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2022 to January 1, 2023 and Total Population, January 1, 2023

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total Population</u>
	2022-2023	1-1-22	1-1-23	1-1-2023
Humboldt				
Arcata	4.05	17,960	18,688	18,688
Blue Lake	-1.46	1,163	1,146	1,146
Eureka	-2.18	26,552	25,972	26,139
Ferndale	-0.22	1,374	1,371	1,371
Fortuna	-0.67	12,339	12,256	12,256
Rio Dell	-1.39	3,307	3,261	3,261
Trinidad	-1.34	298	294	294
Unincorporated	-1.00	71,525	70,813	70,892
County Total	-0.53	134,518	133,801	134,047

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

May 16, 2023

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Memorandum of Understanding Between the City of Rio Dell, County of Humboldt and Cities of Eureka, Arcata, Fortuna, Blue Lake, Trinidad and Ferndale for Management of an Edible Food Recovery Program

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to execute the attached memorandum.

BACKGROUND AND DISCUSSION

SB 1383 (2016) set methane emission reduction targets for the State of California in an effort to reduce emissions of short-lived climate pollutants, primarily methane from landfills. A component of the legislation included requirements for jurisdictions to develop and implement an edible food recovery program that redirects 20% of edible food that is currently thrown away towards those in need by 2025. Currently the County and cities recognize the need and efficiencies associated with working together to implement this program and other SB1383 requirements. It is anticipated that the County and all seven cities will authorize this MOU.

The attached MOU outlines the distributed cost to each agency and identifies the County of Humboldt as the lead agency. Costs are distributed on a per capita basis at \$0.89 cents per resident or \$2,961.00 for the City of Rio Dell. Funds to cover the cost of this commitment will initially come from SB 1383 implementation grants, and may be need to be covered by solid waste franchise fees in later years, depending upon the availability of State funding.

///

**Memorandum of Understanding
between the County of Humboldt and the City of Eureka, City of Arcata, City of Fortuna,
City of Blue Lake, City of Rio Dell, City of Trinidad, and City of Ferndale for the
Management of a Regional Edible Food Recovery Program**

This Memorandum of Understanding (“MOU”), entered into this ___ day of _____, 2023, by and between the Humboldt County Public Works Department, hereinafter referred to as “COUNTY,” and the City of Eureka, hereinafter referred to as “EUREKA”, the City of Arcata, hereinafter referred to as “ARCATA”, the City of Blue Lake, hereinafter referred to as “BLUE LAKE”, the City of Fortuna, hereinafter referred to as “FORTUNA”, the City of Ferndale, hereinafter referred to as “FERNDALE”, the City of Rio Dell, hereinafter referred to as “RIO DELL”, and the City of Trinidad, hereinafter referred to as “TRINIDAD”, collectively referred to herein as “PARTNERS,” is made upon the following considerations:

WHEREAS, in September 2016, Governor Edmund Brown Jr. set methane emissions reduction targets for California (SB 1383 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP); and

WHEREAS California has a 2025 statewide goal to redirect to people in need 20% of edible food currently thrown away.

WHEREAS all PARTNERS are required to develop and implement an edible food recovery program as required by CCR 14 Division 7 Chapter 12; and

WHEREAS, PARTNERS find collaboration is mutually beneficial to all parties; and

WHEREAS, this memorandum of understanding will help PARTNERS achieve these goals.

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. DEFINITIONS

- A. Consultant/s. As used herein, the term shall refer to the Successful Candidate selected resultant from COUNTY’s Request for Proposals No. DPW2023-001.
- B. County. As used herein, the term “COUNTY” refers to County of Humboldt
- C. Jurisdictions. As used herein, the term “JURISDICTIONS” collectively refers to the Cities of ARCATA, EUREKA, BLUE LAKE, TRINIDAD, FORTUNA, RIO DELL, and FERNDALE.

2. RIGHTS AND RESPONSIBILITIES OF JURISDICTIONS:

JURISDICTIONS agree as follows:

- A. Give the COUNTY the authority to act as project lead in the management of Regional Edible Food Recovery Program Professional Services Agreement, appended as

Attachment A hereto and incorporated by reference, as with the Successful Candidate (hereinafter Consultant/s) that is selected for contract award.

- B. Give the COUNTY the authority to provide communications between the Consultant/s and JURISDICTIONS.
- C. Give the COUNTY the authority to negotiate entering into ancillary agreements with all JURISDICTIONS to support edible food recovery programming.
- D. Fulfill their portion of cost share for professional services provided by the Consultant/s through payments to the COUNTY in the amount agreed upon, based on each JURISDICTIONS' respective population. The total cost contemplated by this cost share agreement is \$120,000 to be divided proportionately by JURISDICTIONS based on population. It is the responsibility of JURISDICTIONS to ensure their respective cost share amounts are being adhered to and inform COUNTY if they are near the cap of their cost share. Any increase in costs shall not be approved without advance written notice and agreements among PARTNERS and JURISDICTIONS. JURISDICTIONS' contribution to the COUNTY will be as follows:

Jurisdiction	Jurisdiction Population	Total Cost for Jurisdiction
Eureka	26,278	\$23,403.00
Arcata	18,579	\$16,546.00
Blue Lake	1,233	\$1,098.00
Trinidad	347	\$309.00
Fortuna	12,195	\$10,861.00
Ferndale	1,339	\$1,193.00
Rio Dell	3,325	\$2,961.00
Humboldt Co	71,444	\$63,629.00
Total Pop	134,70	
Cost per person	\$0.89	
Cost of Service	\$120,000	\$120,000

- E. Ensure Timely Payment to COUNTY. COUNTY shall submit monthly invoices to the JURISDICTIONS pursuant to the terms and conditions of this Agreement by the tenth (10th) day of each month. COUNTY shall also submit a final invoice for payment within thirty (30) days following the expiration or termination date of this Agreement. Payment by JURISDICTIONS, pursuant to the terms and conditions of this Agreement, shall be made within thirty (30) days after the receipt of issued invoices. JURISDICTIONS shall send all payments to the County at the following address:

Humboldt County Department of Public Works – Solid Waste Division
 Attention: Thomas K. Mattson, Director of Public Works
 1106 Second Street

Eureka, California 95501

- F. Be responsive to Consultant/s needs including answering communications, calls, and emails; attending meetings; and providing necessary information in a timely manner of no more than three (3) business days.
- G. Take necessary enforcement actions as required by SB1383 and its accompanying regulations upon receipt of enforcement reports from Consultant/s.
- H. Take Responsibility for Payment to Consultant/s. If any JURISDICTIONS are unable to fulfil their cost share, the remaining unpaid amount will be divided among remaining participating JURISDICTIONS based on their populations to cover the outstanding cost owed under the Professional Services Agreement attached as Attachment A hereto.

