

STUDY SESSION

Location:	City Hall	Date:	October 6, 2011
	834 Main Street	Time:	6:00 pm
	Ferndale CA 95536	Posted: 9/29/11	

1. CALL STUDY SESSION TO ORDER – Mayor
 - a. Wastewater Treatment Plant Update on Change Orders number nine, ten, eleven, and twelve.
2. ADJOURN STUDY SESSION

AGENDA

**CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.
REGULAR CITY COUNCIL MEETING**

Location:	City Hall	Date:	October 6, 2011
	834 Main Street	Time:	7 pm
	Ferndale CA 95536	Posted: 9/29/11	

We welcome you to the meeting. Members of the Public may be heard on any business item on this Agenda before or during the City Council consideration of the item. The public may also directly address the City Council on any item of interest to the public that is not on the Agenda during the public comment time; however, the City Council generally cannot take action on an item not on the agenda.

A person addressing the City Council will be limited to five (5) minutes unless the Mayor of the City Council grants a longer period of time. While not required, we would appreciate it if you would identify yourself with your name and address when addressing the Council.

This City endeavors to be ADA compliant. Should you require assistance with written information or access to the facility, or a hearing amplification, please call 786-4224 24 hours prior to the meeting.

TO SPEAK ON ANY ISSUE, BE ACKNOWLEDGED BY THE MAYOR BEFORE PROCEEDING TO THE PODIUM, STATE YOUR NAME AND ADDRESS FOR THE RECORD (optional), AND DIRECT YOUR COMMENTS ONLY TO THE COUNCIL.

1. CALL MEETING TO ORDER – Mayor
2. PLEDGE ALLEGIANCE TO THE FLAG
3. ROLL CALL – Deputy City Clerk
4. CEREMONIAL:
 - a. Deputy City Clerk gives Oaths of Office
 - i. Brianna Smith, Deputy City Clerk
 - b. United Way Proclamation
5. MODIFICATIONS TO THE AGENDA
6. STUDY SESSIONS
7. PUBLIC COMMENT. (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. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3^{rds} of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be

approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.) Page 5

8. CONSENT CALENDAR. (All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember, staff or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately under "Call Items.")

 a. Acceptance of Accounts Payable Page 6

 b. Approval of previous minutes:

 i. September 1, 2011..... Page 19

 ii. September 7, 2011 Page 22

9. CALL ITEMS

10. PRESENTATION / Community Forum

11. BUSINESS

 a. *Update on Acquisition and Conveyance (Possible Action) of Navy Housing* Page 24

 b. *Memorandum of Understanding between the City of Ferndale and Eel River Disposal Inc.* Page 26

 c. *Resolution 2011-39 for 14th Progress Pay Request for Management and Construction Related Costs for the Wastewater Treatment Plant*..... Page 31

 d. *Approve Waste Water Change Orders 9, 10, 11 and 12*..... Page 35

 e. *Letter of Commitment as participating jurisdiction in Humboldt County Multi-jurisdictional Hazard Mitigation Planning* Page 36

12. CORRESPONDENCE Page 39

13. REPORTS

 a. City Manager Staff Report and Community Events Page 64

 b. Commissions / Committees and others

 i. *Design Review* Page 75

 ii. *Planning Commission*..... Page 79

 iii. *Sign Committee*..... Page 81

 c. Council Reports and Comments Page 82

14. ADJOURN Page 82

**This notice is posted in compliance with Government Code §54954.2.
 The next Regular Meeting of the Ferndale City Council will be held on
 THURSDAY, November 3, 2011 in the Auditorium of City Hall at 7:00pm**

Section 1

Call Meeting to Order

Section 2

Pledge Allegiance

Section 3

Roll Call

Section 4

Ceremonial

Deputy City Clerk gives Oaths of Office

Brianna Smith, Deputy City Clerk

United Way Proclamation



A PROCLAMATION IN RECOGNITION OF
UNITED WAY MONTH

WHEREAS, the 2011-2012 United Way Campaign officially opened on September 17, 2011 with its 18th Annual Day of Caring to raise funds to help the Humboldt and Del Norte communities with daily needs and the increasing needs of a changing economy; and

WHEREAS, the mission of United Way is to mobilize the caring power of the community to change lives, thereby improving the overall quality of life in the communities we serve. The United Way Campaign works to advance the common good by focusing on the critical building blocks that we all need for a good life; and

WHEREAS, United Way works on improving people's access to critical health services and preventive health care education, and works with partners to target childhood obesity through physical activity; and

WHEREAS, United Way helps children and youth achieve their potential through education, providing in-school tutoring through *Schools of Hope*, and also partners with *The Decade of Difference – 2020 Initiative* to get children ready for success in college, work and life; and

WHEREAS, the United Way through their Humboldt Community Switchboard helps families become more financially stable and independent, partnering with the County, non-profit organizations and businesses in supporting basic needs while increasing financial understanding and accessing to important services through information and referral.

NOW, THEREFORE, be it proclaimed by the City Council of the City of Ferndale that the month of October 2011 is United Way Month in Humboldt County. The Council calls upon all citizens to Give, Advocate and Volunteer to promote LIVING UNITED, thereby improving the lives of our families, friends and neighbors.

Dated: October 6, 2011

Mayor, City of Ferndale

Section 5

Modifications to the Agenda

Section 6

Study Sessions

Section 7

Public Comment

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.

Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rd of the Council (three of the five members) that the item came up after the agenda was posted and is of an urgent nature requiring immediate action.

This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes. Please state your name and address for the record. (This is optional.)

Section 8

Consent Agenda

All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion.

Is there anyone on the Council, Staff or the public that would like to pull an item off the Consent Agenda for scrutiny? Those items will be considered separately under "Call Items."

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/11 To 09/20/11
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Chk No.	Date	Pay	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.	Type		Override Description	Amount	Amount	
44066	09/01/11	AFLAC	AFLAC	AFLAC - REMIT. PROCESSING SERV. Employee Paid		184.34
	10012260			Health insurance payable	184.34	
Total for AFLAC - REMIT. PROCESSING SERV.						184.34
44067	09/01/11	ARNKE	ARNKE	ARNOLD C. KEMP Monthly		202.28
	10435052			Building regulation/inspectio	202.28	
Total for ARNOLD C. KEMP						202.28
44132	09/20/11	PHIAY	PHIAY	AYCOCK & EDGMON Monthly		453.00
	10165054			Audit and accounting	453.00	
Total for AYCOCK & EDGMON						453.00
44133	09/20/11	BAKTA	BAKTA	BAKER & TAYLOR Library		306.03
	10615024			Books	306.03	
Total for BAKER & TAYLOR						306.03
44107	09/06/11	BAYWE	BAYWE	BAY WEST SUPPLY, INC. Restroom Supplies		347.65
	10175024			Supplies - public restroom	269.87	
	10215020			Building and grounds maint.	27.03	
	10635020			Buildings and grounds maintenance	50.75	
Total for BAY WEST SUPPLY, INC.						347.65
44068	09/01/11	BENAD	BENAD	BENEFICIAL ADMIN COMPANY INC. Monthly		187.04
	10012260			Health insurance payable	43.57	
	10105007			Medical insurance	8.88	
	10125007			Medical insurance	24.12	
	10215007			Medical insurance	48.24	
	10315007			Medical insurance	2.47	
	10635007			Medical insurance	1.21	
	22315007			Medical insurance	1.57	
	24315007			Medical insurance	2.47	
	25315007			Medical insurance	3.65	
	26315007			Medical insurance	2.17	
	30515007			Medical insurance	48.69	
Total for BENEFICIAL ADMIN COMPANY INC.						187.04
44046	08/23/11	BRSMT	BRSMT	BRET SMITH Reimbursement		157.80
	10215012			Office expense	9.90	
	10215098			Background expense	147.90	
44134	09/20/11	BRSMT	BRSMT	BRET SMITH		127.37
	10215012			Office expense	7.37	
	10215026.1			Uniform allowance	120.00	
Total for BRET SMITH						285.17
44047	08/23/11	BUGPR	BUGPR	BUG PRESS, INC. Health Inspection Forms		103.04
	10245052			Professional services	103.04	
Total for BUG PRESS, INC.						103.04
44135	09/20/11	CALLA	CALLA	CALIFORNIA LABOR LAW POSTER SERVICE Labor Law Poster 2012		105.50
	10165099			Miscellaneous	105.50	

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Acct No.	Type		Override Description	Amount	Amount	
Total for CALIFORNIA LABOR LAW POSTER SERVI						105.50
44048	08/23/11	CALST	CALIFORNIA STATE DISBURSEMENT UNIT	Employee Paid		408.91
	10012250		Garnishments payable		408.91	
44108	09/06/11	CALST	CALIFORNIA STATE DISBURSEMENT UNIT			408.91
	10012250		Garnishments payable		408.91	
44136	09/20/11	CALST	CALIFORNIA STATE DISBURSEMENT UNIT			408.91
	10012250		Garnishments payable		408.91	
Total for CALIFORNIA STATE DISBURSEMENT UNI						1,226.73
44049	08/23/11	CIG	CIG	Vehicle Insurance		3,684.00
	10215014		Vehicle expense	Police Dept	2,464.50	
	24315014		Vehicle expense	Streets & Roads	607.13	
	30515014		Vehicle expense	Sewer Dept	612.37	
Total for CIG						3,684.00
44069	09/01/11	CITFO	CITY OF FORTUNA	Dispatch service	Monthly	1,016.66
	10215035					1,016.66
Total for CITY OF FORTUNA						1,016.66
44050	08/23/11	COMAS	COMPUTER ASSISTANCE	Capital outlay	Monthly	232.10
	10165095					232.10
Total for COMPUTER ASSISTANCE						232.10
44051	08/23/11	DVLNO	DAVE LENARDO	Contractual services	Sewer Dept	370.00
	30515055					370.00
44109	09/06/11	DVLNO	DAVE LENARDO	Contractual services		255.00
	30515055					255.00
44137	09/20/11	DVLNO	DAVE LENARDO	Contractual services		220.00
	30515055					220.00
Total for DAVE LENARDO						845.00
44138	09/20/11	DCIBU	DCI BUILDERS	Capital outlay	Sewer Dept	650.00
	30515095					650.00
Total for DCI BUILDERS						650.00
44052	08/23/11	DELOR	DEL ORO WATER CO., FDLE. DIST.			361.71
	10155031		Water		27.96	
	10175031		Water - public restroom		97.47	
	10215029		Water		31.46	
	10615033		Water	Monthly	26.82	
	10625033		Water		80.36	
	10635031		Water		70.86	
	24315033		Water		26.78	
Total for DEL ORO WATER CO., FDLE. DIST.						361.71
44139	09/20/11	DEMCO	DEMCO SUPPLY COMPANY	Office expense	Library	96.18
	10615012					96.18
Total for DEMCO SUPPLY COMPANY						96.18

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44110	09/06/11		DOCST	DOCUSTATION	Monthly	146.00	146.00
	10165078			Copy machine expense			
Total for DOCUSTATION							146.00
44140	09/20/11		DOUCU	DOUG CULBERT	Reimbursement	161.55	161.55
	30515012			Office expense			
Total for DOUG CULBERT							161.55
44053	08/23/11		DUNMA	DUN & MARTINEK LLP	2 Months		1,547.35
	10145052			Professional services		842.35	
	50045055			Contractual services	Navy Housing	705.00	
44141	09/20/11		DUNMA	DUN & MARTINEK LLP			1,708.20
	10145052			Professional services		1,708.20	
Total for DUN & MARTINEK LLP							3,255.55
44054	08/23/11		EELRI	EEL RIVER DISPOSAL	Monthly		29.30
	10155030			Trash service		29.30	
Total for EEL RIVER DISPOSAL							29.30
100	08/23/11	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT	Payroll Taxes		821.82
	10012302			State P/R Tax Deposits		821.82	
100	09/06/11	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT			821.25
	10012302			State P/R Tax Deposits		821.25	
100	09/20/11	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT			857.33
	10012302			State P/R Tax Deposits		857.33	
Total for EMPLOYMENT DEVELOPMENT DEPART							2,500.40
44070	09/01/11		EUROX	EUREKA OXYGEN COMPANY	Community Center		169.86
	10635020			Buildings and grounds maintenance		169.86	
Total for EUREKA OXYGEN COMPANY							169.86
44142	09/20/11		FAZTN	FARAZ AZIZSOLTANI	Police Dept		247.52
	10215098			Background expense		247.52	
Total for FARAZ AZIZSOLTANI							247.52
44071	09/01/11		FORMO	FORTUNA MOTORS	Police Dept		1,302.40
	10215014			Vehicle expense		1,302.40	
Total for FORTUNA MOTORS							1,302.40
44072	09/01/11		FRONT	FRONTIER	Monthly		896.53
	10155034			Telephone		186.29	
	10215034			Telephone		214.01	
	10615034			Telephone		123.80	
	24315034			Telephone		55.43	
	30515034			Telephone		317.00	
Total for FRONTIER							896.53
44073	09/01/11		GECAP	GE CAPITAL	Monthly		171.19
	10165078			Copy machine expense		171.19	
44143	09/20/11		GECAP	GE CAPITAL			21.70
	10165078			Copy machine expense		21.70	

