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### Upcoming Meetings Highlights

**July 23, 2013 5:00 PM**      **City Council Meeting:** Award construction contracts for the Safe Routes to School and Wildwood Avenue Enhancement Projects.

**July 24, 2013 at 6:30 PM**      **Planning Commission Meeting & Study Session:** A text amendment to the Enforcement Regulations of the Zoning Ordinance to designate the Community Development Director as being responsible for the enforcement of the Zoning Regulations. Continued Study Session regarding the Land Use Matrix, allowable Use Types and Definitions.

**August 6, 2013 at 6:30 PM**      **City Council Meeting:** Certification of the Supplemental Environmental Impact Report (SEIR) for the horizontal drilling under the river as part of the Waste Water Treatment Plant (WWTP) upgrade.



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

## **CITY MANAGER'S REPORT ON 2013-14 BUDGET**

On June 25, 2012 the Rio Dell City Council adopted its budget for fiscal year 2013-14. Unlike other Cities in California, it is a balanced budget that did not require sharp program cuts and a reduction in staff because that action was taken proactively by the City 3 years ago. What follows are some highlights from the fiscal plan that will occur over the next 12 months:

- ❖ Special law Enforcement Services funds were received from the State in the amount of \$100,000 to fund 1 of 4 Officer positions in the Police Department. This grant covers salaries and benefits, training and the cost the expense of a patrol vehicle for the year.
- ❖ The hydroponics business on Wildwood closed its door last year, resulting in a drop of \$30,000 of sales tax revenue to the City.
- ❖ The current City Manager is planning on returning to retirement in a year. Accordingly, funds are included in the budget to recruit a new City Manager.
- ❖ The City has granted the Scotia/Rio Dell Chamber of Commerce \$6,250 as a portion of the local matching funds required of the County Headwater Fund for the Chamber to receive a \$25,000 grant for the proposed business incubator program.
- ❖ The Police Department will be receiving (2) new patrol SUV's to replace a high mileage patrol car and another inoperable unit.
- ❖ City Hall will be reroofed this summer.
- ❖ Rio Dell is an applicant for \$100,000 of Community Development Block Grant funds for a drainage analysis and engineering survey to address the periodic flooding in the area of Ogle and Belleview. If this study is funded, the City Council included in the budget an additional \$62,000 to complete the concept plan to make the project "shovel ready" for the next round of grant funding.
- ❖ Water laterals on Riverside Avenue are to be replaced (\$35,000).

- ❖ A standby generator for the Eel River pumping station will be installed.
- ❖ Public Works is acquiring a roller and basic street maintenance equipment to be able to accomplish minor street repair.
- ❖ \$117,700 is budgeted for striping and street overlays at Fern and Eeloa, Eagle Prairie and Riverside and the corner of 1014 Riverside.
- ❖ The sinkhole at May and Painter will be repaired (\$10,250).
- ❖ A new public works building will be constructed at the Corporation Yard to house vehicles and equipment.
- ❖ Wildwood Avenue Enhancement Project funded by the Federal Transportation Improvement Program (\$491,263) with landscaped medians, trees and crosswalks from Elko Street to the Eagle Prairie Bridge. Contracts are expected to be awarded on July 23, 2013 with construction expected to begin in August 2013 after Wildwood Days. Construction is expected to be completed by the end of October, 2013. If bid prices come in lower than expected, the first bid alternative would add (2) median art pedestals to the project and the second bid alternative is a town clock.
- ❖ The City received a Safe Route to Schools grant (\$152,300) from Caltrans to install a lighted crosswalk on Wildwood Avenue at Center Streets, and pedestrian access points along Davis Street with improved crosswalks, sidewalks and what's called "bulb out" for a safer crossing near Second Avenue. Bids for the project are expected to be awarded on July 23, 2013 and construction is expected to take no more than 65 days.
- ❖ Rio Dell is an applicant for a \$144,000 grant from the CalTrans Community Based Transportation Planning program to fund a Non- Motorized Transportation Plan and Master Trail Feasibility Study, to include a waterfront trail system. The local match to the grant is \$16,000.
- ❖ The 2013-14 Budget also includes \$3,718,874 to complete the Wastewater Treatment Plant and Irrigation Field project. The old facility has already been shut down and the

horizontal boring under the Eel River to the irrigation site is expected to begin this Fall-2013.

- ❖ The full-time staff allocation remains the same as last year at 17.75 positions.