3. RIGHTS AND RESPONSIBILITIES OF COUNTY:

COUNTY agrees to:

- A. Competitively procure, hold, and manage the Professional Services Agreement with the Consultant/s and retain the ultimate decision-making authority on behalf of JURISDICTIONS in regard to the edible food recovery program. COUNTY shall require that Consultant/s' indemnification responsibilities within the Professional Services Agreement favor the JURISDICTIONS as well as the COUNTY.
- B. Track and facilitate payments made to Consultant/s on a monthly basis, ensuring Consultant/s itemizes all services rendered, and costs and expenses incurred, pursuant to the terms and conditions of the Professional Services Agreement attached as Attachment A hereto as between the Consultant/s and the COUNTY.
- C. Make payment to Consultant/s for services rendered within thirty (30) days after the receipt of approved invoices as set forth in the Professional Services Agreement attached as Attachment A hereto.
- D. Track and facilitate issuance of monthly invoices to JURISDICTIONS for payment of services rendered through this MOU based on receipt of funds received through the cost share proportional contributions in accordance with Provision 2(D).
- E. Lead main communications with Consultant/s on behalf of JURISDICTIONS.
- F. Oversee progress and ensure Consultant/s stays within project scope and timeline, according to the Professional Services Agreement and its scope of services appended as Attachment A hereto.

4. TERM:

This MOU shall begin upon execution of the County’s Professional Services Agreement as dated herein, June 12, 2023 and shall remain in full force for a period of one year, until June 11, 2024, unless sooner terminated as provided herein.

5. TERMINATION:

A. Termination for Cause. JURISDICTIONS may terminate this MOU, upon written notice, in the event the COUNTY materially defaults in performing any obligation under this MOU, or violates any local, state or federal law, regulation or standard applicable to its performance hereunder. JURISDICTIONS must provide COUNTY at least seven (7) days’ notice of intent to terminate stating the alleged material default and allow COUNTY the opportunity to cure the same.

B. Termination without Cause. Any PARTNER may terminate this MOU without cause upon thirty (30) days’ advance written notice which states the effective date of the termination.

C. Compensation upon Termination. In the event this MOU is terminated, COUNTY shall be entitled to payment for uncompensated services provided, pursuant to the terms and conditions set forth herein through and including the effective date of such termination. However, this provision shall not limit or reduce any damages owed to COUNTY due to a breach of this MOU.

6. NOTICES:

Any and all notices required to be given pursuant to the terms and conditions of this MOU shall be in writing and sent via electronic mail or may be served personally to the respective addresses set forth below. Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

City of Arcata
Attention: Karen Diemer
Address: 736 F Street
Arcata, CA 95521
Email address: kdiemer@cityofarcata.org

City of Blue Lake
Attention: Amanda Manger
Address: PO Box 458
Blue Lake, CA 95525-0458
Email address: citymanager@bluelake.ca.gov

City of Eureka
Attention: Miles Slatterly
Address: 531 K Street
Eureka, CA 95501

Email address: mslattery@eurekaca.gov

City of Ferndale
Attention: Jay Parrish
Address: PO Box 1095
Ferndale CA, 95536
Email address: citymanager@ci.ferndale.ca.us

City of Fortuna
Attention: Merritt Perry
Address: 621 11th Street
Fortuna, California 95540
Email address: mperry@ci.fortuna.ca.us

Humboldt County Department of Public Works
Attention: Thomas K. Mattson
Address: 1106 Second Street
Eureka, California 95501
Email address: tmattson@co.humboldt.ca.us

City of Rio Dell
Attention: Kyle Knopp
Address: 675 Wildwood Ave.
Rio Dell, CA 9562
Email address: knoppk@cityofriodell.ca.gov

City of Trinidad
Attention: Eli Naffah
Address: PO Box 390
Trinidad, CA 95570
Email address: citymanager@trinidad.ca.gov

7. COMPLIANCE WITH APPLICABLE LAWS, REGULATIONS AND STANDARDS:

- A. General Legal Requirements. Each party hereto agrees to comply with any and all local, state and federal laws, regulations, policies, procedures and standards, including, without limitation, any and all local, state and federal licensure, certification and accreditation requirements, applicable to its performance hereunder.
- B. Accessibility Requirements. Each party hereto agrees to comply with any and all applicable accessibility requirements set forth in the Americans with Disabilities Act, Section 508 of the Rehabilitation Act of 1973, as amended, California Government Code Section 1135 and any current and future implementing regulations, policies, procedures and standards promulgated thereunder, including, without limitation, the federal accessibility standards set forth in 36 C.F.R. Section 1194.1, all as may be amended from time to time.
- C. Conflict of Interest Requirements. Each party hereto agrees to comply with any and all applicable conflict of interest requirements set forth in the California Political Reform Act

and any current and future implementing regulations, policies, procedures and standards promulgated thereunder, including, without limitation, COUNTY’s Conflict of Interest Code, all as may be amended from time to time.

7. PROVISIONS REQUIRED BY LAW:

This MOU is subject to any additional local, state and federal restrictions, limitations or conditions that may affect the terms, conditions or funding of this MOU. This MOU shall be read and enforced as though all legally required provisions are included herein, and if for any reason any such provision is not included, or is not correctly stated, the parties agree to amend the pertinent section to make such insertion or correction.

8. AMENDMENT:

This MOU may be amended at any time during the term hereof upon the mutual consent of all PARTNERS. No addition to, or alteration of, the terms of this MOU shall be valid unless made in writing and signed by an authorized representative of each PARTNER hereto.

9. DISPUTE RESOLUTION:

Each party hereto agrees to make their best efforts to resolve any and all disputes arising hereunder, or relating hereto, by good faith discussion whenever possible. If any party believes that a breach of this MOU has occurred or is not satisfied that a dispute has been resolved, that party may request to meet and confer with the Humboldt County Administrative Officer and the party’s City Manager.

10. MUTUAL INDEMNIFICATION:

Each party hereto shall hold harmless, defend and indemnify the other parties and their agents, officers, officials, employees and volunteers from and against any and all claims, demands, losses, damages, liabilities and costs of any kind or nature, including, without limitation, attorney’s fees and other costs of litigation, arising out of, or in connection with, the negligent performance of, or failure to comply with, any of the duties and/or obligations contained herein, except such loss or damage which was caused by the sole negligence or willful misconduct of the other parties or their agents, officers, officials, employees or volunteers.

11. RELATIONSHIPS OF PARTIES:

It is understood that this MOU is by and between eight (8) independent entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or any other similar association.

12. CONFLICTING TERMS OR CONDITIONS:

In the event of any conflict in the terms or conditions set forth in any other agreements in place between the parties hereto and the terms and conditions set forth in this MOU, the terms and conditions set forth herein shall have priority.

13. INTERPRETATION:

This MOU, as well as its individual provisions, shall be deemed to have been prepared equally by all of the parties hereto, and shall not be construed or interpreted more favorably for one (1) party on the basis that the other party prepared it. This MOU shall be construed in accordance with the provisions of the Professional Services Agreement, appended as Attachment A and in the event of any conflict between the terms of this MOU and the terms of the Professional Services Agreement, the terms of the Professional Services Agreement shall control.

14. INDEPENDENT CONSTRUCTION:

The titles of the sections and subsections set forth herein are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this MOU.

15. FORCE MAJEURE:

No party hereto shall be liable or responsible for delays or failures in performance resulting from events beyond the reasonable control, and without the fault or negligence, of such party. Such events shall include, without limitation, acts of God, strikes, lockouts, riots, acts of war, epidemics, acts of government, fire, power failures, nuclear accidents, earthquakes, unusually severe weather, acts of terrorism or other disasters, whether or not similar to the foregoing.