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Acct No.		Type		Override Description		Amount	Amount
Total for GE CAPITAL							192.89
44074	09/01/11		HAJCO	Hajoca Corp.			214.38
				Capital outlay	Sewer Dept	214.38	
Total for Hajoca Corp.							214.38
44055	08/23/11		HUMSH	HUMBOLDT CO SHERIFF DEPT			296.63
				Garnishments payable	Employee Paid	296.63	
44111	09/06/11		HUMSH	HUMBOLDT CO SHERIFF DEPT			279.43
				Booking fees	Monthly	279.43	
44144	09/20/11		HUMSH	HUMBOLDT CO SHERIFF DEPT			254.19
				Booking fees	Monthly	254.19	
Total for HUMBOLDT CO SHERIFF DEPT							830.25
44075	09/01/11		HUMAS	HUMBOLDT COUNTY ASSESSOR			6.56
				Office expense	Map Billing	6.56	
Total for HUMBOLDT COUNTY ASSESSOR							6.56
44076	09/01/11		HUMMD	HUMBOLDT MEDICAL GROUP, INC.			189.00
				Physical exams	Police Dept	189.00	
Total for HUMBOLDT MEDICAL GROUP, INC.							189.00
44056	08/23/11		HUMTE	HUMBOLDT TERMITE & PEST			81.00
				Building and grounds maint.	Police Dept	16.00	
				Buildings and grounds maintenance	Community Center	65.00	
44145	09/20/11		HUMTE	HUMBOLDT TERMITE & PEST			49.00
				Building and grounds maint.	Police Dept	49.00	
Total for HUMBOLDT TERMITE & PEST							130.00
44146	09/20/11		INAMA	IRAJI NAIMA, MD			400.00
				Physical exams	Reimbursement	400.00	
Total for IRAJI NAIMA, MD							400.00
44077	09/01/11		JAYPA	JAY PARRISH			400.00
				Car Allowance	Monthly	400.00	
Total for JAY PARRISH							400.00
44078	09/01/11		JIMST	JIM R. STRETCH			100.71
				Bldg/Grd Mnt.	Russ Park	100.71	
Total for JIM R. STRETCH							100.71
44147	09/20/11		LMREN	L & M RENNER, INC.			2,450.82
				Fuel		1,298.93	
				Vehicle Fuel	Monthly	857.79	
				Vehicle gas		294.10	
Total for L & M RENNER, INC.							2,450.82

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Acct No.	Type	Override Description	Amount	Amount		
44148	09/20/11		LOCDO	LOCK DOKTOR II	Police Dept	215.80
	10215020			Building and grounds maint.		
Total for LOCK DOKTOR II						215.80
44057	08/23/11		MANHD	MANHARD CONSULTING LTD		4,540.03
	10425052			General engineering		1,559.00
	10425053			Developer engineering		909.50
	30515095			Capital outlay Sewer Dept		2,071.53
Total for MANHARD CONSULTING LTD						4,540.03
44149	09/20/11		MARCL	MARK A CLEMENTI, Ph.D.	Police Dept	1,170.00
	10215052			Professional services		585.00
	10215098			Background expense		585.00
Total for MARK A CLEMENTI, Ph.D.						1,170.00
44079	09/01/11		MERFR	MERCER FRASER COMPANY	Concrete for City Green	151.10
	10155020			Building and ground maint.		151.10
Total for MERCER FRASER COMPANY						151.10
44080	09/01/11		MIKSE	MIKSIS SERVICES, INC.		27,500.00
	30515095			Capital outlay Sewer Dept		27,500.00
Total for MIKSIS SERVICES, INC.						27,500.00
44081	09/01/11		MIRRE	MIRANDA'S RESCUE	Monthly	450.00
	10225096			Animal control		450.00
Total for MIRANDA'S RESCUE						450.00
44058	08/23/11		MISSN	MISSION UNIFORM & LINEN	Community Center	23.69
	10635020			Buildings & grounds maintenance - Comm		23.69
44082	09/01/11		MISSN	MISSION UNIFORM & LINEN		23.69
	10635020			Buildings & grounds maintenance - Comm		23.69
44150	09/20/11		MISSN	MISSION UNIFORM & LINEN		23.69
	10635020			Buildings & grounds maintenance - Comm		23.69
Total for MISSION UNIFORM & LINEN						71.07
44151	09/20/11		NDIAM	NANCY DIAMOND, ATTORNEY AT LAW		2,812.00
	50045055			Contractual services Navy Housing		2,812.00
Total for NANCY DIAMOND, ATTORNEY AT LAW						2,812.00
44152	09/20/11		NANKA	NANCY KAYTIS-SLOCUM	Petty Cash	59.56
	10125012			Office expense		6.23
	10155020			Building and ground maint.		38.83
	10415012			Office expenses		5.10
	10415013			Advertising		4.96
	30515158			UPS/Fedex		4.44
Total for NANCY KAYTIS-SLOCUM						59.56
44059	08/23/11		NVCCJ	NAPA VALLEY COLLEGE CRIMINAL JUSTICE		450.00
	10215048			Training Police Dept		450.00
Total for NAPA VALLEY COLLEGE CRIMINAL JUS						450.00

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Acct No.	Type			Override Description	Amount	Amount
44083	09/01/11		NILCO	NILSEN COMPANY		125.38
	10215020			Building and grounds maint.	5.78	
	10625020			Building and ground maint. Monthly	26.49	
	24315020			Building & ground maintenance	8.01	
	24315021			Street maintenance	5.79	
	30515121			Sewer plant maintenance	79.31	
Total for NILSEN COMPANY						125.38
44153	09/20/11		NORCO	NORTH COAST LABORATORIES LTD.		213.00
	30515157			Effluent testing Sewer Dept	213.00	
Total for NORTH COAST LABORATORIES LTD.						213.00
44060	08/23/11		NCUAQ	NORTH COAST UNIFIED AIR QMD		45.39
	30515092			Sewer plant permit Sewer Dept	45.39	
Total for NORTH COAST UNIFIED AIR QMD						45.39
100	08/23/11	EFT	NORVA	NORTH VALLEY BANK	Payroll Taxes	4,897.99
	10012301			Federal P/R Tax Deposits	4,897.99	
100	09/06/11	EFT	NORVA	NORTH VALLEY BANK		4,900.48
	10012301			Federal P/R Tax Deposits	4,900.48	
100	09/20/11	EFT	NORVA	NORTH VALLEY BANK		5,071.47
	10012301			Federal P/R Tax Deposits	5,071.47	
44084	09/01/11		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK		1,948.36
	26315194			Interest-Six Rivers loan Loan Payment	1,948.36	
Total for NORTH VALLEY BANK						16,818.30
44061	08/23/11		PACGA	PACIFIC GAS & ELECTRIC	2 Months	3,530.40
	10155032			Utilities electric	144.20	
	10175032			Electric - public restroom	22.89	
	10215032			Utilities electric	145.78	
	10615032			Utilities	127.22	
	10625032			Utilities - electric	27.73	
	10635032			Utilities	304.30	
	22315058			Street lighting	24.17	
	24315032			Utilities	138.87	
	30515032			Utilities - electric - plant	2,595.24	
44085	09/01/11		PACGA	PACIFIC GAS & ELECTRIC		1,156.40
	22315058			Street lighting	1,156.40	
44154	09/20/11		PACGA	PACIFIC GAS & ELECTRIC		3,046.13
	10155032			Utilities electric	137.88	
	10175032			Electric - public restroom	23.87	
	10215032			Utilities electric	149.14	
	10615032			Utilities	137.88	
	10625032			Utilities - electric	30.88	
	10635032			Utilities	342.40	
	22315058			Street lighting	24.96	
	24315032			Utilities	104.72	
	30515032			Utilities - electric - plant	2,094.40	

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Acct No.	Type			Override Description	Amount	Amount
Total for PACIFIC GAS & ELECTRIC						7,732.93
44155	09/20/11	PIEBU		PIERSON BUILDING CENTER		535.59
	30515121			Sewer plant maintenance	Sewer Dept.	535.59
Total for PIERSON BUILDING CENTER						535.59
44062	08/23/11	PLANW		PLANWEST PARTNERS, INC.	2 Months	1,571.75
	10415052			General planning services		808.00
	10415053			Reimbursable fees		763.75
44156	09/20/11	PLANW		PLANWEST PARTNERS, INC.		4,472.50
	10415052			General planning services		3,063.75
	10415053			Reimbursable fees		908.75
	50045055			Contractual services		500.00
Total for PLANWEST PARTNERS, INC.						6,044.25
44086	09/01/11	REDEM		REDWOOD EMPIRE DIVISION	Meeting	16.00
	10115044			Meeting and dues - Council		16.00
Total for REDWOOD EMPIRE DIVISION						16.00
44087	09/01/11	ROBSM		ROBIN SMITH		153.47
	10245052			Professional services	Monthly	153.47
Total for ROBIN SMITH						153.47
44112	09/06/11	SEQGA		SEQUOIA GAS COMPANY		492.16
	10155033			Utilities gas	Monthly	212.60
	10635033			Gas		279.56
Total for SEQUOIA GAS COMPANY						492.16
44157	09/20/11	SDRMA		SPECIAL DISTRICT RISK MANAGEMENT AUT		9,720.19
	10012260			Health insurance payable		866.19
	10105007			Medical insurance		485.27
	10125007			Medical insurance		1,106.96
	10215007			Medical insurance		2,820.99
	10315007			Medical insurance		134.88
	10635007			Medical insurance	Monthly	131.61
	22315007			Medical insurance		149.86
	24315007			Medical insurance		181.01
	25315007			Medical insurance		183.02
	26315007			Medical insurance		172.29
	30515007			Medical insurance		3,488.11
Total for SPECIAL DISTRICT RISK MANAGEMENT A						9,720.19
44158	09/20/11	SPPFN		SPONSORED PROGRAMS FOUNDATION		1,249.35
	30515055			Contractual services	Sewer Dept.	1,249.35
Total for SPONSORED PROGRAMS FOUNDATION						1,249.35

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/11 To 09/20/11
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Chk No.	Date	Pay Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.	Type	Override Description	Amount	Amount	
44088	09/01/11	STAPE	STAPLES CREDIT PLAN		1,269.73
	10125012		Office expense	203.48	
	10155020		Building and ground maint. Monthly	19.42	
	10165095		Capital outlay	161.97	
	30515012		Office expense	884.86	
Total for STAPLES CREDIT PLAN					1,269.73
44063	08/23/11	FEREN	THE FERNDALE ENTERPRISE 2 Months		56.53
	10415013		Advertising	56.53	
44089	09/01/11	FEREN	THE FERNDALE ENTERPRISE		77.36
	10115013		Advertising - Council	29.76	
	10415013		Advertising	47.60	
Total for THE FERNDALE ENTERPRISE					133.89
44113	09/06/11	THOGZ	THOMAS W. GONZALEZ, SR Community Center		260.00
	10635020		Buildings and grounds maintenance	260.00	
Total for THOMAS W. GONZALEZ, SR					260.00
44090	09/01/11	USABL	USABLUEBOOK Sewer DEpt		405.67
	30515121		Sewer plant maintenance	405.67	
Total for USABLUEBOOK					405.67
44159	09/20/11	VALLU	VALLEY LUMBER		613.48
	10635020		Buildings and grounds maintenance	158.60	
	20625020		Blding/Grd Mnt. Monthly	52.01	
	24315021		Street maintenance	374.95	
	30515121		Sewer plant maintenance	27.92	
Total for VALLEY LUMBER					613.48
44064	08/23/11	VEREG	VEHICLE REGISTRATION COLLECTIONS		152.00
	10012250		Garnishments payable Employee Paid	152.00	
Total for VEHICLE REGISTRATION COLLECTIONS					152.00
44114	09/06/11	VERZN	VERIZON		248.59
	10155034		Telephone	29.10	
	10215034		Telephone Monthly	120.67	
	24315034		Telephone	11.52	
	30515034		Telephone	87.30	
Total for VERIZON					248.59
Total for the 86 checks				107,559.08	107,559.08

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/11 To 09/20/11
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Account Distributions

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
10012250	Garnishments payable	1,675.36
10012260	Health insurance payable	1,094.10
10012301	Federal P/R Tax Deposits	14,869.94
10012302	State P/R Tax Deposits	2,500.40
10105007	Medical insurance	494.15
10115013	Advertising - Council	29.76
10115044	Meeting and dues - Council	16.00
10125007	Medical insurance	1,131.08
10125012	Office expense	216.27
10145052	Professional services	2,550.55
10155020	Building and ground maint.	209.35
10155030	Trash service	29.30
10155031	Water	27.96
10155032	Utilities electric	282.08
10155033	Utilities gas	212.60
10155034	Telephone	215.39
10165054	Audit and accounting	453.00
10165078	Copy machine expense	338.89
10165095	Capital outlay	394.07
10165096	Car Allowance	400.00
10165099	Miscellaneous	105.50
10175024	Supplies - public restroom	269.87
10175031	Water - public restroom	97.47
10175032	Electric - public restroom	46.76
10215007	Medical insurance	2,869.23
10215012	Office expense	17.27
10215014	Vehicle expense	3,766.90
10215016	Fuel	1,298.93
10215020	Building and grounds maint.	313.61
10215026.1	Uniform allowance	120.00
10215029	Water	31.46
10215032	Utilities electric	294.92
10215034	Telephone	334.68