### **Water Rates & Bills**

The Water Meters are read by the end of each month. Utility bills are sent out and due at the beginning of each month and are delinquent if not paid by the 26<sup>th</sup> of the month, at which time a 10% delinquent fee is charged. After 10 calendar days or the 10<sup>th</sup> of the following month, a second late notice is sent out. If the previous balance (stated on your billing statement) has not been paid within 7 calendar days of the second late notice, then service is discontinued. Once the service has been discontinued, the full amount plus an additional reconnection fee is required before water service is restored. The first reconnection fee is \$40. If within 12 months there is a second reconnection, the fee is \$60. All subsequent reconnection fees, within a 12 month period, are \$100.

### **COST OF CITY WATER**

1 UNIT OF WATER = 100 CUBIC=748 GALLONS

BASE RATE FOR 1 UNIT = \$26.24 (OUT OF CITY LIMITS = \$39.39)

2-10 UNITS @ \$2.37 (OUT OF CITY LIMITS @ \$3.56)

11 UNITS & UP @ \$3.56 (OUT OF CITY LIMITS @ \$5.73)

**CITY SEWER COST FLAT RATE OF \$76.15**

**MINIMUM BILL \$102.39**

### **Wastewater Treatment Plant Upgrade and Disposal Project**

The Waste Water Treatment Plant project is now into the sixteenth month of progress. The contractor has completed all phases of the bio-tank processes, the Chlorine Contact Basin and Effluent Pumping Station. The control system is installed and operational. Work is nearing completion the disposal site. The transmission line is complete from the river crossing to the treatment plant and pavement patching is nearly complete. The sludge dryer system has been completed and is in operation, in testing mode. Underground piping and valves have been installed and the plant switchover is complete and in operation. The Blower Building is complete and in operation. Electrical/mechanical systems are nearly complete and cut-over of existing

electrical systems is completed. Construction of the new Operations Building has begun. Demolition of existing process piping and pumps is nearly complete. The under-river transmission line permit has been issued by Caltrans. Review by the State Lands Commission is scheduled for August 23, 2013. Project completion is scheduled for December of 2014. Any questions can be directed to Rick Chicora, Wastewater Superintendent at (707)764-5754.

### **Water Intake Infiltration Gallery**

As most residents know, the City's water is taken from the Eel River from the City's infiltration gallery. Recent drops in the river level and shifts in the location of the river has affected the amount of water reaching the infiltration gallery. The City is currently pursuing the necessary permits from various Federal and State agencies to perform urgent maintenance to keep up with the water demand of the City. At the same time, the City is exploring a long range solution to what appears to be deficiencies in the system at the infiltration gallery and the clarifier at the corporation yard; the unit that removes suspended particles from the water during high river flows. The City filed a Request for Funding application with the California Department of Public Health (CDPH) on July 8, 2013 for the modification of the infiltration gallery and replacement of the clarification unit. The Request for Funding application is a competitive process for funding, and the maximum funding from CDPH is 80% with a 20% local match or low interest loan. An early estimate for the project is \$2,900,000, which could be a high number. However, at that amount the local share of cost would be \$580,000. The City should know by November 2013 if it has been selected to submit a full application for funding

### **Wildwood Avenue Downtown Street Enhancement Project**

The California Transportation Commission allocated funds for the Wildwood Avenue Downtown Street Enhancement project at their March meeting. The project is funded with State and Federal funds and has an anticipated budget of \$589,000. The project is structured to include a base bid and bid alternates to ensure that the base bid will be within the available budget. The bid alternates approved by the Council include, art pedestals, a town clock, tree grates and streetscape furniture. The City will award the bid for the project at a Special City Council meeting on July 23<sup>rd</sup>. Construction is expected to start in early August, after Wildwood Days, and should be complete by the middle of November.

## **Safe Routes to School**

The City applied for and was awarded a Safe Routes to School Grant late last year. The improvements include the construction of a lighted pedestrian crossing at the intersection of Wildwood Avenue and Center Street, a bulb-out at the existing trail crossing at Second Avenue and Davis Street and a sidewalk on the south side of Davis Street between second and Third Avenues. The \$149,000 project is State funded with an approximate 10% City match. The City will award the bid for the project at a Special City Council meeting on July 23<sup>rd</sup>. Construction is expected to start in early August, after Wildwood Days, and should be complete by the middle of September.