16. NUCLEAR-FREE HUMBOLDT COUNTY ORDINANCE COMPLIANCE:

By executing this Agreement, each JURISDICTION certifies that it is not a Nuclear Weapons Contractor, in that each JURISDICTION is not knowingly or intentionally engaged in the research, development, production or testing of nuclear warheads, nuclear weapons systems or nuclear weapons components as defined by the Nuclear-Free Humboldt County Ordinance. Each JURISDICTION agrees to notify COUNTY immediately if it becomes a Nuclear Weapons Contractor as defined above. COUNTY may immediately terminate this MOU if it determines that the foregoing certification is false or if a JURISDICTION subsequently becomes a Nuclear Weapons Contractor.

17. ADVERTISING AND MEDIA RELEASE:

Any and all informational material related to this MOU shall receive approval from COUNTY prior to being used as advertising or released to the media, including, without limitation, television, radio, newspapers and internet. JURISDICTIONS shall inform COUNTY of any and all requests for interviews by the media related to this MOU before such interviews take place. COUNTY shall be entitled to have a representative present at any and all interviews concerning the subject matter of this MOU. Any and all notices required by this provision shall be given to Humboldt County Director of Public Works Thomas K. Mattson in accordance with the notice requirements set forth herein.

18. SURVIVAL OF PROVISIONS:

The duties and obligations of the parties set forth in Section 5(c) – Compensation upon Termination and Section 10 – Indemnification shall survive the expiration or termination of this Agreement. 19. SEVERABILITY:

If any provision of this MOU, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this MOU.

20. JURISDICTION AND VENUE:

This MOU shall be construed in accordance with the laws of the State of California. Any dispute arising hereunder, or relating hereto, shall be litigated in the State of California and venue shall lie in the County of Humboldt unless transferred by court order pursuant to California Code of Civil Procedure Sections 394 or 395.

21. ENTIRE AGREEMENT:

This MOU contains all of the terms and conditions agreed upon by the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this MOU shall be deemed to exist or to bind either of the parties hereto. In addition, this MOU shall supersede in their entirety any and all prior agreements, promises, representations, understandings and negotiations of the parties, whether oral or written, concerning the same subject matter. Any and all acts which may have already been consummated pursuant to the terms and conditions of this MOU are hereby ratified.

22. COUNTERPART EXECUTION:

This MOU, and any amendments hereto, may be executed in one (1) or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one (1) and the same agreement. This MOU, and any amendments hereto, may be signed by manual or electronic signatures in accordance with any and all applicable local, state and federal laws, regulations and standards, and such signatures shall constitute original signatures for all purposes. A signed copy of this MOU, and any amendments hereto, transmitted by email or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this MOU and any amendments hereto.

23. AUTHORITY TO EXECUTE:

Each person executing this MOU represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this MOU. Each party represents and warrants to the others that the execution and delivery of this MOU and the performance of such party's obligations hereunder have been duly authorized.

IN WITNESS WHEREOF, the parties have entered into this MOU as of the date first written above.

CITY OF ARCATA:

By: _____
Karen Diemer, City Manager

Dated: _____

CITY OF BLUE LAKE:

By: _____
Amanda Mager, City Manager

Dated: _____

CITY OF EUREKA:

By: _____
Miles Slattery, City Manager

Dated: _____

CITY OF FERNDALE:

By: _____
Jay Parrish, City Manager

Dated: _____

CITY OF FORTUNA:

By: _____
Merritt Perry, City Manager

Dated: _____

CITY OF RIO DELL:

By: _____
Kyle Knopp, City Manager

Dated: _____

CITY OF TRINDAD:

By: _____
Eli Naffah, City Manager

Dated: _____

COUNTY OF HUMBOLDT:

BY: _____
Thomas K. Mattson, Public Works Director

Dated: _____

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



DATE: June 20, 2023
TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager
FROM: Travis Sanborn, Finance Director
SUBJECT: Authorize the City Manager to Execute a Special Salary Adjustment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to Execute a Special Salary Adjustment for Police Corporal Landry per the *Rio Dell Employee Handbook Section 3.34 Special Salary Adjustment*.

BACKGROUND AND DISCUSSION:

The Rio Dell Employee Handbook states that no one other than the City Manager has the authority to enter into any employment or other agreement that modifies City policy. Section 3: *Employment Classification, Practices, and Procedures* subsection 34: *Special Salary Adjustments* expounds the policy for Special Salary Adjustments.

Special Salary Adjustments may be made by the City Manager to “obtain persons with markedly superior qualifications.”

The City has an urgent need to retain staff in the police department to ensure public safety continuity. It is the staff’s recommendation that the City Council approve the City Manager to execute a Special Salary Adjustment for Corporal Landry pursuant to Section 3.34 of the Rio Dell Employee Handbook.

ATTACHMENTS:

Section 3.34 (page 24) of the Rio Dell Employee Handbook

This section, including, but not limited to, the probationary period, does not alter the at-will relationship between the City and its employees. Specifically, any employee may be terminated and any employee may terminate their employment with the City with or without cause as described elsewhere in this manual.

3.32 RESIDENCY

Persons accepting full-time employment in the service of the City in an on-call or emergency service position may be required to establish residency within ninety (90) days of the date of employment within thirty (30) minutes driving time of place of work when in the determination of the Department Head or City Manager such response time is warranted by the employee's duties. "Driving Time" assumes conformance with traffic laws and regulations.

3.33 RETURN OF PROPERTY

The City may loan employees property, materials or written information to help employees do their job. Employees are responsible for protecting and controlling any property the City loans employees.

Upon termination of employment with the City, an employee must return all City property immediately.

City property must be returned by the employee prior to the final paycheck being released, except where the law otherwise requires. The City may also take legal action to get back its property.

3.34 SPECIAL SALARY ADJUSTMENTS

The City Manager may approve salary adjustments of employees to obtain persons with markedly superior qualifications. City Council approval is required to correct salary inequities and recognize outstanding performance.

This action must be documented by filing a Personnel Action Form with the payroll clerk.

3.35 SKILLS RETENTION

Each employee shall be responsible for maintaining the knowledge, skills, abilities, and physical condition necessary to perform the duties and responsibilities for which he or she is employed.