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/11 To 09/20/11
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

10215035	Dispatch service	1,016.66
10215048	Training	450.00
10215051	Physical exams	589.00
10215052	Professional services	585.00
10215086	Booking fees	533.62
10215098	Background expense	980.42
10225096	Animal control	450.00
10245052	Professional services	256.51
10315007	Medical insurance	137.35
10415012	Office expenses	5.10
10415013	Advertising	109.09
10415052	General planning services	3,871.75
10415053	Reimbursable fees	1,672.50
10425052	General engineering	1,559.00
10425053	Developer engineering	909.50
10435052	Building regulation/inspectio	202.28
10615012	Office expense	96.18
10615024	Books	306.03
10615032	Utilities	265.10
10615033	Water	26.82
10615034	Telephone	123.80
10625020	Building and ground maint.	26.49
10625032	Utilities - electric	58.61
10625033	Water	80.36
10635007	Medical insurance	132.82
10635020	Buildings and grounds maintenance	775.28
10635031	Water	70.86
10635032	Utilities	646.70
10635033	Gas	279.56
20625020	Blding/Grd Mnt.	152.72
22315007	Medical insurance	151.43
22315058	Street lighting	1,205.53
24315007	Medical insurance	183.48
24315014	Vehicle expense	607.13
24315016	Vehicle Fuel	857.79
24315020	Building & ground maintenance	8.01

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/11 To 09/20/11
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

24315021	Street maintenance	380.74
24315032	Utilities	243.59
24315033	Water	26.78
24315034	Telephone	66.95
25315007	Medical insurance	186.67
26315007	Medical insurance	174.46
26315194	Interest-Six Rivers loan	1,948.36
30515007	Medical insurance	3,536.80
30515012	Office expense	1,046.41
30515014	Vehicle expense	612.37
30515016	Vehicle gas	294.10
30515032	Utilities - electric - plant	4,689.64
30515034	Telephone	404.30
30515055	Contractual services	2,094.35
30515092	Sewer plant permit	45.39
30515095	Capital outlay	30,435.91
30515121	Sewer plant maintenance	1,048.49
30515157	Effluent testing	213.00
30515158	UPS/Fedex	4.44
50045055	Contractual services	4,017.00
		107,559.08

City of Ferndale

834 Main Street, P.O. Box 236, Ferndale, CA 95536

Printed PayCheck Checks

General Checking - Date Range: From 08/21/11 To 09/20/11 - Check #: All - Dept: All

Sort Code: All - EmpID: All - Emp Name: All - By Check Number

Check #	Date	Emp. #	Employee Name	Amount
44031	08/23/11	1,215	DEBERA H. AUSTRUS	1,661.41
44032	08/23/11	2,190	HEATH A. BOHACIK	736.67
44033	08/23/11	5,220	STEVE L. COPPINI	1,013.88
44034	08/23/11	5,221	DOUGLAS E. CULBERT	1,942.02
44035	08/23/11	2,178	PAUL A. DIAZ JR.	847.10
44036	08/23/11	2,179	JASON R. HYNES	914.92
44037	08/23/11	1,214	NANCY S. KAYTIS-SLOCUM	1,332.20
44038	08/23/11	5,235	TIMOTHY W. MIRANDA	1,113.82
44039	08/23/11	1,012	JAY D. PARRISH	2,391.87
44040	08/23/11	2,200	BRET A. SMITH	1,405.68
44041	08/23/11	5,280	DANIEL V. SUTTON	1,003.30
44042	08/23/11	2,185	LINDSEY D. FRANK	898.55
44043	08/23/11	6,142	DIANNA L. RICHARDSON	131.97
44044	08/23/11	1,216	BRIANNA A. SMITH	431.05
44045	08/23/11	6,221	BONNIE K. VON BRAUN	54.10
44065	09/01/11	1,510	MARIA A. ROSA	218.06
44091	09/06/11	1,215	DEBERA H. AUSTRUS	1,661.41
44092	09/06/11	2,190	HEATH A. BOHACIK	736.67
44093	09/06/11	5,220	STEVE L. COPPINI	1,165.87
44094	09/06/11	5,221	DOUGLAS E. CULBERT	1,942.03
44095	09/06/11	2,178	PAUL A. DIAZ JR.	795.53
44096	09/06/11	2,179	JASON R. HYNES	884.91
44097	09/06/11	1,214	NANCY S. KAYTIS-SLOCUM	1,332.20
44098	09/06/11	5,235	TIMOTHY W. MIRANDA	1,113.81
44099	09/06/11	1,012	JAY D. PARRISH	2,391.87
44100	09/06/11	2,200	BRET A. SMITH	1,405.69
44101	09/06/11	5,280	DANIEL V. SUTTON	1,003.31
44102	09/06/11	6,115	MARY ELLEN BOYNTON	18.85
44103	09/06/11	2,185	LINDSEY D. FRANK	898.55
44104	09/06/11	6,142	DIANNA L. RICHARDSON	84.84
44105	09/06/11	1,216	BRIANNA A. SMITH	448.66
44106	09/06/11	6,221	BONNIE K. VON BRAUN	94.68
44115	09/20/11	1,215	DEBERA H. AUSTRUS	1,661.41
44116	09/20/11	2,190	HEATH A. BOHACIK	758.22
44117	09/20/11	5,220	STEVE L. COPPINI	1,267.72
44118	09/20/11	5,221	DOUGLAS E. CULBERT	1,942.03
44119	09/20/11	2,178	PAUL A. DIAZ JR.	Void
44120	09/20/11	2,179	JASON R. HYNES	1,064.91
44121	09/20/11	1,214	NANCY S. KAYTIS-SLOCUM	1,332.20
44122	09/20/11	5,235	TIMOTHY W. MIRANDA	1,241.23
44123	09/20/11	1,012	JAY D. PARRISH	2,391.87
44124	09/20/11	2,200	BRET A. SMITH	1,405.68
44125	09/20/11	5,280	DANIEL V. SUTTON	1,005.11
44126	09/20/11	2,178	PAUL A. DIAZ JR.	979.67
44127	09/20/11	6,115	MARY ELLEN BOYNTON	84.85
44128	09/20/11	2,185	LINDSEY D. FRANK	898.54
44129	09/20/11	6,142	DIANNA L. RICHARDSON	37.70
44130	09/20/11	1,216	BRIANNA A. SMITH	398.00
44131	09/20/11	6,221	BONNIE K. VON BRAUN	40.58

48,585.20

City of Ferndale
 834 Main Street, P.O. Box 236, Ferndale, CA 95536
Checkbook Register
 USDA

Date Clr	Clr	Date		EFT	Deposits	Balance
9/2/2011	x	9/2/2011	DEPOSIT		616,928.88	618,731.27
9/7/2011	x	9/7/2011	Manhard	23,247.66		595,483.61
9/7/2011	x	9/7/2011	Wahlund Construction	593,681.22		1,802.39

City of Ferndale, Humboldt County, California USA
City Council Minutes for the September 1, 2011 Meeting 7:00 p.m

Mayor Jeffrey Farley called the Regular City Council Meeting to order at 7:00 p.m. Present were Councilmen Stuart Titus, Ken Mierzwa, John Maxwell and Niels Lorenzen as well as City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum, City Engineer Praj White, Project Manager Kent Hanford, Consultant Elizabeth Conner and Police Chief Bret Smith. Those present pledged allegiance to the flag.

Ceremonial: the City Clerk gave Oaths of Office to Lee Haldorson, Level 1 Reserve Police Officer and Faraz Soltani, Seasonal Police Officer. The City Clerk read the 2011 North Coast Stand Down Proclamation. Mayor Farley presented it to the board representative, who gave a short speech. Under Public Comment, Chrys Hamper commented that the American Flags in Ferndale should be replaced with new ones.

Consent Calendar: Councilman Titus asked that item 8bii be pulled. MOTION: (Titus/Mierzwa) Approve the consent calendar which includes acceptance of accounts payable and the July 27, 2011 minutes. All in favor.

Call Items: Item 8bii, Councilman Titus explained that under the item of Wind Turbines, where it reads "This project violates the core values in this community," he explained that he was not against the project, but that according to the very preliminary plans dealing with the notion that homes could be removed or residential areas moved, that would be against the core values of the community. He understands that transportation is part of the project proposal. He would like the minutes to reflect that: *"Although I understand that transportation is part of the proposed project, the idea of removing homes or businesses would violate the core values in this community. This project violates the core values in this community."* MOTION: (Titus/Farley) Approve the minutes from the August 4, 2011 meeting, as amended. All in favor.

Presentation: Representing ShellWind were Kevin Simmon, Tom Lee, Craig Sheffler, Pana Ratuna and Cate Powers. Mr. Ratuna gave a slide presentation and answered questions. ShellWind has developed eight wind farms in the U.S. and three in Europe. ShellWind has been in this area since 2004. They are now working on environmental studies with Fish & Game, Fish & Wildlife, Humboldt County, Coastal Commission, CPUC, Federal Aviation, NOAA. There will be public comment period towards the end of next year, with possible construction in 2014. Transmission lines will go to the Rio Dell substation; there will be network upgrades. The transportation studies identified five routes; however, ShellWind will not consider cutting down our Christmas Tree, taking houses or historic structures, or using Monument Road. There will be job creation; 8-12 during operations, 100-125 indirect jobs. There will be economic benefits, infrastructure upgrades and social investments. The lines from Rio Dell to Eureka will be upgraded. Citizen and council comments included: have they contacted Pacific Lumber Company to use their summer bridge and skid roads? If the decision of the community is that we don't want this, what will happen? How about air lifting parts and equipment? Won't trucking parts and equipment through Ferndale affect personal property? Houses already shake with the traffic that is on Main Street now. This is the Victorian Village; what is going to happen to our property values? Could ShellWind give an example of a project that was let go because of community comment? Do any of the representatives from ShellWind present at the meeting have windmills near where they live? Ferndale would not be reaping any benefits from the project. At what point does it become a done deal? Loleta will have a clear view of the turbines. What about red lights? Where will the aggregate come from, as there would

be 50 cubic yards per turbine? Some of the routes show going up the Wildcat. Who will have to make modifications to the road? The Wildcat provides springs for water to the City of Ferndale. How about airlifting the blades and tower sections? How are the citizens of Ferndale involved as stakeholders? Do the citizens of Ferndale want heavy trucks going through Ferndale? Fernbridge is 100 years old with only two narrow lanes. How will we get in and out of town? Is there a Phase II and Phase III? The County is the lead agency on the EIR, which they have been working on since 2010. The EIR is on hold, waiting for information from ShellWind. When the EIR is complete, the county will gather comments and the County Planning Commission will decide on a conditional use permit. The City of Ferndale doesn't have direct veto power over the County Planning Commission. The City can appeal the County Planning Commission's decision to the Board of Supervisors. Comments included: Why would ShellWind continue to spend money when we don't want the project? If the Ferndale City Council doesn't give encroachment permits through the city, will that stop the project? The lights on the towers will ruin our night sky. Can you put it to a vote? Can ShellWind access Bear River without going through Ferndale? What transmission lines will be upgraded? Have you looked at our climate? From November through May there are slides on Blue Slide – it is dangerous. Can you get barge access from the sea? The visual impact from Fernbridge may have a deleterious effect on tourism, which is very important here. Loleta will be able to see the lights and it would be noisy. Can we have more information from ShellWind? Going through Ferndale is not the best route. The old-time families logged the hills and money was invested in the community. Is there a habitat conservation Plan? Councilmen Mierzwa and Maxwell have concerns on tourism, infrastructure, and habitat conservation. Councilman Lorenzen reported that at one time there were 43 loads of timber a day going through Ferndale. Councilman Titus remarked that we were much better informed after ShellWind's visit.

