

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
JUNE 1, 2010  
MINUTES**

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

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

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

**CONSENT CALENDAR**

Councilmember Thompson asked that Item 2010/00601.04 – Water Claim Adjustment for John Pieratt and Item 2010/0601.03 – Water Bill Claim Adjustment for Monument Subdivision Water District be removed for separate discussion; and Councilmember Marks asked that Item 2010/0601.02 – Humboldt Waste Management Authority Proposed Rate Changes be removed for separate discussion.

Motion was made by Marks/Thompson to approve the consent calendar including the approval of Progress Pay Request No. 6 to K.G. Walters Co. in the amount of \$372,555.00 for work related to the Solids and Disinfection Management Project. Motion carried 5-0.

**ORDINANCES/SPECIAL RESOLUTIONS**

Approve Resolution No. 1078-2010 to Tax Defer Member Contributions Internal Revenue Code 414(h)(2) Employer Pick-up

Consultant Stretch explained this basically allows employees to take advantage of pre-tax options of their PERS contribution whereas the 7% employee contribution is subtracted from an employees' payroll check and then the net balance is used to calculate state and federal tax deductions. He explained the pre-tax option does not affect either the CalPERS or Social Security benefit paid at retirement.

Motion was made by Thompson/Dunker to approve Resolution No. 1078-2010 *To Defer Member Contributions – IRC 414(h)(2) Employer Pick-up*. Motion carried 5-0.

**SPECIAL CALL ITEMS**

Humboldt Waste Management Authority (HWMA) Proposed Rate Changes for Fiscal Year 2010-2011

Councilmember Marks stated for clarification that when the proposed rate adjustment was presented to the Humboldt Waste Management Authority Board, the cities of Rio Dell and Ferndale voted No because both of the city's representatives were unclear about the fee schedule.

Motion was made by Marks/Thompson to approve the Humboldt Waste Management Authority (HWMA) proposed rate changes for fiscal year 2010-2011. Motion carried 5-0.

Approve Water Bill Claim Adjustment for Monument Subdivision Water District (Kay Peake) in the amount of \$127.81

Councilmember Thompson asked Acting Director of Public Works Jensen about the circumstances of this water claim.

Councilmember Dunker asked who is responsible for maintaining the float on the customer's water tank; Jensen explained the customer was responsible stating that the public works department typically is only on site once a month when the water meter is read so if a problem occurs the first part of the month, it is not detected until the end of the month unless the customer routinely monitors the tank.

City Manager Henrickson commented that perhaps it would behoove the City to take a look at the claim adjustment policy and shift the responsibility to the homeowner except for extreme circumstances. He agreed to bring back to the Council a new draft policy for consideration.

Councilmember Marks pointed out that according to the Utility Billing Summary Report, the water usage went from 15 units of water in January to 67 units in February, then increasing to 85 units in March which would indicate that the customer was alerted to the problem in February and should have taken care of it then, rather than wait until March to address the problem.

Mayor Woodall called for a motion; no motion was made therefore no action was taken to approve the water claim.

Approve Water Bill Claim Adjustment for John Pieratt at 65 Redwood Avenue in the amount of \$132.52

Councilmember Thompson referenced the average historical usage of 15 units for this customer and noted an error in calculating the charges for that usage. City Clerk Dunham explained the charges for 15 units should be \$87.44 rather than the \$41.38 as noted in the staff report and said the amount was picked inadvertently. She commented that the amounts would be recalculated pending approval of the claim, before an adjustment is processed.

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Director of Public Works Jensen stated the public works department verified the meter reading to be correct and determined that the water meter was operating correctly and they did not have a determination as to the reason for the high water bill. He said the customer is away for several months at a time and what may have happened is someone left a faucet on but if that was the case, someone would have had to turn it off.

Councilmember Marks said what comes to her mind is why there is water usage during the months the customer is away.

Motion was made Thompson/Dunker to approve the Water Bill Claim Adjustment for John Pieratt at 65 Redwood Avenue in the amount up to \$132.52. Motion carried 4-1.

General Plan Amendment – Housing Element Update

Planning Consultant Williamson explained this is the updated version of the Draft Housing Element ready for review by the Department of Housing and Community Development (HCD). He said the first draft element was submitted to HCD in November, 2009; the draft underwent a 60 day review with the City receiving a comment letter detailing the various additions and deletions necessary for the Element to be in compliance. Once the revised draft has been reviewed by the Planning Commission and the City Council, it will be sent to HCD; HCD then has 60 more days to issue a response, either a letter stating the document is in substantial compliance with State Housing Element Law or provide findings of non-compliance. Once signed off by HCD, the document will go back to the Planning Commission for a recommendation to the City Council to adopt.