3.36 TERMINATION, DISCIPLINE AND RULES OF CONDUCT

- 1. Termination
 - a. Voluntary Termination

The City will consider an employee to have voluntarily terminated his or her employment if an employee does any of the following:

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
12014	5/17/2023	[0576] 101 AUTO PARTS	Fitting	3.90
11990	5/10/2023	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE	105.00
12015	5/17/2023	[7428] GREGORY D ALLEN	Reimbursement for Travel for Training	818.52
11975	5/04/2023	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR APRIL 2023 FOR PD & CITY HALL	571.56
11991	5/10/2023	[2218] AMERICAN WATER WORKS ASSN	ANNUAL MEMBERSHIP DUES 7/1/23-6/30/24	487.00
12016	5/17/2023	[2224] AQUA BEN CORPORATION	Hydrofloc 750L	2,437.09
12017	5/17/2023	[2225] AQUA SIERRA CONTROLS, INC	Remote Assistance for PID Controls (Programming)	1,640.00
11976	5/04/2023	[3975] AT&T - 5709	FAX LINE EXPENSES FOR APRIL 2023 FOR PD & CITY HALL	54.36
12040	5/23/2023	[4697] AMANDA CARTER	Reimbursement - CalCities - Ft. Bragg	55.01
12018	5/17/2023	[7388] CHAPPELL, BRANDON	DEPOSIT REFUND	167.69
11977	5/04/2023	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR MAY 2023	5,766.66
12060	5/31/2023	[7214] MARY E CLARK	Reimbursement - Uniform Allowance	117.04
11992	5/10/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 4/21/2023	150.00
12019	5/17/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 5/5/2023	150.00
12061	5/31/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 5/19/2023	150.00
12041	5/23/2023	[4491] CODE PUBLISHING, INC	Annual Web Fees and Web Update Annual Fee	830.00
12042	5/23/2023	[2304] COLLEGE OF THE REDWOODS	Use and Maintenance of the Firearms Range July 1, 2022 thru December 31, 2022 & Academy Enrollment Fees 2023 Spring Module 1	1,150.00
11978	5/04/2023	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	BLOOD ALCOHOL ANALYSIS FOR MARCH 2023	70.00
11993	5/10/2023	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	Fingerprint APPS; Fingerprint - FBI	49.00
12020	5/17/2023	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	BLOOD ALCOHOL ANALYSIS FOR APRIL 2023	35.00
12043	5/23/2023	[2356] DOWNEY BRAND LLP	For Services Rendered Through April 30, 2023	722.50
12021	5/17/2023	[2385] EUREKA READYMIX	3/4 Base Class 2 PU	339.64
12022	5/17/2023	[5352] JOANNE E FARLEY	Reimbursement for Dependent Coverage Dental/Vision Insurance	8.56
12023	5/17/2023	[2394] FEDEX	Shipping	140.88
11979	5/04/2023	[2405] FORTUNA ACE HARDWARE	Gold Class Car Wash	16.26
12024	5/17/2023	[2405] FORTUNA ACE HARDWARE	Portland 1&2 Cement 94#	60.18
12044	5/23/2023	[2405] FORTUNA ACE HARDWARE	Chain, Hook, Floor Squeegee, Handle	401.53
12062	5/31/2023	[2405] FORTUNA ACE HARDWARE	Threaded Rod	52.04
11994	5/10/2023	[7347] GARCIA, JAIME	Deposit Refund; Less Stop Payment	123
12025	5/17/2023	[5765] GARNES, DEBRA	Reimbursement for 1 Night, Seismic Committee Meeting Fort Bragg	248
11995	5/10/2023	[5052] GHD, INC	Professional Services Rendered Through 4/29/2023 - Rio Dell Eel River Trail	3,719
12026	5/17/2023	[5052] GHD, INC	For Professional Services Rendered Through 4/29/2023 - SRTD Safety Improvement & Community Outreach Project	65

Section F, Item 7.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
12045	5/23/2023	[5052] GHD, INC	For Professional Services Rendered Through 7/31/2022 - Development of a Sanitary Sewer Evaluation Study (SSES), For Professional Services Rendered Through 8/27/2022 - Development of a Sanitary Sewer, Evaluation Study (SSES), For Professional Services Rendered Through 9/30/2022 - Development of a Sanitary Sewer Evaluation Study (SSES), For Professional Services Rendered Through 10/31/2022 - Development of a Sanitary Sewer Evaluation Study (SSES), For Professional Services Rendered Through 12/17/2022 - Development of a Sanitary Sewer Evaluation Study (SSES), For Professional Services Rendered Through 1/28/2023 - Development of a Sanitary Sewer Evaluation Study (SSES)	23,005.39
12064	5/31/2023	[5052] GHD, INC	For Professional Services Through 4/29/2023: Water - Web GIS Water System	350.28
12046	5/23/2023	[6486] GREEN TO GOLD ENTERPRISES LLC	Black Gold Potting Soil	152.14
12027	5/17/2023	[7444] HALLAHAN, KACIE	DEPOSIT REFUND	259.91
11996	5/10/2023	[7561] HCC - BASS, GENE	CERT Training	300.00
11997	5/10/2023	[7562] HCC - BOYD, DAVID	CERT Training	237.50
11998	5/10/2023	[7563] HCC - BROWN, BRIAN	CERT Training	487.50
11999	5/10/2023	[7564] HCC - CARSON-HANSEN, LeANNA	CERT Training	175.00
12000	5/10/2023	[7565] HCC - CASTRO, BRANDY	CERT Training	287.50
12001	5/10/2023	[7566] HCC - MENDES, SHELLY	CERT Training	250.00
12002	5/10/2023	[7567] HCC - NELLIST, LINDA	CERT Training	943.75
12003	5/10/2023	[7568] HCC - VANCOTT, CLIFF	CERT Training	300.00
12004	5/10/2023	[7560] HUMBOLDT CERT COALITION	CERT Training Supplies	518.69
11980	5/04/2023	[6410] HUMBOLDT LODGING ALLIANCE	HCTBID TOT Assessment Tax Fee Report Form January -March 2023	109.33
12028	5/17/2023	[2474] HUMMEL TIRE & WHEEL, INC	'04 F-450 #4 Flat Repair	68.02
12047	5/23/2023	[2474] HUMMEL TIRE & WHEEL, INC	Tire Change	171.52
12065	5/31/2023	[2474] HUMMEL TIRE & WHEEL, INC	Mower Tire Replacement	105.66
12048	5/23/2023	[2484] INDEPENDENT BUSINESS FORMS	Laser 24 Hour Shutoff Notices	467.29
12029	5/17/2023	[2485] INDUSTRIAL ELECTRIC ARCATA, INC	2HP 3600RPM 145T Frame	526.46
12005	5/10/2023	[6299] JJACPA. INC.	Professional audit services for the period ended June 30, 2022. Fieldwork performed January 17-20, 2023	12,150.00
12066	5/31/2023	[6605] KEN GRADY COMPANY, INC.	ATI Sample Pump Motor	128.96
12006	5/10/2023	[6653] CRYSTAL L LANDRY	Reimbursement - Santa Rosa Uniform (PD-Bicycles)	225.44
12067	5/31/2023	[7220] LARRY WALKER ASSOCIATES, INC.	For Services Rendered Through 4/30/2023 - Assistance During NPDES Permit Reissuance	1,462
12049	5/23/2023	[7475] LEAF CAPITAL FUNDING LLC	Lease of Kyocera TA 308cl Copier System	204
12050	5/23/2023	[6008] SABRINA M LUMPKIN	Reimbursement - Postage Evidence Mailing, Notebooks	8
1	5/04/2023	[2551] MIRANDA'S ANIMAL RESCUE	Animal Control for April 2023	1,900

Section F, Item 7.