Navy Housing Acquisition: City Manager Jay Parrish thanked Mike Thompson Liz Murgia, John Driscoll, the Ad Hoc Committee (Maryann Bansen, Dick Hooley, Mike Moreland) and all others involved in the Navy Housing Acquisition. Elizabeth Conner reported that we now have documents for which we have been waiting. The Navy's Environmental report shows that although there is some minor lead based paint and non-friable asbestos containing material, there are no environmental conditions that would prevent conveyance to the City of Ferndale. The City or the future owner will have to remediate. The Preliminary Title Report through Humboldt Land Title shows no debts, liens, unpaid taxes, and no issues of concern. There are two easements: sewer and PG&E. There is a lease hold on the title, and we are working with the Navy to have it removed. The lease which runs from 1959-2014 is with a company that is now out of business. The Quit Claim Deed shows a deposit in escrow. There are no guarantees: Ferndale will accept the property as is. The dwelling units shall be used for the purpose of low- and moderate-income in perpetuity. The Planning Commission has determined that the acquisition is consistent with the General Plan. Questions and comments from the audience included: The lead paint issue should be resolved before the units are rented out. There are EPA laws that contractors have to follow if the complex is public housing. (Conner remarked that the property will belong to a private individual or a private non-profit.) In reply to someone who wanted to know more about the lease, Conner said the lease had to do with when the complex was used by the Navy as a housing facility for workers at Centerville Beach. Karen Ringel of the Navy says the company was never in the picture and may have lost their right. It is very low risk. What would it cost to buy out the lease? Theoretically someone could come forward and say "we have a right to lease this property." This is known as a "cloud on the property", and its effect on the Council is microscopic. Will any of the properties be for sale? A citizen remarked that she strongly urged the city to accept the complex for families, seniors and others who need housing. MOTION: (Maxwell/Titus) Approve Resolution 2011-36 Accepting real property interests from the United States of America in the Real Property identified by Assessor Parcel numbers

030-101-007-000 and 030-141-009-000 (Naval Facility Centerville Quarters), and authorizing the City Manager to execute all necessary documents. Four Ayes, one Nay from Niels Lorenzen.

Wastewater Treatment Plant: Project Manager Kent Hanford brought the council up to date on the progress at the Wastewater Treatment Plant. MOTION: (Maxwell/Mierzwa) Approve Resolution 2011-37 for 13th Progress Pay Request for Management and Construction Related Costs for the Wastewater Treatment Plant. All in favor.

Street Improvement Priority List: City Manager Jay Parrish reported that he will continue to update the list. Granite Construction went through town and prioritized repair on streets. He has coordinated the list with all departments, and included Del Oro Water Company. The meeting was adjourned at 10:02pm. The next regular meeting will be on October 6, 2011.

Respectfully submitted:

Nancy Kaytis-Slocum
City Clerk

City of Ferndale, Humboldt County, California USA

City Council Minutes for the September 7, 2011 Special Meeting 7:00 p.m.

Page 1

Mayor Jeffrey Farley called the Special Meeting to order at 7:05 p.m. Present were Councilmen Titus, Maxwell, Mierzwa and Lorenzen as well as City Manager Jay Parrish, Finance Manager Deb Austrus and Consultant Elizabeth Conner.

The City Manager gave an update on the 52-unit Navy Housing and Elizabeth Conner talked about the due diligence performed by the city.

Don Hindley of the Bertha Russ Lytel Foundation and the L.D. O'Rourke Foundation gave a presentation on the plans for the Navy Housing. Both Foundations have cash available to make improvements and change the look of the houses in that area. They also have plans of putting in new sidewalks and a recreation room. They have no plans of selling any of the properties.

Larry Parker gave a presentation on the plans he and his investors have on the Navy Housing which include having low to moderate housing available to buyers and renters. Purchasing the properties from the City will create revenue that could not go into the General Fund but could go into affordable housing.

Several citizens spoke in favor of the Lytel Foundation and the O'Rourke Foundation.

Resolution 2011-38 Authorizing the City Manager to Negotiate Exclusively with Lytel Foundation and its subsidiary the O'Rourke Foundation interested in Owning and Managing the Ferndale Housing Complex:

MOTION: (Titus/Maxwell) Approve Resolution 2011-38 Authorizing the City Manager to Negotiate Exclusively with Lytel Foundation and its subsidiary the O'Rourke Foundation interested in Owning and Managing the Ferndale Housing Complex. Four ayes with one abstain from Lorenzen.

No Closed Session.

The meeting was adjourned at 8:00 pm.

The next regular council meeting will be October 6, 2011.

Respectfully Submitted:

Deb Austrus

Finance Manager

Section 9

CALL ITEMS

*These are items pulled from the consent agenda
for discussion and a separate motion.*

Section 10

PRESENTATIONS

Section 11
BUSINESS

Meeting Date:	October 6, 2011	Agenda Item Number	11a
Agenda Item Title:	Update on Acquisition and Conveyance (possible action) of Navy Housing		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve MOU and conveyance of the Navy Housing to the O’Rourke Foundation.

BACKGROUND:

On the acquisition of the property from the Navy:

Both the City and Navy completed and signed all necessary documents and deposited them into escrow. Staff was successful in working with the Navy and the escrow company to get the old lease removed from the title. The documents have been recorded and as of October 1, 2011, the City is the owner of the former Navy housing complex.

On the conveyance to an entity who will own and manage the property as affordable housing for seniors and families:

At the last meeting, your Council authorized the City Manager to exclusively negotiate with the Lytel/O’Rourke Foundation. Since that time, we prepared a draft agreement for review by Lytel/O’Rourke staff and Board of Directors. We have had several “negotiating” meetings with their staff. We are pleased to report that the negotiations are going well and we expect to have a proposed Memorandum of Understanding (MOU) to bring before your Council this meeting. If approved, it will go to the Lytel/O’Rourke Board.

To finish the proposed agreement, we need to complete a thorough review of physical and legal issues so that the City can concentrate on topics that need to be included. Because this was a military development many of the normal development procedures did not take place.

The City does not possess plans, easements, or right of ways for infrastructure in this development. Part of the City's due diligence is to inventory these needs and ensure they are adequately addressed.

Once the parties have reached agreement on the MOU, the following steps will complete conveyance to Lytel/O'Rourke Foundation:

1. Final MOU approved by resolution of both parties and signed;
2. Parties agree to open escrow and open;
3. Escrow officers send instructions to both parties for review;
4. Special Counsel reviews escrow instructions and other docs with City Manager;
5. Receive from Lytel/O'Rourke: Board of Directors resolution designating an authorized signer; Board of Directors resolution accepting real property; evidence certifying their 501(c) (3) status; signed and notarized copies of escrow instructions, deed, accounting statement and MOU.
6. Staff review docs from Lytel and prepares staff report and resolution to convey for City Council;
7. Resolution to convey property to Lytel/O'Rourke approved by City Council;
8. City Council Resolution is signed and notarized and deposited in Escrow; and
9. Escrow is closed and the property conveys to Lytel O'Rourke.

Lastly, whether or not the conveyance is completed by then, we are planning a ceremony to receive the property from the Navy on Saturday, October 22, 2011 from 2:30 to 3:15pm. The date has been set so that Congressman Mike Thompson could attend.

FISCAL IMPACT:

Unknown at this time.

Meeting Date:	October 6, 2011	Agenda Item Number	11b
Agenda Item Title:	Memorandum of Understanding between the City of Ferndale and Eel River Disposal Inc.		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve the Memorandum of the Understanding between the City of Ferndale and Eel River Disposal Company, Inc to establish the city’s Green Waste curbside collection program and approve Resolution 2011-40.

BACKGROUND:

A number of months ago the council approved the City Manager negotiating with Eel River Disposal regarding the Green Waste Program. The city has kept a list of people in the community who wish to have this service and we have reached the required numbers to initiate this program. What is in front of you tonight is an MOU that initiates a pilot program of green waste pick up for a year. After that time Eel River Disposal and the city can evaluate whether the program should continue or not, as well as possible rate structure adjustments.

FISCAL IMPACT:

None

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF FERNDALE AND EEL RIVER DISPOSAL
COMPANY, INC. TO ESTABLISH THE CITY'S GREEN
WASTE CURBSIDE COLLECTION PROGRAM**

This Memorandum of Understanding is entered into as of November 1, 2011 between Eel River Disposal Company, Inc. ("ERD") and the City of Ferndale ("City").

RECITALS

- A. **WHEREAS**, ERD holds the exclusive franchise from the City for the collection of solid waste and the exclusive right to collect recyclable materials placed at curbside (the "Franchise Agreement") and
 - B. **WHEREAS**, the Franchise Agreement defines recyclable materials to include yard trimmings ("Green Waste") and
 - C. **WHEREAS**, ERD and the City are interested in (1) gauging and generating interest in, (2) understanding the extent of the expected costs and (3) judging the value of the particular approaches of collecting Green Waste, and
- NOW, THEREFORE**, the City and ERD agree to this Memorandum of Understanding to create a trial program for the collection of Green Waste within the City:
- 1. From as soon after such date as the City executes this Agreement that ERD can proceed to October 31, 2012, there will be a program for the collection and reuse of Green Waste.
 - 2. The program will involve the use of supplied specially designated sixty eight gallon Green Waste totes which will be picked up every other week during the Program. ERD will establish rules governing the location and placement of totes for pick up and the non-contamination of material. The Green Waste will be transported to Scotia where it will be used to generate electricity or to the City of Fortuna's corporation yard. If this use of the material becomes unavailable or not fully available, the Program shall be suspended until ERD and the City can agree on a new delivery point and any other needed changes to the terms of the Program.
 - 3. The participants in the Program must specially sign up for the participation in the Program. Participants will pay \$ 3.00 per month for the service during the Program. The cost of the service will be added to the participant's current garbage or recycling service bill and is available to private residents, multifamily housing and businesses.
 - 4. The City, with the advice and review of ERD will provide Program publicity in a similar manner as the Single Stream Recycling Collection Program under the Franchise Agreement and ERD will also provide Green Waste publicity to its current customers along with its billing for service.

5. Three months before the one-year anniversary of the Program, the City and ERD will meet to discuss the level of customer interest, what opportunities exist to enhance customer interest, what the per customer cost to provide this service was, the future prospects for Green Waste disposal and the level of contaminated materials in the Green Waste stream, all in connection with mutually drafting an appropriate Franchise Agreement amendment and serving an appropriate rate for Green Waste collection as part of the Franchise Agreement. The Franchise Agreement amendment shall include a vehicle to changing rates as costs escalate or if the location or cost of disposal should change.
6. If the Program is not sufficiently used to reasonably sustain operations, ERD and the City may agree to terminate the Program early upon giving subscribers thirty days' notice.

City of Ferndale, a Municipal Corporation

By: _____

Mayor Jeff Farley, City of Ferndale

Eel River Disposal Company, Inc.

By: _____

President Harry A. Hardin, Eel River Disposal Co.

RESOLUTION 2011-40**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF FERNDALE AND EEL RIVER DISPOSAL
COMPANY, INC. TO ESTABLISH THE CITY'S GREEN
WASTE CURBSIDE COLLECTION PROGRAM**

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 - 10. The City, with the advice and review of ERD will provide Program publicity in a similar manner as the Single Stream Recycling Collection Program under the Franchise Agreement and ERD will also provide Green Waste publicity to its current customers along with its billing for service.
 - 11. Three months before the one-year anniversary of the Program, the City and ERD will meet to discuss the level of customer interest, what opportunities exist to enhance customer interest, what the per customer cost to provide this service was, the future prospects for Green Waste disposal and the level of contaminated materials in the

Green Waste stream, all in connection with mutually drafting an appropriate Franchise Agreement amendment and serving an appropriate rate for Green Waste collection as part of the Franchise Agreement. The Franchise Agreement amendment shall include a vehicle to changing rates as costs escalate or if the location or cost of disposal should change.

12. If the Program is not sufficiently used to reasonably sustain operations, ERD and the City may agree to terminate the Program early upon giving subscribers thirty days' notice.

PASSED AND ADOPTED on this 6st day of October, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeffrey Farley, Mayor

ATTEST:

Debbie Austrus, Deputy City Clerk

Meeting Date:	October 6, 2011	Agenda Item Number	11c
Agenda Item Title:	Resolution 2011-39 for 14 th Progress Pay Request for Management and Construction Related Costs for the WWTP		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve Resolution 2011-39 14th Progress Pay Request for Management and Construction Related Costs for the WWTP.

BACKGROUND:

Work on our WWTP began on August 2, 2010 and this is the 14th draw down from the USDA loan. The costs associated with this draw down include costs from Wahlund Construction for \$569,933.82.

FISCAL IMPACT:

\$569,933.82 from the USDA loan account



Civil Engineers
Surveyors
Water Resources Engineers
Water & Wastewater Engineers
Construction Managers
Environmental Scientists
Landscape Architects
Planners

September 28, 2011

Mr. Jay Parrish
City Manager
City of Ferndale
834 Main Street
Ferndale, CA 95536

RE: City of Ferndale Wastewater Treatment Plant Additions

Dear Mr. Parrish:

The Wastewater Treatment Plant Project has begun the 15th month of construction and all process equipment has begun operation. The UV disinfection system is now on line and the effluent being produced meets the requirements of the Regional Water Quality Control Board discharge permit. The effluent pumpstation that discharges effluent to irrigation and Francis Creek has been through equipment start and is now in service. Preliminary punchlist items for the final completion of both the filter building and garage have been completed and the office area within the filter building has been occupied by the treatment plant operators. The remaining pipe installations will be completed once the existing treatment pond has been emptied.