Mr. Williamson noted one change has to do with Small Lot Development and the objective is to increase the development potential of small, individual lots so that the maximum development potential allowed by zoning can be achieved.

He asked for Council direction to submit the Draft Housing Element to HCD for review.

Councilmember Thompson referred to Policy D-4 where it talked about the City's Cease and Desist Order and asked if the City was still under that order. City Clerk Dunham explained that we were still under the Cease & Desist Order and of the 100 sewer connections allotted, of which 25 were set aside for affordable housing, approximately 75 connections were still available.

Councilmember Thompson then referred to Policy F-1 regarding the GIS database for parcels within the City and asked how this would be connected to the City's system; Mr. Williamson explained his office maintains the database but he could put the information on a CD for the City if needed.

Mayor Woodall referred to Policy C-3 to maintain Fair Housing complaint forms and information in both English and Spanish and asked if it was mandatory to provide the forms in Spanish; Mr. Williamson noted that it was mandatory.

Discussion continued regarding the establishment of "Single Room Occupancy" and Councilmember Thompson asked if there was still a minimum dwelling size of 600 sq. ft. Mr. Williamson explained that Single Room Occupancies are usually smaller than 600 sq. ft. and are always attached units and very basic as far as amenities and are designed to meet basic human habitation requirements. To meet this provision, he said many areas convert motels to SRO's.

### **PUBLIC PRESENTATIONS**

Mr. George Cozyris, 111 Monument Road addressed the Council regarding a civil matter involving a neighboring property owner who was disputing property lines and easement rights. He provided background information on historical deeds and said he attempted to trace the continuity of the title to his property back to when the house was built 100 years ago. He said the problem he was having with the neighbors had to do with several incidents resulting in damage to his property and physical threats made to him. He stated he felt this situation goes beyond a civil matter and felt it was a law enforcement issue. In closing he said it was a shame to see a third generation family behaving the same as during the days Rio Dell was known as "Wildwood."

### **REPORTS/STAFF COMMUNICATIONS**

City Manager Henrickson reported on recent meetings and activities in the city manager department stating staff was moving forward with budget preparation.

Accounting Supervisor Beauchaine reported on activities in the finance department stating she received notification from the State Water Resources Control Board on availability of funding possibly for a sewer rate study and could provide potential funding assistance on the Sewer Facilities Project; she was working on ARRA funding; and said she was progressing with the Budget and expected to have the draft budget completed by the end of the week.

Chief of Police Hill reported on recent activities in the police department stating that several weeks ago he reported on a program Fortuna would be hosting targeting under age drinking in the Eel River Valley and said his department would be participating in that event; reported the recycling department purchased a security camera due to illegal dumping in the recycling bins behind City Hall; this was the last night of field training for his new officer so would be back to full staff; and said he received copies of the city's municipal code from the City Clerk which would be a huge help to his department.

Acting Director of Public Works Jensen reported on recent activities in the public works department and said the Annual Consumer Confidence Report due July 1, 2010 was being prepared and would be mailed out to all water customers over the next couple of weeks; reported some re-programming was required at the water plant but everything was back online;

reported the Solids and Disinfection Management Project was progressing well stating the belt press had arrived and the components would be in place soon; stated Cal-Trans would be starting repairs on failed pavement on an overpass this week; and reported on the failure of a culvert on Monument Road stating that he was still doing inspection of the problem.

**COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Dunker reported on recent meetings and said he attended a RREDC meeting Monday evening and the topic of legalization of marijuana was discussed and how it may impact Humboldt County. He said economists from Humboldt State University were present and basically said they could not predict the impact however he said if he were to gather a consensus of the group present they would agree that it would not be worth it economically. He said he also attended an HCAOG meeting on Thursday where they discussed and voted to support a regional trails development system for the North Coast region including a potential river trail in Rio Dell which would be a great asset for our community and boost tourism.

Councilmember Marks reported she attended the Parks & Recreation meeting and announced the Ladies Auxiliary had agreed to sponsor this year's Wildwood Days parade.

Councilmember Thompson reported he attended an RCEA meeting and announced that the County had not yet received approval from the State on the stimulus funding including replacement of the furnace at the chamber building and was advising applicants not to begin any projects until final notification is received; and said energy training kits were delivered to schools which are intended to teach kids how to conserve on energy.

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

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

Mayor Woodall announced the City Council would be recessing into closed session to discuss the above noted items and asked for public comment. There being no public comment, the Council recessed into closed session at 7:42 P.M.

The regular meeting reconvened at 8:35 P.M. Mayor Woodall announced there was no reportable action taken in closed session.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 8:37 P.M. to the June 8, 2010 special meeting.

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Julie Woodall, Mayor

Attest:

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Karen Dunham, City Clerk