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
11982	5/04/2023	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; CLEAN MOP HEAD, MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; PAPER TOWELS; BATH TISSUES; CLEAN MOP HEAD, MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; CLEAN MOP HEAD, MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; BATH TISSUES; CLEAN MOP HEAD	430.73
12051	5/23/2023	[5934] NORTH COAST JOURNAL, INC	Advertisement for Bids	270.00
12030	5/17/2023	[2569] NORTH COAST LABORATORIES, INC.	Acid Digestion, Ammonia Nitrogen -Un-ionized (calculation), Ammonia Nitrogen w/o distillation, Conductivity, ELAP Certification fee, Hardness, ICAP Metals, Nitrate &/or Nitrite, Total Dissolved Solids, Total Nitrogen, Total Phosphate Phosphorus, Turbidity	865.00
12052	5/23/2023	[2569] NORTH COAST LABORATORIES, INC.	Acid Digestion, Ammonia Nitrogen -Un-ionized (calculation), Ammonia Nitrogen w/o distillation, Conductivity, ELAP Certification fee, Hardness, ICAP Metals, Nitrate &/or Nitrite, Total Dissolved Solids, Total Nitrogen, Total Phosphate Phosphorus, Turbidity	875.00
12053	5/23/2023	[6100] NORTHERN CALIFORNIA GLOVE	Gloves and Glasses	306.66
12007	5/10/2023	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR MAY 2023	3,230.00
12031	5/17/2023	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR JUNE 2023	3,230.00
12008	5/10/2023	[6825] OPTIMUM	INTERNET SERVICES MAY 2023	900.00
12054	5/23/2023	[2319] OPTIMUM BUSINESS	PW INTERNET & CITY HALL/ PW PHONE SERVICES 5/10/23 - 6/09/23	1.61
12032	5/17/2023	[5053] PACIFIC ECORISK	Acute & Chronic Toxicity Testing, Cooler/Sample Container Shipments	2,778.49
12055	5/23/2023	[6621] PAPE MACHINERY	Tune Up on Forklift, Service on Forklift	933.87
12068	5/31/2023	[6621] PAPE MACHINERY	Order Wrong Item - Overnight Shipping Charge and Restock Fee, Filler Cap for City Mower	80.54
12056	5/23/2023	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserve on 5/18/2023	400.00
11984	5/04/2023	[7328] PROVIDENCE	Counseling/Evidence	1,212.00
12057	5/23/2023	[7328] PROVIDENCE	Counseling/Evidence	1,212.00
11985	5/04/2023	[4338] QUILL CORPORATION	Blank Laser Checks	63.01
12033	5/17/2023	[4338] QUILL CORPORATION	Samsung Toner, File Jackets (Legal), Blank Laser Checks (Rose)	245.74
11986	5/04/2023	[6349] RECOLOGY EEL RIVER	Garbage Bags Month of April 2023	58.57
12034	5/17/2023	[6349] RECOLOGY EEL RIVER	40yd Debris Box, Extra Day, 30yd Debris Box, Excess Weight Charges, Electronic Waste, Air Purifier, 30yd Debris Box, Excess Weight Charges, Electronic Waste, Freon Appliance, Water Heaters	3,401.36
12009	5/10/2023	[2665] RIO DELL FIRE PROTECTION DISTRICT	Park Planet - Additional Swings; City Promotional Partial Grant Match	2,508
12035	5/17/2023	[7189] SHARP AUTO GRAPHICS & SIGNS, INC.	Removal of Lettering & Graphics from Ford Escape	75
11987	5/04/2023	[2693] SHELTON'S AUTO LUBE	Oil Change for '17 Ford Police Interceptor Sedan	107
18	5/04/2023	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR MAY 2023	170

Section F, Item 7.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
12069	5/31/2023	[4570] SHRED AWARE	Shredding	74.26
11989	5/04/2023	[7185] STAPLES ADVANTAGE	#10 Peel&Seal Envelope 500, Flags, Erasers, Paper Clips, Sheet Protectors, Mesh Sorter, Flat File Jackets, Phone Coil Cord	347.79
12010	5/10/2023	[2715] STEWART TELECOMMUNICATION	Phone Lines PD - June '23	221.96
12011	5/10/2023	[4638] STITCH WITCH	Logos on Hats & Jackets, Titles on Jackets	1,113.75
12036	5/17/2023	[3829] TELSTAR INSTRUMENTS, INC	Partial Billing - Replacement De Nore OSG Unit	90,794.00
12070	5/31/2023	[3829] TELSTAR INSTRUMENTS, INC	Flow Switch, Lambda Oripac Plate	1,213.65
12012	5/10/2023	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR APRIL 2023, LEGAL SERVICES FOR APRIL 2023, LEGAL SERVICES FOR APRIL 2023, LEGAL SERVICES FOR APRIL 2023	1,387.00
12037	5/17/2023	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR APRIL 2023	418.00
12071	5/31/2023	[3917] VERIZON WIRELESS	Safety Phones PD & PW (& Mayor): Apr 17 - May 16, 2023	776.55
12058	5/23/2023	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR JUNE 2023	391.07
12038	5/17/2023	[2772] WENDT CONSTRUCTION, INC	Deliver One Load of Base	160.00
12013	5/10/2023	[2779] WILDWOOD SAW	Weed Eater Maintenance, Stihl HP Mix 6 Pack	90.41
12072	5/31/2023	[2779] WILDWOOD SAW	Stihl Face/Hearing Protection, No Spill Gas Can, and Archer Metal Brushcutter Blade	120.40
12039	5/17/2023	[2787] WYCKOFF'S	Flex Coupler 4X4 Clay/PVC	46.83
12059	5/23/2023	[2787] WYCKOFF'S	Tubing and Adapters, Couplings, Valve, & Pipe Nipple	34.75
Total Checks/Deposits				<u>186,049.12</u>

Ref#	Date	Vendor	Description	Amount
4442413	5/01/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 04/21/2023	-16,296.30
6670766	5/01/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT PAYMENT FOR PPE 04/21/2023	-11,641.93
8023118	5/04/2023	ELECTRONIC FUNDS TRANSFER	EFT ALLIED ADMINISTRATORS-DELTA DENTAL PAYMENT FOR JUNE FY2022/2023.	-2,079.70
703116	5/05/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR APRIL 2023.	-1,554.96
9102578	5/08/2023	ELECTRONIC FUNDS TRANSFER	EFT WEXBANK/SHELL FUEL COMPANY PAYMENT FOR APRIL & MAY 2023	-3,691.87
6373141	5/10/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 05/05/2023	-11,641.93
9837227	5/11/2023	WITHDRAWAL	INTELLIPAY DEPOSITED ITEM RETURNED.	-250.93
334-496	5/15/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 05/05/2023	-2,696.62
3807975	5/15/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 05/05/2023	-16,179
9837219	5/16/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR BENEFIT BRIDGE/PUBLIC AGENCY COALITION PAYMENT FOR JUNE 2023.	-28,149
9837220	5/16/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR MAY 2023	-20,044
9837224	5/23/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR BANK OF AMERICA CREDIT CARD PAYMENTS FOR MAY 2023	-4,423
221	5/23/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR DEARBORN LIFE INSURANCE ONLINE PAYMENT FOR JUNE 2023.	-442
				5