The contractor has submitted the fourteenth partial payment estimate. I have reviewed the estimate and find it acceptable and appropriate for the work completed at the time the estimate was prepared. The current pay estimate includes the following:

- Contractor Operational Costs
- Garage Building Construction
- Surface Improvements Construction
- Equipment Installation and Control
- Site Utility Installation
- Effluent Pump Station Construction
- Filter Building Finishing
- Partial Release of Retention

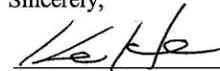
The retention required by the USDA contract specifications of ten percent, has been withheld from the partial payment request.

A summary of the current construction contract is included below

Original Contract Amount	\$	8,265,088.00
Net Total Change Orders	\$	275,104.63
Total Contract + Change Orders	\$	8,540,192.63
Contract Work + Change Order Work Completed To Date	\$	7,938,796.44
Work To Date Minus 10% Retention	\$	7,511,786.24
Previous Billed	\$	6,941,852.42
Work To Date Minus Previous Billed	\$	569,933.82
TOTAL AMOUNT DUE	\$	569,933.82

In the coming month, the treatment pond will be emptied and the wetlands earthwork within the pond will begin. The effluent return line from the pond to the treatment plant will be installed as will the effluent recirculation line from the effluent basin to the new treatment pond. Paving on Port Kenyon Road and at the treatment plant site will begin in late October or early November as will the wetlands planting and irrigation system installation. In early November, the checkpoint bioassay test to verify performance of the UV disinfection system will be completed and the normal use of chlorine at the effluent basin will be terminated. If you have any questions, please feel free to contact me.

Sincerely,



Kent Hanford
Resident Project Representative

RESOLUTION 2011-39

THE CITY COUNCIL OF THE CITY OF FERNDALE

APPROVES THE FOURTEENTH PARTIAL PAYMENT REQUEST TO WAHLUND CONSTRUCTION, MANHARD CONSULTING FOR THE WASTEWATER TREATMENT FACILITY PROJECT

WHEREAS, Wahlund Construction began Work on our Wastewater Treatment Plant on August 2, 2010; and

WHEREAS, Manhard Consulting is supplying Construction Administration for this project; and

WHEREAS, The City of Ferndale will be processing partial pay requests on a monthly basis, as well as periodic individual bills; and

WHEREAS, The City Council has received the fourteenth partial payment request of \$569,933.82 for Wahlund. This all falls within the parameters of our WWTP budget.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ferndale hereby approves payment of the Fourteenth partial payment request in the amount of \$569,933.82 for Wahlund.

PASSED AND ADOPTED on this 6st day of October, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeffrey Farley, Mayor

ATTEST:

Debbie Austrus, Deputy City Clerk

Meeting Date:	May 5, 2011	Agenda Item Number	11d
Agenda Item Title:	Approve Wastewater Treatment Plant Change Orders 9, 10, 11 and 12.		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve Wastewater Treatment Plant Change Orders 9, 10, 11 and 12.

BACKGROUND:

The City Council will have a study session prior to this meeting, and will now vote on the change order as presented during the study session.

FISCAL IMPACT:

To be presented at the meeting.

Meeting Date:	October 6, 2011	Agenda Item Number	11e
Agenda Item Title:	Letter of Commitment as participating jurisdiction in Humboldt County Multi-jurisdictional Hazard Mitigation Planning		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Authorize City Manager to send letter and to commit time to qualify for matching funds.

BACKGROUND:

The state requires cities and community service districts as well counties to have an up to date Hazard Mitigation Plan. The city in conjunction with other entities in Humboldt County put together a qualified plan almost five years ago. Each entity is required to have a valid Hazard Mitigation Plan in order to qualify for FEMA funding in the event of a natural disaster. The City Manger acted as the city’s agent on the steering committee that developed the city and the counties plan. Because the plan needs to be updated every five years the county is coordinating the effort to once again initiate the process of updating, the City Manager’s time on the steering committee again will qualify as the necessary matching funds.

FISCAL IMPACT:

None



September 26, 2011

Cybelle Immitt
Natural Resources Planning Division
Community Development Services
County of Humboldt
3015 H Street
Eureka, CA 95501

Re: Letter of Commitment as participating jurisdiction in Humboldt County Multi-jurisdictional Hazard Mitigation Planning

Dear Ms. Immitt,

As the Federal Emergency Management Agency's (FEMA) Local Mitigation Plan requirements under 44 CFR §201.6 specifically identify criteria that allow for multi-jurisdictional mitigation plans and that many issues are better resolved by evaluating hazards more comprehensively by coordinating at the county, regional, or watershed level, the City of Ferndale is submitting this letter of commitment to confirm the City of Ferndale has agreed to participate in the Humboldt County Multi-jurisdictional Hazard Mitigation Planning.

Further, as a condition to participating in the mitigation planning; The City of Ferndale agrees to meet the requirements for mitigation plans identified in 44 CFR §201.6 and to provide such cooperation as is necessary and in a timely manner to Humboldt County to complete the plan in conformance with FEMA requirements.

The City of Ferndale understands that it must engage in the following planning process, as more fully described in FEMA's Local Multi-Hazard Mitigation Planning Guidance dated July 1, 2008, including, but not limited to:

- Identification of hazards unique to the jurisdiction and not addressed in the master planning document;
- The completion of a vulnerability analysis and an identification of risks, where they differ from the general planning area;

- The formulation of mitigation goals responsive to public input and development of mitigation actions complementary to those goals. A range of actions must be identified specific for each jurisdiction. ;
- Demonstration that there has been proactively offered an opportunity for participation in the planning process by all community stakeholders (examples of participation include relevant involvement in any planning process, attending meetings, contributing research, data, or other information, commenting on drafts of the plan, etc.); and
- Documentation of an effective process to maintain and implement the plan; and,
- Formal adoption of the Multi-jurisdictional Hazard Mitigation Plan by the jurisdiction's governing body (each jurisdiction must officially adopt the plan).

In order to meet the obligations above, The City of Ferndale commits to an in-kind grant match contribution of \$2,500.00 in the form of staff time. Therefore, with a full understanding of the obligations incurred by participating in the FEMA hazard mitigation planning process as a participant in a multi-jurisdictional plan; I Jay Parrish commit The City of Ferndale_ to the Humboldt County Multi-jurisdictional Hazard Mitigation Planning effort.

Executed this 6th day of October

Jay Parrish, City Manager

Section 12

CORRESPONDENCE

Correspondence Files are available for review at City Hall during regular business hours, Monday through Thursday, 9am to 4pm.



September 20, 2011

Lisa Bernard
Sanitary Engineering Associate
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95043

RE: City of Ferndale Wastewater Treatment Plant Storage Pond

Dear Ms. Bernard:

Construction on the City's Wastewater Treatment Plant Additions project is almost complete. The entire facility is nearly finished and most treatment process equipment is in operation. The paving of the site and Port Kenyon Road will be completed in early November after the wetlands earthwork and planting have been finished. The plant is now receiving raw sewage and the treatment tank has been seeded with sludge from the neighboring Rio Dell. The UV disinfection system is operational and the checkpoint bioassay on the UV system will be performed in mid September. By the end of September, the plant should be capable of producing effluent that meets the requirements of the RWQCB discharge permit and the project is scheduled to be complete December 4, 2011.

Through the course of construction on the project, additional or originally unanticipated work has been needed. The contract contingency has been exhausted and additional work still remains to complete the project. There is currently \$20,000 in additional work that is needed for which there is no contingency available and major excavation and paving has yet to be completed. If additional work is needed during the wetlands or paving operations, the city will not have sufficient funds to finish the project as it is currently designed. Additional modifications to the scope of the construction contract may be necessary to offset the costs of additional work required during the course of the project.

During the bidding process pond sludge removal and disposal was added to the scope of construction in anticipation of historically low contractor bids. The original scope of work did not include the sludge removal and none was required. The low bidder and eventual contractor, Wahlund Construction Inc., valued the sludge removal at \$159,000. The sludge removal is not an essential part of the wastewater treatment plant project and does not provide significant benefit to the City of Ferndale. Removing the additive bid item from the construction contract would allow the value of the sludge removal line item to be credited back to the contract so that the funds could be used to complete other essential or beneficial construction related tasks.

The City of Ferndale proposes eliminating the sludge removal line item from the construction contract to allow the funds to be used to complete other improvements that are essential to the completion of the project. If the contract line item is removed, no work will be performed to remove sludge from the existing treatment pond. All existing material will be left in place as it presently sits where it will remain submerged under a minimum of one foot of water. The

834 Main Street * P.O. Box 1095 * Ferndale CA 95536
Phone 707-786-4224 * Fax 707-786-9314
Webpage <http://ci.ferndale.ca.us> * Email citymanager@ci.ferndale.ca.us

OUT
COUNCIL
WWTF

September 20, 2011

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existing treatment pond will be modified to provide flow equalization prior to secondary treatment. Modifications will include construction of an embankment at the western perimeter of the basin. Sludge that lies under the embankment will be transferred to the existing settling basin where it will be capped with approximately ten feet of import material along with the sludge that presently lies within the future wetland footprint.

Original improvement drawings from the pond construction have been collected for reference. Boring logs in the improvement drawings show the basin liner to consist of a native clay and silty clay layer of at least two feet in thickness. The improvement plans specify the pond bottom to be compacted to 90% and pond embankment to be compacted to 95% relative compaction. The plan sheets available do not label the material type used in construction of the embankment. However, the boring logs show a dark silty clay layer above the pond bottom that was excavated during pond construction. This material was likely used to create the embankments surrounding the existing treatment pond.

The proposed improvements will reduce the size of the treatment pond but will not alter the current function of the pond. All proposed improvements will be completed within the existing treatment pond and no work will be done that will interrupt the existing liner. The proposed embankment that will create the reduced pond capacity will be constructed between the north and south embankment of the existing pond near the west end. The embankment will be constructed with a bentonite liner. All improvements will be constructed as well or better than the original pond improvements.

The existence of the sludge blanket at the bottom of the treatment pond does not appear to have any detrimental effects on the surrounding area. The native material used to construct the pond should have a very low permeability in the order of 10^{-7} meter per second. The liner constructed with the native material should create an impermeable barrier that isolates the wastewater constituents from the surrounding groundwater. In addition, the concentration of those constituents should be very low as most of the treatment pond volume is generated from stormwater infiltration. The introduction of raw wastewater will be further reduced as the wastewater treatment plant begins operation and all normal influent flows are routed through the plant. The only flows introduced to the treatment pond will be during rain events when the wastewater component of the inflow is only between five and ten percent of the total volume.

The capacity within the proposed pond will not be significantly impaired by the presence of the twelve-inch sludge blanket and twelve inches of water. Historical rainfall data and influent flow data have been evaluated to determine pond capacities throughout the year. The proposed pond has sufficient capacity to allow the sludge to remain in place beneath one foot of water and detain influent flows during peak periods. Based on expected plant discharge, influent flow data from the past year and the highest rainfall in recorded history, less than half the available storage would be utilized during peak storage demand. The remaining storage available would be sufficient to retain influent at peak inflow rates for four days without any discharge from the plant. With this in mind, the influent to the plant should continue to decline as the city aggressively pursues the I&I that cause the increases in influent rates to the plant. The city has already realized significant reductions in I&I from improvements completed in the past three years.

The City of Ferndale understands that so long as untreated wastewater is discharged directly into the treatment pond, the potential for groundwater influence will be a concern. Although there is currently no reason to believe the existing pond has any effect on groundwater, the City

834 Main Street * P.O. Box 1095 * Ferndale CA 95536

Phone 707-786-4224 * Fax 707-786-9314

Webpage <http://ci.ferndale.ca.us> * Email citymanager@ci.ferndale.ca.us

September 20, 2011

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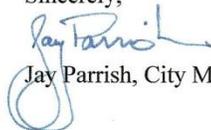
proposes that a plan be developed to address any concerns regarding the future operations of the wastewater treatment plant and pond. Before a plan can be developed, plant operators will need several seasons to adjust and balance the plant operations so as to determine the normal operation of the treatment pond. During the development and implementation of the plan, the treatment pond will be used in the same capacity as it always has providing the same treatment unit as it has previously. The City of Ferndale proposes the following schedule to implement a ground water monitoring program:

- Within four years of wastewater treatment plant completion; develop groundwater monitoring program to be approved by RWQCB
- Within two years of receipt of monitoring program approval by RWQCB, program will be implemented
- Monitor groundwater for period of three years
- Within two years of the completion of the groundwater monitoring program an improvement plan will be submitted to RWQCB for approval to address any issues that are realized during the monitoring period
- Within two years of RWQCB approval of the improvement plan, all improvements will be constructed

The elimination of the sludge removal line item from the wastewater treatment plant construction contract will provide funds for essential project related construction tasks to be completed. The presence of the wastewater sludge does not have any significant impact on the basin storage capacity and does not appear to have any detrimental effects on the surrounding groundwater. To address any concerns that may exist, the city has proposed a schedule to implement a groundwater-monitoring program that will begin upon completion of the treatment plant construction. If the RWQCB is in agreement that the treatment pond sludge removal does not need to be accomplished as a part of treatment plant construction, the City will eliminate the sludge removal from the contract and prepare for other work that is essential to the project.