## **Land Use Matrix, Use Types & Definitions**

The City is working on a comprehensive update of the Zoning Regulations, including a Land Use Matrix, new and expanded use types and definitions. The Planning Commission conducted their first Study Session on July 17<sup>th</sup> to review and discuss the Land Use Matrix, use types and definitions. The City's intent is to expand the allowable use types to facilitate and encourage commercial activity in the City. The Study Session was continued to the regularly scheduled Planning Commission meeting on July 24<sup>th</sup> at 6:30 pm or as soon thereafter. The City encourages residents and business owners to attend the meeting. If you have any questions or need additional information, please contact Kevin Caldwell, Community Development Director at (707) 764-3532.

## **Medical Marijuana Regulations Now in Effect**



On February 14<sup>th</sup>, the City's Medical Marijuana Regulations, Section 17.30.155 of the Rio Dell Municipal Code became effective. The regulations were adopted in response to complaints regarding the neighborhood impacts of the cultivation of marijuana. The intent of the Medical Marijuana Regulations is to balance the needs of patients and their caregivers and to minimize impacts that can accompany the residential cultivation and processing of medical marijuana for an individual patient's use. Widespread indoor cultivation of marijuana in the County and Cities has led to a decrease in needed rental housing stock, as rental homes are converted solely to structures to grow marijuana. As rental homes are converted to these grow structures, the character of the neighborhood around the grow structure deteriorates. Below is a summary of the regulations:

- ❖ Outdoor cultivation is not allowed.
- ❖ Indoor medical marijuana cultivation in a residence or detached accessory building shall not exceed fifty (50) square feet or exceed ten (10) feet in height per residence on a parcel, **regardless of the number of qualified patients or primary caregivers residing at the residence or participating directly or indirectly in the cultivation.**
- ❖ A greenhouse may be considered a Detached Accessory Building if it is a fully enclosed, secure and lockable structure that has a roof supported by connecting walls extending continuously to a perimeter foundation or equivalent base to which the connecting walls are securely attached.
- ❖ The medical marijuana cultivation and processing area in the residence or detached accessory building shall be indoors, as defined herein, posted with a legible copy of the individual patient's medical marijuana recommendation, secured against unauthorized entry, and maintained for the exclusive use of the qualified patient.
- ❖ Grow lights for medical marijuana cultivation for personal use in a residence or a detached accessory building shall not exceed 1200 watts total.
- ❖ All electrical equipment used in the indoor cultivation of medical marijuana in a residence or a detached accessory building shall be plugged directly into a wall outlet or otherwise hardwired. The use of extension cords to supply power to electrical equipment used in the residential cultivation of medical marijuana is prohibited.
- ❖ The use of gas products (CO<sub>2</sub>, butane, etc.) for indoor medical marijuana cultivation or processing in a residence or a detached accessory building is prohibited.
- ❖ No toxic or flammable fumigant shall be used for indoor cultivation of medical marijuana in a residence or a detached accessory building unless the requirements of Section 1703 of the California Fire Code have been met.
- ❖ No odor of medical marijuana shall be detectable from the property boundaries by a person of ordinary senses. To achieve this, the medical marijuana cultivation area shall be, at a minimum, mechanically ventilated with a carbon filter or other superior method to prevent the odor of marijuana from escaping the indoor cultivation area and negatively impacting neighbors and the surrounding community. Ventilation systems shall be installed in a manner that facilitates decommissioning and a return of the cultivation area to non-cultivation residential uses.
- ❖ From a public right of way, neighboring properties, or neighboring housing units, there shall be no visual or auditory evidence of medical marijuana cultivation at the residence or detached accessory building that is detectable by a person of ordinary senses.
- ❖ Medical marijuana cultivation, processing, or transfers in a residence or detached accessory building are prohibited as a Home Occupation.

- ❖ No sale, trading, or dispensing of medical marijuana is allowed on a parcel where residential cultivation of medical marijuana occurs.
- ❖ The qualified patient shall not cultivate medical marijuana for his or her personal use in more than one residence or detached accessory building within the City jurisdiction.
- ❖ The residence where medical marijuana is grown indoors for personal use shall maintain a kitchen and bathroom(s) for their intended use, and the kitchen, bathroom(s), and bedroom(s) shall not be used primarily for medical marijuana cultivation.
- ❖ No effluent, including but not limited to waste products, chemical fertilizers or pesticides shall be discharged into drains, septic systems, community sewer systems, water systems or other drainage systems including those that lead to rivers and streams as a result of the cultivation of medical marijuana.
- ❖ The residential cultivation of medical marijuana shall not adversely affect the health or safety of residents, neighbors, or nearby businesses by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes associated with the cultivation of medical marijuana.
- ❖ The indoor residential cultivation of medical marijuana must comply with all applicable state and county laws, including fire and building codes.
- ❖ A waterproof membrane or other waterproof barrier shall be installed in the cultivation area or beneath individual plants to protect the floor of the indoor cultivation area from water damage.