Section F, Item 7.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
6386629	5/23/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT ONLINE PAYMENT FOR PPE 05/19/2023	-11,968.83
9837222	5/23/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR VSP INSURANCE ONLINE PAYMENT FOR JUNE 2023	-401.79
9837228	5/23/2023	WITHDRAWAL	INTELLIPAY DEPOSITED ITEM RETURNED.	-280.00
19163	5/26/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR MAY 2023.	-1,554.96
831-072	5/30/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 05/19/2023	-2,825.35
1539166	5/30/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 05/19/2023	-16,684.22
9837226	5/31/2023	WITHDRAWAL	BANK ANALYSIS FEE FOR MAY 2023	-12.72
Total EFT's/Bank Withdrawals				-152,821.56

Ref#	Date	Vendor	Description	Amount
9837218	5/11/2023	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 05/05/2023	-43,341.01
9837223	5/25/2023	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 05/19/2023	-45,256.24
Total Transfer Between Accounts				-88,597.25

Ref#	Date	Vendor	Description	Amount
9837225	5/31/2023	WITHDRAWAL	DEBIT CARD WITHDRAWAL FOR POSTAGE TO MAIL U/B BILLS FOR MAY 2023.	-506.01
Total Debit Card Withdrawals				-506.01



Staff Highlights – 2023-06-20

City Council

City Manager

City Hall's front porch lights are scheduled to be replaced with energy efficient LED lighting. The current lights are a model where the bulb is no longer made and some of the lights are not operational. Additionally some other failed lighting will be replaced inside of City Hall.

Street sweeping is scheduled to occur on Saturday, June 17th.

Multiple meetings with RCEA and FEMA to discuss solar project grant application at City of Rio Dell Corporation Yard.

Nylex, the City's IT contractor is being scheduled to better network the City Council Chamber TV's to avoid display interruption. Staff is also investigating potential upgrades to the hybrid meeting system.

The Scotia Community Services District is currently recruiting for a General Manager.

The City will not be receiving Measure Z funding for this year as the County grapples with large deficit and declining revenues.

City Clerk

Processed Ten (10) Building Permit Applications
 225 Smither Ct. – Detached Garage
 192 Belleview Ave. – Demolition of Fire Damaged Structure
 456 Third Ave. – PV Solar
 236 Belleview Ave. – Reset Manufactured Home on Foundation
 246-248 First Ave. – Misc. Repairs – Sheetrock and Plumbing
 100 Edwards Dr. – Michael Fuller
 200 Columbus St. – Re-Roof Residence
 420 Sequoia Ave. – AT&T Building Earthquake Repair & Seismic Upgrade
 70 Wildwood Ave. – Mingo's Façade Improvements (Awning)
 1001 Riverside Dr. – Remove Chimney and Install Metalbestos Stove Pipe

Processed One (1) Encroachment Permit Application:
 PG&E – Repair/Inspection of Overhead Facility at 367 Berkeley St.

Misc.



Attended Long Term Recovery Group (LTRG) Zoom meeting on 6/8/23
Attended Beautification, Walkability and Pride Committee meeting on 6/2/23
Submitted Bureau of Labor Statistics Report for June
Submitted U.S. Department of Commerce Building/Zoning Report for May
Attended SCORE Claims Management meeting via Zoom on 6/9/23

City Attorney

Human Resources, Risk & Training

Finance Department

Fiscal Year 2023-24 Budget, Staffing Projections, Capital Projects

Attended Michael Coleman speaking event – CSMFO

Gann Limit calculations

Created an account and uploaded Summer Intern Position to Cal Poly Humboldt job posting page

Work with City Attorney updating Ordinance relating to delinquent sewer bills

Communicate with Caltrans regarding projects associated with road damage due to the December 2022 Earthquake event

Updated City Finance website

Assist with the Façade Improvement Program application for 70 Wildwood Avenue

Assist City Engineers to continue to work on Rio Dell Pedestrian Connectivity Project

Invoice Local Road Safety Plan for Rio Dell opening up HSIP grant opportunities for future projects

Assist State Waterboard with financial questions surrounding the Painter Street sewer project funding application

Submit approved resolution of SB1 projects to the state with positive feedback

Provide updates to CleanCA reps updating progress on grants

Coordinating engagement letter for Audit Services for the upcoming Fiscal Year

Continue work on CDBG grant opportunity for Owner and Tenant Occupied Rehab

Public Works Water

Public Works Wastewater



Public Works Streets, Buildings and Grounds

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of May 10 to June 13, 2023. The summation of Calls for Service may greater than the total as multiple officers can now be assigned to the same call for service. There may also be administrative calls for service that are not documented below.

Officer	Calls for Service	Reports	Arrests
Allen	27	5	0
Conner	11	1	0
Beauchaine	47	3	0
Landry	102	11	6
Burns	106	3	0
Johnson	97	6	2
Fielder	18	2	0
Clark	77	2	N/A
Totals	474	33	8
Averages	13.5 per day	6.6 per week	1.6 per week
2022 Yearly Average	14.1 per day	12.7 per week	5.7 per week

Calls for Service at 355 Center Street

Type	Date	Time	Location	Primary Unit	Case #
PATROL	05/14/2023	22:26:35	355 CENTER ST	R618	
415	05/16/2023	16:10:40	355 CENTER ST	R610	

415 – Argument or other disturbance

PATROL – Patrol check of the area

R618 – Officer Russell Johnson

R610 – Sergeant Jeff Conner

On May 24, 2023, Officer Fielder took a report of the theft of four tires and rims from a Honda Civic parked on Wildwood. The following day, Corporal followed up on the case and watched surveillance video from a nearby business. She was able to identify a vehicle that was believed to have been involved in the theft. Later the same day, while patrolling in Scotia, she spotted a vehicle that matched the description of the get away car. There were two men nearby as well as four tires on rims. She contacted the men who both gave her false names. She was able to determine who the men were eventually as well seize the stolen property. The case has been forwarded to the District Attorney's Office for prosecution and the wheels have been returned to their owner.



On June 2, 2023, an older man reported that he had been groped by a woman with a small child. When he retreated to his home, she followed him, leaving her child on the sidewalk. When he called the police, she left his home. Corporal Landry contacted the woman at her residence. She answered the door without being fully clothed. Corporal Landry talked with her and asked her to remain in her home while she contacted County Mental Health. However, the woman had different ideas and returned to the street, now naked, in the company of her daughter, also naked. The woman was detained on a mental health hold while the child was taken into protective custody where she still remains.

New officer Aimee House will graduate the police academy on Friday June 16, 2023 and will start on Tuesday June 20, 2023.

Community Development Department

Footings, earthquake damage, gas line inspections 101 Painter Street

Sheetrock, siding, window inspection Rigby Apartments units 31, 33, 35, 37

Meeting with CDBG staff regarding OOR/RRR program environmental document. Revise environmental document.

Email, correspondence with Cheryl Griggs regarding Performance Bond for Cortazar subdivision.

Underlayment, shingle Inspection 412 First Avenue.

Begin revisions of CDBG OOR guidelines to include rental properties based on meeting with CDBG staff.

Review and approve Engineers Report, foundation earthquake damage inspection 101 May Street.

Review and approve Engineers Report, foundation earthquake damage inspection 212 Belleview Avenue.