If you would like to discuss this issue further, please contact me so that we can schedule a time. Thank you for your consideration in this matter as we look forward to the completion and successful operation of the City of Ferndale Wastewater Treatment Plant.

Sincerely,



Jay Parrish, City Manager

File: Correspondence WWTF Water Quality Control Board

Copy: Kent Hanford, Manhard



Suzannah E. Mellon ©1992

Sept 27, 2011

Don Hindley, Manager
Bertha Russ Lytel Foundation
P.O. Box 893
Ferndale, CA 95536

Subject: Support letter for Police Department grant request

Dear Mr. Hindley:

On behalf of the City of Ferndale I want to express our support for the request by the Police Department. I have included all the information the Police Department has compiled and believe the project will help us improve the quality of service for our citizens as well as give our employees a better, more professional atmosphere to serve our community.

Sincerely,

Jay Parrish
City Manager

CDNY



First American Title

First American Title Company
9201 Camino Media, Suite 100
Bakersfield, CA 93311
(661)617-1502
Fax - (666)780-1520

ESCROW INSTRUCTIONS

TO: **First American Title Company ("First American")**
Attn: **Nancy Smith (Escrow Officer)**

Date: **September 16, 2011**
File No.: **1503-3610884 (NS)**

Property: **Former Centerville Naval Housing Ferndale, CA**

This escrow has been opened pursuant to that certain real estate purchase agreement entitled "**Escrow Agreement**" dated as of **September 28, 2010** ("Purchase Agreement") by and between **Naval Facilities Engineering Command ("Seller")** and **First American Title Company, ("Escrow Agent")** in anticipation of the **City of Ferndale ("Buyer")** coming in as Buyer with regard to that certain real property commonly described as **Former Centerville Naval Housing**, in the City of **Ferndale**, County of **Humboldt**, State of **California**. The terms and conditions of the Purchase Agreement are incorporated herein by reference. First American has been requested to act as escrow agent for the Buyer and Seller (jointly referred to as the "Parties" and individually as a "Party") under the Purchase Agreement.

First American is willing to act as escrow agent ("Escrow Agent") for the parties pursuant to the Purchase Agreement subject to the following terms and conditions.

1. Obligations of Escrow Agent:

- a) Record government's quit claim deed the City of Ferndale. Said document will be prepared and deposited with escrow holder by seller.
- b) Upon recordation of deed disclosed in item a above, wire funds in the amount of \$3,650,000.00 to SWIFT/BIC Identifier Code: CITIUS33, Fed Routing #021000089
- c) Mail check for balance remaining in escrow account in the approximate amount of \$961,923.49 less escrow charges negotiated in the amount of \$1,150.00 to the Office of Economic Adjustment, Office of the Secretary of Defense, 400 Army Navy Drive, Suite 200, Arlington, VA 22202-4704, Attn: Nia A. Hope, Project Manager

- 2. Satisfaction of Executory Terms:** Pursuant to the Purchase Agreement, the consummation of the escrow is subject to satisfaction of certain executory terms and provisions which are not the responsibility of Escrow Agent. These instructions, when executed and delivered to escrow holder along with Quit Claim deed, shall be notice to escrow holder that all parties have satisfied executory terms and notification that escrow is ready to close.

ALL PARTIES ARE AWARE THAT CITY OF FERNDALE IS ACCEPTING PROPERTY "AS IS" WITHOUT REPRESENTATIONS OR WARRANTIES TO WHICH ESCROW HOLDER HAS NO DUTIES, RESPONSIBILITIES OR LIABILITIES.

CITY OF FERNDALE ACKNOWLEDGES THE OFFER OF TITLE INSURANCE BY ESCROW HOLDER. CITY OF FERNDALE IS NOTIFYING ESCROW HOLDER BY EXECUTION OF THESE INSTRUCTIONS, THEY WAIVE THE RIGHT TO OBTAIN A POLICY OF TITLE INSURANCE FROM FIRST AMERICAN TITLE COMPANY.

First American Title Company

File No.:1503-3610684 (NS)

CITY OF FERNDAL TO DEPOSIT WITH ESCROW HOLDER A CERTIFICATE OF ACCEPTANCE SIGNED BY AUTHORIZED SIGNATORY TO BE ATTACHED TO THE QUIT CLAIM DEED WHEN PRESENTED TO COUNTY RECORDER.

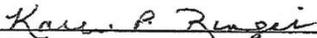
CITY OF FERNDAL ACKNOWLEDGES THEY HAVE COMPLIED WITH DEPOSIT INTO ESCROW OF THE SUM OF \$1.00 WHICH WILL BE DISBURSED TO THE OFFICE OF ECONOMIC ADJUSTMENT PURSUANT TO DISBURSEMENTS LISTED ABOVE.

- 3. **General Provisions:** Escrow Agent's duties and responsibilities in this escrow are subject to the General Provisions. To the extent that the Purchase Agreement is inconsistent with the General Provisions, the terms of the General Provisions shall control as to Escrow Agent's rights, duties and responsibilities.

Document/Funds Delivery: After close of escrow, all documents, funds and statements are to be sent to the undersigned at the addresses provided to Escrow Agent.

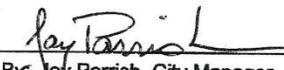
SELLER:

Naval Facilities Engineering Command


By: Karen P. Ringel, Real Estate
Director NAVFAC Southwest

BUYER:

City of Ferndale


By: Jay Parrish, City Manager

Notary Acknowledgment Attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Humboldt

On 9-22-2011 before me, Kelli Kristine Boots, Notary

personally appeared Jay Parrish

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature: Kelli Kristine Boots
Signature of Notary Public

OPTIONAL
Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

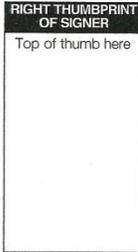
Description of Attached Document
Title or Type of Document: Quitclaim Deed

Document Date: 9-22-2011 Number of Pages: 11

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)
Signer's Name: N/A Signer's Name: N/A

- | | |
|--|--|
| <input type="checkbox"/> Corporate Officer — Title(s): _____ | <input type="checkbox"/> Corporate Officer — Title(s): _____ |
| <input type="checkbox"/> Individual | <input type="checkbox"/> Individual |
| <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General | <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General |
| <input type="checkbox"/> Attorney in Fact | <input type="checkbox"/> Attorney in Fact |
| <input type="checkbox"/> Trustee | <input type="checkbox"/> Trustee |
| <input type="checkbox"/> Guardian or Conservator | <input type="checkbox"/> Guardian or Conservator |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| Signer Is Representing: _____ | Signer Is Representing: _____ |



Recording Requested by, and
When recorded Mail to:
Naval Facilities Engineering Command Southwest
Attn: Real Estate Department
1220 Pacific Highway
San Diego, CA 92132

EXEMPT FROM RECORDING FEE
(Government Code Section 6103)
EXEMPT FROM DOCUMENTARY
TRANSFER TAX (Rev & Taxation Code Section 11922)

QUITCLAIM DEED

THIS INDENTURE, made this 21st day of September 2011, between the UNITED STATES OF AMERICA, acting by and through the Commanding Officer, Naval Facilities Engineering Command Southwest, San Diego, California, hereinafter referred to as the GOVERNMENT or GRANTOR, and the CITY OF FERNDALE, located in HUMBOLDT COUNTY, a municipal corporation of the STATE OF CALIFORNIA, hereinafter referred to as the GRANTEE.

WHEREAS, the GOVERNMENT has determined that certain property known as the former Fairview Housing Facility located in the TOWN OF FERNDALE six miles east of the former Naval Facility, Centerville Beach consisting of approximately 11.68 acres of land more or less, together with improvements and certain related personal property thereon, hereinafter referred to as the PROPERTY, are not needed for public purpose; and.

WHEREAS, United States Public Law 111-84, Section 2854, hereinafter referred to as PUBLIC LAW, provides the Secretary of the Navy the authority to convey the PROPERTY to the GRANTEE pursuant to certain conditions, restrictions and limitations, as set forth in the PUBLIC LAW.

WITNESSETH: That the GOVERNMENT in accordance with the PUBLIC LAW does, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and subject to any easements and encumbrances of record and subject to the reservations, exceptions, notices, covenants, conditions and restrictions expressly contained herein, remise, release and quitclaim unto the GRANTEE, its successors and assigns, to have and to hold forever, except as specifically required by Title 42, United States Code at Section 9620(h)(3)(B) and as provided herein, without any warranty express or implied, all right, title and interest to the underlying estate, buildings, structures, improvements and related personal

property situated thereon, which the GOVERNMENT has in and to the PROPERTY, consisting of approximately 11.68 acres more or less, as described in Exhibit "A" and as shown on Exhibit "B," respectively, each attached hereto and by this reference made a part hereof.

**NOTICES, COVENANTS, CONDITIONS, EXCEPTIONS,
RESERVATIONS AND RESTRICTIONS**

1. The GRANTEE hereby accepts conveyance of the Property subject to all covenants, conditions, and restrictions, easements, rights-of-way, reservations, rights, agreements, encumbrances, whether recorded or unrecorded pertaining to the Property as of the date of execution of this Deed.

2. A Final Environmental Condition of Property ("ECP") Report, Ferndale Housing Area, Naval Facility Centerville Beach, Ferndale, California, dated 19 July 2011 ("Final ECP Report") has been completed. The Final ECP Report, and the various documents described as Related Reports at Section 2.3 therein, reference and describe environmental conditions on the Property and on other property not subject to this Deed, and are hereby incorporated by reference and made a part hereof as if set out in length. GRANTEE acknowledges that it has received a copy of the Final ECP Report; that it is aware of the notifications and restrictions therein; and that all documents referenced therein have been made available to GRANTEE for inspection and copying.

3. Except as otherwise provided herein, or as otherwise provided by law, the Grantee acknowledges that it has inspected, is aware of, and accepts the condition and state of repair of the Property, and that the Property is conveyed "AS IS" and "WHERE IS" without any representation, promise, agreement, warranty or guaranty on the part of the Grantor regarding such condition and state of repair; or quality, quantity, character, size or kind; or fitness for any particular purpose; or regarding the making of any alterations, improvements, repairs or additions. The Grantee further acknowledges that the Grantor shall not be liable for any latent or patent defects in the Property except to the extent required by applicable law.

4. Grantee covenants on behalf of itself, its successors and assigns, that the Property shall be used for purposes of low- and middle-income housing in accordance with the terms of the above-referenced PUBLIC LAW.

4. Asbestos Containing Material:

4.1. GRANTEE is hereby informed and does hereby acknowledge that hazardous materials in the form of asbestos or asbestos-containing materials ("ACM") have been found or may be presumed to exist in buildings and structures on the Property. The Final ECP Report identifies buildings and structures on the Property in which asbestos or ACM hazards exist or may be presumed to exist, and discloses the presence of known asbestos or ACM in such buildings and structures, including any known asbestos hazards.

4.2. GRANTEE covenants and agrees that it will comply with all applicable federal, state, and local requirements relating to asbestos and ACM in its use and occupancy of the PROPERTY. GRANTEE acknowledges that the GRANTOR assumes no liability for damages for personal injury, illness, disability, or death to the GRANTEE, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos or ACM on the Property, arising after the conveyance of the Property from the GRANTOR to the GRANTEE, whether the GRANTEE has properly warned, or failed to properly warn, the persons injured.

5. Lead Based Paint (LBP):

5.1. The Property may include improvements that were constructed prior to 1978 and that contain or are presumed to contain LBP. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Pursuant to 40 CFR Section 745.113 the following notice is provided; "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase."

5.2. GRANTEE hereby acknowledges the required disclosure of the presence of any known LBP and/or LBP hazards in target housing constructed prior to 1978 in accordance with the Residential Lead-Based Paint Hazard Reduction Act of 1992, 42 U.S.C. Section 4852d (Title X). The GRANTEE acknowledges the receipt of available records and reports pertaining to LBP and/or LBP hazards, including but not limited to the Lead Inspection and Risk

Assessment Report, Ferndale Housing Area, July 2011 ("LI/RA Report"), and receipt of the Environmental Protection Agency (EPA) approved pamphlet "Protect Your Family from Lead in Your Home" (EPA 747-K-94-001). Furthermore, the GRANTEE acknowledges that it has read and understood the EPA pamphlet.

5.3. GRANTEE covenants and agrees that, in any improvements on the Property defined as target housing by Title X and constructed prior to 1978, LBP or LBP hazards will be disclosed to potential occupants in accordance with Title X before use of such improvements as a residential dwelling (as defined in Title X), or as a child-occupied facility (as defined in 40 CFR Section 745.223), including but not limited to day-care centers, preschools and kindergarten classrooms. Further, the GRANTEE covenants and agrees that LBP hazards in target housing will be abated in accordance with both Title X and the requirements of this QUITCLAIM DEED before use and occupancy as either a residential dwelling or child-occupied facility. "Target housing" means any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than six [6] years of age resides, or is expected to reside, in such housing) or any zero-bedroom dwelling.