If you have any questions regarding the Medical Marijuana Regulations, please contact Graham Hill, Police Chief at (707) 764-5642, or Kevin Caldwell, Community Development Director at (707) 764-3532.

**Property Maintenance Regulations “Good Neighbor Policies” Rio Dell Municipal Code, California Health & Safety Code & Uniform Housing Code**

- **Nuisances** – Any condition potentially detrimental to any members of the public, including conditions that are unsafe, potentially unsafe, obstruct the free use or enjoyment of property or diminish property values. Nuisances include, but are not limited to the following:

Abandoned Buildings or Structures, including partially constructed, reconstructed or demolished buildings upon which work has been abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or when

there has not been any substantial work on the project for a period of three months or more.

Buildings or Structures that are in a State of Disrepair, including buildings which has deteriorated or ineffective waterproofing of exterior walls, including lack of paint or weathering due to lack of paint or other approved protective covering, roof's, foundations, floors, broken or missing windows or doors.

A building or structure where the exterior walls, fences retaining walls, driveways, or walkways are broken, deteriorated, or substantially defaced to the extent that the disrepair visually impacts neighboring properties or present an endangerment to public safety.

Property inadequately maintained, including property that contains overgrown, diseased, dead or decayed trees, weeds or other vegetation and/or refuse, waste or scrap materials which visually detrimentally impacts the surrounding neighborhood and has the potential to attract rodents and/or vermin.

Property which contains unused and broken equipment; structurally unsound fences, walkways, porches, decks or other structures; machinery which is inadequately protected; lumber, trash, fences, debris; storage of chemicals, motor oil, or toxic or hazardous materials; storage of abandoned vehicles, tires or parts thereof.

- **Garbage Cans** – Garbage shall be enclosed in a flyproof, watertight receptacle with close-fitting cover, be located so as not to be visible from a public right of way or street and the contents disposed of at least once a week.
- **Abandoned Vehicles** - It is unlawful to park, store, leave or to permit the parking, storing or leaving of any licensed or unlicensed motor vehicles of any kind for a period in excess of 72 hours on private property, public streets or public property within the City of Rio Dell if such vehicles are in rusted, wrecked, junked, partially dismantled, inoperative, or abandoned condition, whether attended or not, unless the same is completely enclosed within a building or unless it is in connection with a business enterprise,

operated in a lawful place and manner and licensed as such, when necessary to operation of such business enterprise.

- **Vehicles for Sale** - Vehicles, trailers, or other personal property shall not be parked on private property for the purpose of displaying the vehicles, trailers, or other personal property for hire, rental, or sale, unless the property is appropriately zoned, approved by the City for that use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property. However, one vehicle or trailer owned by the lessee, owner, or renter of the property may be displayed for the purpose of sale for a maximum of 30 days. This shall not be construed to allow the continued sale of vehicles.
- **Recreational Vehicle/Boat & Trailer Parking** - The storage (parking for any period longer than 72 hours) of a recreational vehicle, boat and/or trailer in a residential zoning district shall be allowed only when all portions of the vehicle, boat or trailer are located entirely within the property boundaries and do not extend into the public right-of-way, including public utility easements and sidewalks.
- **Sidewalks** - Property owners are required to maintain and repair the sidewalk adjacent to or fronting their property. Property owners owe a duty to members of the public to keep and maintain the sidewalk area in a safe and non-dangerous condition. If, as a result of the failure of any property owner to maintain the sidewalk area in a non-dangerous condition as required by this section, any person suffers injury or damage to person or property, the property owner shall be liable to such person for the resulting damages or injury.

### City Officials

#### City Council

Jack Thompson - Mayor  
Gordon Johnson  
Melissa Marks  
Frank Wilson  
Julie Woodall

#### Planning Commission

Gary Chapman - Chairperson  
Nick Angeloff  
Billy Joe Long  
Alice Millington  
Carol Theuriet