Prepare public notice, staff report for Mingo's/Patron Building Façade Improvement Program application. PC June 14, 2023.

Final Inspection 371 Orchard (earthquake damage).

Final Inspection 13 Center Street (earthquake damage).

Final Inspection 244 First Avenue earthquake damage (Stucco, replaced with T-1-11 siding)

Prepare Sauers Plan Check Agreement with BPR.

Prepare AT&T Plan Check Agreement with BPR.

Final Inspection 484 Davis Street (earthquake damage).



Intergovernmental

Humboldt-Rio Dell Business Park



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

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Karen Dunham, City Clerk

DATE: June 20, 2023

SUBJECT: Letter of Support - US Department of Energy Grant
Application for Solar/Battery Project

RECOMMENDATION

Authorize Mayor to sign letter of support for a solar/battery project under the Department of Energy, Energy Improvement in Rural or Remote Areas Fixed Grant Program (DE-FOA-0003045)

BACKGROUND AND DISCUSSION

The Department of Energy is providing up to \$5 million per project in funding under the Energy Improvement in Rural or Remote Areas Fixed Award Grant Program.

Robert Wiener, H2 Humboldt will be present to provide a presentation on a solar/battery project they are proposing to do at the Humboldt/Rio Dell Business Park. Wesley Zheng, Posh Electric will also be available via Zoom to answer any questions.

ATTACHMENTS:

Renewable Energy for a Vibrant Community in Rio Dell

Renewable energy for a vibrant community

Section 1, Item 1.

Rio Dell

POSH®



U.S. DEPARTMENT OF
ENERGY

Electricity deficiency in Rio Dell

Section 1, Item 1.

- Lack of electricity has hampered the economic development of Rio Dell
- The Department of Energy is issuing \$1B funding to help address the issue of electricity supply in rural America
- We are proposing a solar + battery project to provide green electricity to Rio Dell
- Can provide enough electricity to power 150-200 new homes in Rio Dell with 100% renewables.
- New businesses can be powered from 100% renewable energy solar/battery.
- Funding source: US Department of Energy
- Due date: July 11, 2023

Location: Rio Dell Business Park

Section I, Item 1.

- Two rear parcels, ~6.5 ac and ~3.5 ac (total 11 ac) along rear of business park.
- No street frontage required – acreage available for commercial buildings.
- PG&E feed-in-tariff.
- Electrical connections available for renewables.
- GHD will be the engineering company for this project.



Project: 1MW solar + battery project

Section 1, Item 1.

- Solar PV energy generation: 1 MW nominal.
- Grid scale battery: 2 MWh to provide peak power and overnight power.
- Total acreage required: 8 acres +/-



Next step

- The funding source we are seeking, the US Department of Energy, wants to fund the development of rural green energy generation and transmission facilities.
- We need the support of the Rio Dell community to bring this project to reality.
- The project is in the pre-proposal stage; we are submitting a short pre-proposal before July 11, 2023.
- We would like the town's support for this project in the form of a letter to be included in the proposal.

Team

- Posh is a California based renewable energy company focused on battery storage and solar project development
- GHD is a global engineering service company with a strong presence in the Humboldt county
- The Department of Energy is providing up to \$5M per project in funding under the Energy Improvement in Rural or Remote Areas Fixed Award Grant Program (DE-FOA-0003045)

POSH®



U.S. DEPARTMENT OF
ENERGY

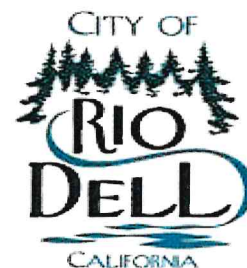


Thank you!

Wesley Zheng

wesley@poshelectric.com

www.poshelectric.com



Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov

June 20, 2023

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on City Council Meeting Time Under Rio Dell Municipal Code 2.10.160(2)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Discuss and provide direction to staff, if any.

BACKGROUND AND DISCUSSION

Rio Dell Municipal Code calls for the City Council’s regularly scheduled meetings to take place at 6:30pm on the 1st and 3rd Tuesdays of the month. It is requested that the Council consider amending the municipal code to move the meeting time to either 6:00pm or 5:30pm. If so, a two step ordinance process will be required to make any amendment.

The relevant code is copied below:

“2.10.160 Meeting guidelines and procedures.

(2) Meeting Dates and Location. Consistent with Chapter 2.05 RDMC, regular meetings of the City Council shall be held on the first and third Tuesdays of every month, commencing at 6:30 p.m. in the City Hall Council Chambers, 675 Wildwood Avenue, Rio Dell.

(a) Other Locations. The Council may, from time to time, elect to meet at other locations within the City and upon such election shall give public notice of the change of location in accordance with provisions of the Government Code.

(b) Location During Local Emergency. If, by reason of fire, flood, earthquake or other emergency, it shall be unsafe to meet at City Hall, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor, or if the Mayor does not so designate, by the Mayor Pro Tem or the City Manager.”

///

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



DATE: June 20, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Travis Sanborn, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Amending Ordinance 335-2015, Chapter 13.10, Section 241
And Adding Chapter 13.10, Sections 242-246 Property Tax Liens for
Nonpayment of Delinquent Sewer Bills for Customers that do not Subscribe to
Water Service and a Means of Collecting the Delinquent Charges on the Property
Tax Bill

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Receive a brief presentation regarding the proposed amendments; and
2. Introduce (first reading) amending Ordinance No. 335-2015, Chapter 13.10, Section 241
And Adding Chapter 13.10, Sections 242-246 Property Tax Liens for Nonpayment of
Delinquent Sewer Bills for Customers that do not Subscribe to Water Service and a Means of
Collecting the Delinquent Charges on the Property Tax Bill
3. Open the public hearing, receive public input, and deliberate; and
4. Continue consideration, approval, and adoption of the proposed Ordinance to your meeting
of July 6, 2023, for the second reading and adoption.

BACKGROUND AND DISCUSSION:

City staff is looking to amend Ordinance No. 335-2015, published as Rio Dell Municipal Code Section 13.10.241, to allow the City to send delinquent sewer charges to the auditor-controller to add them to the tax roll as a lien.

The proposed Ordinance Amendment includes reference to the Health and Safety Code §§ 5473 through 5473.7. Health and Safety Code § 5473 allows a city to send overdue sewer charges to the Auditor-Controller. The statute states that a city “may have such charges collected on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from, its general taxes.” The inclusion of the amendment by the City would conform to such Health and Safety Code, thus allowing City to submit overdue sewer charges to the Auditor-Controller so long as City follows the protocol laid out in the Health and Safety Code.