5.4. GRANTEE covenants and agrees that in its use and occupancy of the Property, it will comply with Title X and all applicable federal, state, and local laws relating to LBP. The GRANTEE acknowledges that the GRANTOR assumes no liability for damages for personal injury, illness, disability, or death to the GRANTEE, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with LBP on the Property, arising after the conveyance of the Property from the GRANTOR to the GRANTEE, whether the GRANTEE has properly warned, or failed to properly warn, the persons injured.

5.5. GRANTEE covenants and agrees that it shall abate any and all damaged LBP or other lead-based paint hazards within, or on the exterior surfaces of, or adjacent to structures situated on the PROPERTY, including any common areas of such structures, and lands surrounding such structures belonging to an owner and available for use by residents (including outbuildings, fences, play equipment and play areas), as identified in the LI/RA Report, prior to use of any such structure containing such lead hazard(s) as either a residential dwelling or child-occupied facility. Any such abatement shall be performed in accordance with all applicable federal, state and local requirements. Lead-based paint hazards which must be abated prior to use of such structures as residential dwellings or as child-occupied facilities include, but may not be limited to, lead dust at 110 Fairview Drive, 115 Fairview Drive, and 124 Fairview Drive, as indicated in the LI/RA Report Survey.

6. CERCLA Notices and Covenants:

6.1. **Notices: Hazardous Substance Notification.** Pursuant to 42 U.S.C. § 9620(h)(3)(A), and the provisions of 40 C.F.R. Part 373, the Grantor hereby gives notice that hazardous substances were stored for one year or more, released or disposed of on the Property. The information contained in this notice is required by regulations promulgated under Section 120(h) of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA or "Superfund"), 42 U.S.C. § 9620(h). The Grantor has made a complete search of its files and records concerning the Property. Based on that search, the type and quantity of such hazardous substances, the time at which such storage, release or disposal took place, to the extent such information is available, and a description of the remedial action taken, if any, is contained in the Final ECP Report, a copy of which has been provided to GRANTEE, as noted above herein.

6.2. **Grant of Covenant [CERCLA 42 U.S.C. Section 9620(h)(3)(A)(ii)(I)].** The GRANTOR covenants and warrants that all remedial action necessary to protect human health and the environment with respect to any hazardous substance remaining on the Property has been taken before the date of transfer.

6.3. **Additional Remediation Obligation [CERCLA 42 U.S.C. Section 9620(h)(3)(A)(ii)(II)].** The GRANTOR covenants and warrants that GRANTOR shall conduct any additional remedial action found to be necessary after the date of transfer for any hazardous substance existing on the Property prior to the date of this Deed. This covenant shall not apply to the extent that the GRANTEE caused or contributed to any release or threatened release of any hazardous substance, pollutant, or contaminant.

6.4. **Access [CERCLA 42 U.S.C. Section 9620(h)(3)(A)(iii)].** In connection with GRANTOR's covenant in 2.6.3 above and in connection with ongoing remediation on GRANTOR's property adjacent to the Property, GRANTEE agrees on behalf of itself, its successors and assigns, as a covenant running with the land, that GRANTOR, or its agents, employees, contractors and subcontractors, shall have the right, upon reasonable notice to GRANTEE, to enter upon the Property in any case in which a response action, or corrective action is found to be necessary at such property after the date of this deed, or such access is necessary to carry out a response action, or corrective action on adjoining property. GRANTEE shall not have any claim on account of such entries against the GRANTOR or any of its agents. In exercising its right of access, except in case of imminent and substantial endangerment to human health or the environment, the GRANTOR (1) shall give the GRANTEE reasonable notice of any action to be taken related to such remedial or corrective actions on the Property, and (2) make reasonable efforts to minimize interference with the ongoing use of the Property. Furthermore, the GRANTOR and GRANTEE agree to cooperate in good faith to minimize any

conflict between the necessary environmental investigation and remediation activities and the GRANTEE's, its successors and assigns, use of the Property. Any inspection, survey, investigation or other response, corrective or remedial action undertaken by GRANTOR will, to the maximum extent practical, be coordinated with representatives designated by the GRANTEE.

7. **Non-Discrimination.** GRANTEE covenants for itself, its successors and assigns, that it will comply with all applicable provisions of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination in Employment Act of 1975 in the use, occupancy, sale or lease of the Property. The foregoing shall not be construed to prohibit the operation of federal or state approved programs focusing on the special needs of the homeless, veterans, victims of domestic violence and other classes of persons at risk; nor shall it be construed to prohibit employment practices not otherwise prohibited by law.

8. **No Hazard to Air Navigation:** GRANTEE covenants for itself, its successors and assigns, that in connection with any construction or alteration on the Property, it will obtain a determination of no hazard to air navigation from the Federal Aviation Administration in accordance with Title 14, Code of Federal Regulations, part 77, entitled "Objects Affecting Navigable Airspace," or under the authority of the Federal Aviation Act of 1958, as amended.

9. **THE CONDITIONS, RESTRICTIONS, RESERVATIONS, AND COVENANTS** set forth herein are a binding servitude on the Property, shall inure to the benefit of GRANTOR and GRANTEE and their respective successors and assigns, and will be deemed to run with the land in perpetuity, pursuant to California Civil Code section 1462 and 1471 other applicable authority.

NOTE: City Council of the City of Ferndale on September 1, 2010, in Resolution No. 2011-36 signed and recorded a CERTIFICATE OF ACCEPTANCE, hereby made an integral part of this QUITCLAIM DEED

IN WITNESS WHEREOF, GOVERNMENT has caused this Quitclaim Deed to be executed by its duly authorized Real Estate Contracting Officer this 21st day of September 2011.

UNITED STATES OF AMERICA

By: Karen P. Ringel
KAREN P. RINGEL
Real Estate Contracting Officer
Naval Facilities Engineering Command, Southwest

State of California County of SAN DIEGO ss.
On 21st Sept 2011 before me Rickey L. Roles, Notary Public,
personally appeared KAREN P. RINGEL
who proved to me on the basis of satisfactory evidence to be the
person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/it/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument. I certify under PENALTY OF PERJURY
under the laws of the State of California that the foregoing paragraph is
true and correct. WITNESS my hand and official seal.

Rickey L. Roles

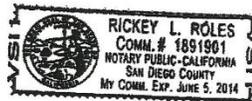


Exhibit A: Legal Description of PROPERTY

Humboldt County
Tax Assessor Parcel No. 030-101-007

That certain parcel of land situate in the County of Humboldt, City of Ferndale, State of California and more particularly described as follows:

BEGINNING on the east line of Fifth Street at a point distant thereon 632.50 feet north from the northeast corner of Fifth and "A" Streets in Shaw's Division to Ferndale; from said point of beginning; thence

- (1) North 89°27' East, and at right angles to the east line of Fifth Street, 560.00 feet; thence
- (2) North 00°33' West, and parallel to the east line of Fifth Street, 543.72 feet; thence
- (3) South 89°27' West, 560.00 feet to the east line of Fifth Street; thence
- (4) South 00°33' East, along the east line of Fifth Street, 543.72 feet to the point of beginning.

Containing 6.99 acres, more or less and as described in Warranty Deed to the United States of America filed at Volume 522, Page 446, O.R., 02/17/1959, Humboldt County Recorder, Humboldt County, CA

Humboldt County
Tax Assessor Parcel No. 030-101-010 and Tax Assessor Parcel No. 030-141-009

All that certain real property lying in Section 2, Township 2 North, Range 2 West, Humboldt Meridian, Humboldt County, City of Ferndale, State of California described as follows:

BEGINNING at the northwesterly corner of the parcel of land described in the deed, recorded June 25, 1979, in Volume 1575, Page 325, Official Records of said county;

- (1) thence along the northerly line of said parcel North 89°0'00" East, 612.43 feet;
- (2) thence leaving said northerly line, South 11°51'00" West, 292.85 feet along the easterly boundary line of said parcel of land;
- (3) thence along said easterly boundary line South 54°07'00" East, 25.10 feet;
- (4) thence continuing along said easterly boundary line South 05°15'00" West, 60.00 feet;
- (5) thence continuing along said easterly boundary line South 63°45'00" West, 54.00 feet;
- (6) thence continuing along said easterly boundary line South 46°00'00" West, 52.00 feet;
- (7) thence continuing along the boundary line of said parcel North 19°45'00" West, 31.75 feet;
- (8) thence continuing along said boundary line North 39°01'00" West, 140.35 feet;
- (9) thence continuing along said boundary line North 88°30'00" West, 220.05 feet;
- (10) thence continuing along said boundary line South 00°38'00" East, 177.54 feet;
- (11) thence leaving said boundary line South 89°30'00" West, 160.06 feet to a point on the westerly boundary line of said parcel of land;
- (12) thence along said westerly line of said parcel North 00°31'30" West, 450.00 feet to the POINT OF BEGINNING.

The above described property contains 4.69 acres, more or less and as described in Grant Deed to the United States of America filed at Volume 1610, Page 984, 04/29/1980, Humboldt County Recorder, Humboldt County, CA



First American Title Company

9201 Camino Media, Suite 100 • Bakersfield, CA 93311

Buyer's Estimated Settlement Statement

Property: Former Centerville Naval Housing to, City of Ferndale, Ferndale, CA

File No: 1503-3610884

Officer: Nancy Smith/NS

New Loan No:

Estimated Settlement Date: 08/15/2011

Disbursement Date:

Print Date: 09/14/2011, 3:10 PM

Buyer: City of Ferndale

Address:

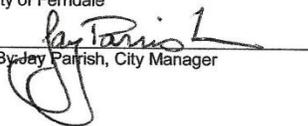
Seller: Naval Facilities Engineering Command

Address: 1220 Pacific Highway, San Diego, CA 92132-5190

Charge Description	Buyer Charge	Buyer Credit
Consideration:		
Total Consideration	1.00	
Deposits in Escrow:		
Receipt No. 745119273 on 10/08/2010 by City of Ferndale		1.00
Totals	1.00	1.00

Buyer(S):

City of Ferndale


 By Jay Parish, City Manager

* See attached Notary Acknowledgment

copy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California
 County of Humboldt }
 On 9-22-2011 before me, Kelli Kristine Boots, Notary,
Date Here Insert Name and Title of the Officer
 personally appeared Jay Parrish
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kelli Kristine Boots
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Buyers Estimated Settlement Statement

Document Date: 9-22-2011 Number of Pages: _____

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: N/A Signer's Name: N/A

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Individual
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee
<input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____ | <div style="border: 1px solid black; padding: 2px; width: fit-content; margin: 0 auto;">RIGHT THUMBPRINT OF SIGNER</div> <div style="border: 1px solid black; width: 100%; height: 100%; margin-top: 2px;"></div> <small>Top of thumb here</small> | <input type="checkbox"/> Corporate Officer — Title(s): _____
<input type="checkbox"/> Individual
<input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee
<input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____ | <div style="border: 1px solid black; padding: 2px; width: fit-content; margin: 0 auto;">RIGHT THUMBPRINT OF SIGNER</div> <div style="border: 1px solid black; width: 100%; height: 100%; margin-top: 2px;"></div> <small>Top of thumb here</small> |
|---|--|---|--|

Signer Is Representing: _____



September 1, 2011

Lisa Bernard
Sanitary Engineering Associate
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95043

RE: City of Ferndale Wastewater Treatment Plant Storage Pond

Dear Ms. Bernard,

Construction on the City's Wastewater Treatment Plant Additions project is almost complete. The entire facility is nearly finished and most treatment process equipment is in operation. The paving of the site and Port Kenyon Road will be completed in early November after the wetlands earthwork and planting have been finished. The plant is now receiving raw sewage and the treatment tank has been seeded with sludge from the neighboring Rio Dell. The UV disinfection system is operational and the checkpoint bioassay on the UV system will be performed in mid September. By the end of September, the plant should be capable of producing effluent that meets the requirements of the RWQCB discharge permit and the project is scheduled to be complete December 4, 2011.

Through the course of construction on the project, additional or originally unanticipated work has been needed. The contract contingency has been exhausted and additional work still remains to complete the project. There is currently \$20,000 in additional work that is needed for which there is no contingency available and major excavation and paving has yet to be completed. If additional work is needed during the wetlands or paving operations, the city will not have sufficient funds to finish the project as it is currently designed. Additional modifications to the scope of the construction contract may be necessary to offset the costs of additional work required during the course of the project.

During the bidding process, pond sludge removal and disposal was added to the scope of construction in anticipation of historically low contractor bids. The original scope of work did not include the sludge removal and none was required. The low bidder and eventual contractor, Wahlund Construction Inc., valued the sludge removal at \$159,000. The sludge removal is not an essential part of the wastewater treatment plant project and does not provide significant benefit to the City of Ferndale. Removing the additive bid item from the construction contract would allow the value of the sludge removal line item to be credited back to the contract so that the funds could be used to complete other essential or beneficial construction related tasks.