Health and Safety Code § 5473 allows the collection of overdue sewer charges through taxes. In order to do so, the following steps must be followed:

1. The City must prepare a written report each year and file it with the clerk, which must contain a description of each parcel of property receiving the services and the amount of the charge for each parcel for the year. Description of the parcels may be made either by referencing maps prepared in accordance with Section 327 of the California Revenue and Taxation Code, and also on file in the office of the County Assessor, or by reference to plats or maps on file in the office of the clerk.
2. Next, upon preparing and filing the written report, City must give notice and hold a hearing regarding the delinquencies.
3. The clerk must give notice of the filing of the written report and of a time and place of hearing, to be published pursuant to Section 6066 of the Government Code prior to the date set for the hearing, in a newspaper of general circulation printed and published within the City, if such newspaper exists, and if not, then notice must be published in a newspaper printed and published within Humboldt County.
4. Before collecting charges on the tax roll, the clerk shall cause notice in writing of the filing of the written report, proposing to have such charges for the next fiscal year collected on the tax roll and of the time and place of the hearing, to be mailed “to each person to whom any parcel or parcels of real property described in said report is assessed in the last equalized assessment roll available on the date said report is prepared, at the address shown on said assessment roll or as known to said clerk. If the legislative body adopts the report, then the requirements for notice in writing to the persons to whom parcels of real property are assessed shall not apply to hearings on reports prepared in subsequent fiscal years but notice by publication as herein provided shall be adequate.” (*Id.* at § 5473.1)
5. During the hearing, the City must hear and consider all objections or protests to the written report referred to in the notice. If the City finds that the protest is made by the owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel of land. (*Id.* at § 5473.2)
6. Upon conclusion of the hearing, the City may adopt, revise, change, reduce, or modify and charge or overrule any or all objections and shall make its determination upon each

charge as described in the written report, which determination shall be final.

7. On or before August 10 of each year following the final determination, the clerk shall file with the county auditor a copy of the report prepared pursuant to Section 5473 with a statement endorsed on the report over their signature that the report has been finally adopted by the legislative body and the county auditor shall enter the amounts of the charges against the lots or parcels in question as they appear on the current assessment roll. If the property is not described on the roll, the county auditor may enter the description on the roll together with the amounts of the charges as shown in the report.

The City's proposed amendment would allow the City to send overdue sewer charges as liens to the Humboldt County Auditor-Controller, so long as they include the assessment protocol and, after the ordinance is amended, prepare and file a written notice and hold a hearing regarding the notice and delinquencies, following protocol found at California Health and Safety Code §§ 5473 through 5473.7.

ATTACHMENTS:

Ordinance No. 399-2023: Amending Ordinance 335-2015, Chapter 13.10, Section 241
And Adding Chapter 13.10, Sections 242-246 Property Tax Liens for Nonpayment of Delinquent Sewer Bills for Customers that do not Subscribe to Water Service and a Means of Collecting the Delinquent Charges on the Property Tax Bill



ORDINANCE NO. 399-2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING ORDINANCE 335-2015, CHAPTER 13.10, SECTION 241
AND ADDING CHAPTER 13.10, SECTIONS 242-246
PROPERTY TAX LIENS FOR NONPAYMENT OF DELINQUENT
SEWER BILLS FOR CUSTOMERS THAT DO NOT SUBSCRIBE
TO WATER SERVICE AND A MEANS OF COLLECTING
THE DELINQUENT CHARGES ON THE PROPERTY TAX BILL**

WHEREAS, the City of Rio Dell Municipal Code Section 13.10.240 provides that the Department of Public Works has the right to discontinue water service to any customer that is delinquent in the payment of their sewer bill, and

WHEREAS, there is no provision in the City of Rio Dell Municipal Code to discontinue sewer service to a customer that is delinquent in the payment of their bill, but does not subscribe to City water service, and

WHEREAS, the City of Rio Dell needs an incentive and procedure to enforce the collection of delinquent sewer bills from customers that use sewer services without water service, but are frequently delinquent in paying for the service, and

WHEREAS, California Government Code Section 54348 provides for the maximum penalty for delinquent utility services, and

WHEREAS, California Government Code Sections 54354 through 54357 gives local agencies the authority to place a lien on a property for delinquent utility charges and penalties, and

WHEREAS, California Health and Safety Code Sections 5473 through 5473.7 authorizes the City of Rio Dell to submit overdue sewer charges to the auditor-controller.

NOW, THEREFORE, BE IT RESOLVED, that Ordinance No. 399-2023 amends Ordinance 335-2015, Title 13, Chapter 13.10, Section 241 of the Rio Dell Municipal Code regarding the establishment of property tax liens for nonpayment of delinquent sewer bills by customers that do not subscribe to water service, and provides a means of collecting delinquent charges on the property tax and assessment rolls.

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

The following provisions shall be added to the City of Rio Dell Municipal Code Title 13, Chapter 13.10, as Sections 13.10.242, 13.10.243, 13.10.244, 13.10.245, 13.10.246:

13.10.242 Tax roll collection – Authority – Alternative method.

- A. When the City elects to use the tax roll on which general City taxes are collected for the collection of current or delinquent sewer service charges, proceedings therefor shall be had as now or hereafter provided therefor in Article 4, Chapter 6, Part 3, Division 5 of the California Health and Safety Code.
- B. The powers authorized by this section shall be alternative to all other powers of the City and alternative to procedures adopted by the City Council thereof for the collection of such charges.

13.10.243 Tax roll collection – Report and notice.

- A. A written report shall be prepared and filed with the City Clerk which shall contain a description of each parcel of real property receiving such services and facilities and the amount of the charge for each parcel for the forthcoming year computed in conformity with the charges prescribed by this Chapter.
- B. The City Clerk shall cause notice of the filing of the report and of the time and place of hearing thereon to be published once a week for two successive weeks prior to the date set for the hearing published in a newspaper of general circulation, printed and published within Humboldt County. Prior to such hearing for the first time, the City Clerk shall mail a notice in writing of the filing of the first report proposing to have such charges for the forthcoming fiscal year collected on the tax roll and of the time and place of hearing thereon, to be mailed to each person to whom any part or parcel of real property described in the report is assessed in the last equalized assessment roll on which general City taxes are collected, at the address shown on the roll or as known to the City Clerk.

13.10.244 Tax roll collection – Hearing and determination.

- A. At the time of the hearing, the City Council shall hear and consider all objections or protests, if any, to the report referred to in the notice and may continue the hearing from time to time.
- B. Upon the conclusion of the hearing on the report, the council will adopt, revise, change, reduce, or modify any charge or overrule any or all objections and shall make its determination upon each charge as described in the report, which determination shall be final.

13.10.245 Tax roll collection – Filing of report with county auditor.

On or before the tenth day of August in each year following the final determination of the council, the City Clerk shall file with the auditor a copy of the report with a statement endorsed thereon over his signature that it has been finally adopted by the council of the City, and the auditor shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.

13.10.246 Tax roll collection – Parcels not in City or not on roll.

A. Where any such parcels are outside the boundaries of the City, they shall be added to the assessment roll of the entity for the purpose of collecting such charges.

B. If the property is not described on the roll, the auditor shall enter the description thereon together with the amounts of the charges, as shown on the report.

I HEREBY CERTIFY that the foregoing Amendments were duly introduced at a regular meeting of the City Council of the City of Rio Dell on June 20, 2023, and furthermore were passed, approved, and adopted at a regular meeting of the City Council of the City of Rio Dell on the 6th day of July 2023 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk of the City of Rio Dell, State of California, hereby certify the above and forgoing to be a full, true, and correct copy of Ordinance No. 399-2023 adopted by the City Council of the City of Rio Dell on July 6, 2023.

Karen Dunham, City Clerk, City of Rio Dell