The City of Ferndale proposes eliminating the sludge removal line item from the construction contract to allow the funds to be used to complete other improvements that are

834 Main Street * P.O. Box 1095 * Ferndale CA 95536

✓ Corres
WWTP
WQCB
CPO

essential to the completion of the project. If the contract line item is removed, no work will be performed to remove sludge from the existing or future storage pond. All existing sludge that lies within the footprint of the proposed storage pond will be left in place as it presently sits where it will remain submerged under a minimum of one foot of water. Sludge that lies under the embankment of the proposed storage pond will be moved into the proposed wetland area where it will be capped with approximately ten feet of import material along with the sludge that presently lies within the future wetland footprint.

Original improvement drawings from the pond construction have been collected for reference. Boring logs in the improvement drawings show the pond bottom to consist of a native clay and silty clay layer of at least two feet in thickness. The improvement plans specify the pond bottom to be compacted to 90% and pond embankment to be compacted to 95% relative compaction. The plan sheets available do not label the material type used in construction of the embankment. However, the boring logs show a dark silty clay layer above the pond bottom that was excavated during pond construction. This material was likely used to create the embankments surrounding the storage pond.

The existence of the sludge blanket at the bottom of the storage pond does not appear to have any detrimental effects on the surrounding area. The native material used to construct the pond should have a very low permeability in the order of 10^{-7} meter per second. The liner constructed with the native material should create an impermeable barrier that isolates the wastewater constituents from the surrounding groundwater. In addition, the concentration of those constituents should be very low as most of the storage pond volume is generated from stormwater infiltration. The introduction of raw wastewater will be further reduced as the wastewater treatment plant begins operation and all normal influent flows are routed through the plant. The only flows introduced to the storage pond will be during rain events when the wastewater component of the inflow is only between five and ten percent of the total volume.

The storage within the proposed pond will not be significantly impaired by the presence of the twelve inch sludge blanket and twelve inches of water. Historical rainfall data and influent flow data have been evaluated to determine pond storage capacities throughout the year. The proposed pond has sufficient capacity to allow the sludge to remain in place beneath one foot of water and detain influent flows during peak periods. Based on expected plant discharge, influent flow data from the past year and the highest rainfall in recorded history, less than half the available storage would be utilized during peak storage demand. The remaining storage available would be sufficient to store influent at peak inflow rates for four days without any discharge from the plant. With this in mind, the influent to the plant should continue to decline as the city aggressively pursues the I&I that cause the increases in influent rates to the plant. The city has already realized significant reductions in I&I from improvements completed in the past three years.

The City of Ferndale understands that so long as untreated wastewater is discharged directly into the storage pond, the potential for groundwater influence will be a concern. Although there is currently no reason to believe the existing storage pond has any effect on groundwater, the City proposes that a plan be developed to address any concerns regarding the future operations of the wastewater treatment plant and storage pond. Before a plan can be developed, plant operators will need several seasons to adjust and balance the plant operations

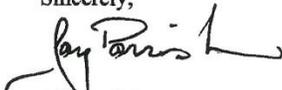
so as to determine the normal operation of the storage pond. The City of Ferndale proposes the following schedule to implement a ground water monitoring program:

- Within four years of wastewater treatment plant completion; develop groundwater monitoring program to be approved by RWQCB
- Within two years of receipt of monitoring program approval by RWQCB, program will be implemented
- Monitor groundwater for period of three years
- Within two years of the completion of the groundwater monitoring program an improvement plan will be submitted to RWQCB for approval to address any issues that are realized during the monitoring period
- Within two years of RWQCB approval of the improvement plan, all improvements will be constructed

The elimination of the sludge removal line item from the wastewater treatment plant construction contract will provide funds for essential project related construction tasks to be completed. The presence of the wastewater sludge does not have any significant impact on the basin storage capacity and does not appear to have any detrimental effects on the surrounding groundwater. To address any concerns that may exist, the city has proposed a schedule to implement a groundwater-monitoring program that will begin upon completion of the treatment plant construction. If the RWQCB is in agreement that the storage pond sludge removal does not need to be accomplished as a part of treatment plant construction, the City will eliminate the sludge removal from the contract and prepare for other work that is essential to the project.

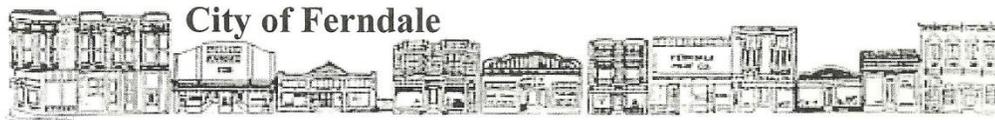
If you would like to discuss this issue further, please contact me so that we can schedule a time. Thank you for your consideration in this matter as we look forward to the completion and successful operation of the City of Ferndale Wastewater Treatment Plant.

Sincerely,



Jay Parrish
City Manager

File: Correspondence
WWTF
Water Quality Control Board
Copy: Kent Hanford, Manhard



September 1, 2011

Eric and Elizabeth Watje
630 Nicholson Avenue
Santa Clara, Ca. 95051

RE: Burglary of vehicle while walking in Russ Park

Dear Eric and Elizabeth,

On behalf of the City of Ferndale City Council I would like to express our sadness and regret that you experienced a break-in of your vehicle while enjoying our park. As far as we know this has never happened before.

We take great pride in the fact that we live in a town that experiences very little activities of this type. Please except our heartfelt regret for this occurrence.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Farley". The signature is written in a cursive, flowing style.

Jeffrey Farley, Mayor

Cc: Ferndale City Council



September 1, 2011

CITY OF FORT BRAGG
416 N. Franklin St.
Fort Bragg, CA 95437

Dear Mayor and Council,

The City of Ferndale extends our thoughts and prayers to Madeline Melo and the City of Fort Bragg during this difficult time. I have known and served with Jere on the League of Cities and had great admiration for him and his unwavering representation of his community and region. The region has lost one of our bright lights. I know that I speak for the entire Council and all of our City employees in extending our deepest condolences to Jere's wife Madeleine and family.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey Farley". The signature is written in a cursive, flowing style.

Jeffrey Farley, Mayor

Cc: Ferndale City Council

Section 13

REPORTS

Section 13a: City Manager Staff Report

CITY MANAGER:

Meetings:

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
- City Council- Sept 5:30-9:00 pm
- City Manager meeting- Sept 15- 3:00-5:00 pm
- RCEA Sept - 3:00- 5:00 pm
- Conversations with ERD numerous meetings and discussions regarding universal pickup and green waste. Should have amendment to franchise agreement on agenda that will allow us to have pilot program for the green waste.
- Weekly meeting on WWTF progress with Manhard project manager.
- Daily meetings with chief regarding police activities.
- Daily interaction with Staff regarding daily workload. We continue to look at organizational changes to adjust for City Clerk absences due to health issues of her and her husband. She will be off on family leave for possibly six weeks. I am asking Council to appoint Brianna Deputy Clerk so that we can better cover the need to respond to customer needs on a weekly basis.
- Met with construction manager, Wahlund construction representative and USDA representative, to go over monthly pay request. Also went over construction progress, and change orders. We continue to look for ways to reduce costs and save time. They have made good progress in the last several months and have made up much of the time lost during the dewatering process in December and January. Still anticipate being on time and under budget. We have spent the last six months or so looking at the possibility of not removing the sludge from the pond. The pond will be used as in the past and will supply a holding area during the rainy season for excess flow over facility capacity. Savings related to this change order will approximately equal the dewatering change order and put us at about half our contingency. We are winding down this project and not expecting to go over budget and we already are reporting better than required quality on our effluent. Reports from all agencies are positive.
- Continuing discussions with Fresnel lens committee members to go over a project to move Lens from fair to museum. On August 1^{5th} we sent a proposal to the Coast Guard and are waiting to hear back from them. We are waiting for estimation from DCI. We have not heard from Attorney General regarding our proposal.
- Numerous conversations regarding Salt River Project with Watershed Council members, NRC representatives, council members and citizens. We continue work with property owners in effort to get support for project. Hope to have work start late this fall or early next spring. The project remains very important to the City because of the location next to our wastewater facility and the health of Francis Creek and our whole drainage system. We are on the Coastal Commission agenda and hope to be successful.

- Numerous meetings with individual councilmen and the mayor regarding City issues.
- The EECBG grant is moving forward. Remember this is a grant that the City gave to the schools to do energy upgrades. Both the grammar school and high school will be receiving new lighting systems that will save them a pretty substantial amount every year. The City will be required to supply the financing and then be reimbursed for those costs within 45 days.
- Daily meetings with Public Works in morning to go over daily activities. We are waiting for an agreement with the Silva as to our access to Russ Park off Eugene Street. Francis Creek Farms has started building the cyclone fence the length of Firemen's Park. The cement work and galvanized posts should be done in a few weeks. The previous fence was in We are doing some grading work at the Bluff Street Russ Park parking lot as well as some cement pads for a bicycle rack and garbage and recycling bin. Completing creek walks but has some issues to go over with Scott Bauer regarding the High School property. Drainage ditches around town have been cleaned in anticipation of wetter weather.
- Numerous discussions with Joe Koches to discuss a major piece of art from a world famous sculpture that might be available to the city if we wanted to put it in the city green. As of the 25th Joe was still working on this.
- Daily discussions and updates on City Council agenda items and city issues with Treasurer. Considerable time in developing procedures and documentation relating to building and planning issues, and design review situations and interaction with PC and DR committee. Remember that the council has put a hold on enforcement issues relating to compliance until the committee has addressed changes to the sign ordinance. Karen Pingitore has put her name in as a potential member of the sign ordinance committee. PC will vote next month on her appointment.
- Discussions with City Planner regarding design review and planning issues. Most of time spent on Housing Element, Historical and Cultural Element, the General Plan update and city budget. Asked them about signage ordinance for possible input. Planwest is taking a larger role in our permitting process overseeing to ensure that our new process is followed.
- Navy Housing: Conversations with Karen Ringel of the Navy regarding their progress in completing the escrow and quit claim documentation. Working mainly with John Baker from the Navy on this part and he believes that he will have the necessary documentation by our meeting date. Elizabeth and Nancy have been very helpful making sure we do our due diligence. We have completed all of the requirements and as of Sept 30th we will be the new owners of the complex. Friday the property management company will turn over the keys to the City. I have been in regular communication with our attorney and consultant pertaining to the development of the MOU that will accompany the deed as they relate to conveyance to the O'Rourke Foundation. Although we are giving this full attention, it may take a month or so to complete the transaction. We are also preparing for a ceremony that will acknowledge the efforts of those involved in the acquisition process. We are trying to accommodate government officials as well as navy personnel that played a prominent role. We will inform the community and council as the details are worked out.
- Number of meetings with members of the SRWC regarding the operation and maintenance of the Salt River watershed after the project's completion. This will be the area we focus on in the next few months. We are working with the Coastal Commission on public access issues surrounding the lower reaches of the project areas and developing more interaction with other areas of the watershed and considering enlarging the board for this purpose.
- RCEA has obtained funding to complete greenhouse gas (GHG) emissions inventories for the municipal operations of Rio Dell, Ferndale, Fortuna, Arcata, Blue Lake, and Trinidad (RCEA has already completed inventories for the County and the City of Eureka). This effort is part

of the Green Communities Program administered by Pacific Gas and Electric Company (PG&E), funded by rate payers under the auspices of the California Public Utilities Commission. In 2006, the Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which set the 2020 greenhouse gas emissions reduction goal into law. It directed the California Air Resources Board to begin developing actions to reduce greenhouse gases, and the AB 32 Scoping Plan encourages local governments to adopt a GHG emissions reduction goal consistent with the State's overall goal of reducing State-wide emissions. To address this and other legislative mandates and air quality regulations that have created a need for climate action planning, the Green Communities Program is designed to provide support to local governments and communities to achieve GHG-reduction goals related to energy usage. A baseline GHG emissions inventory is an important first step in this process, and RCEA has agreed to assist with this work as a service to its member-entities at no cost to the cities.

- Numerous conversations with DF&G (Scott Bauer) going over creek maintenance and in particular the creek in front of High School. He agreed to have me go over with the High School the elements required to comply with DF&G's requirements. I have discussed this with all the parties and believe that we will comply in future.

FINANCIAL MANAGER/DEPUTY CITY CLERK:

Meetings

- Meeting with City Manager on Office Issues
- Meeting with Public Work & Admin Asst. on Community Center
- Special City Council Meeting
- Meet with Public Work about tractor

Projects

- Payroll
- Accounts Payable
- Accounts Receivable
- Answer Phones
- Purchase Various Supplies
- Receive and File June Financial Reports
- Train Admin Asst. on Accounts Receivable
- Research EQ funds

- Research PG&E bills for WWTF
- Ethics Training

CITY PLANNER:

Meetings & Planning

- Coordinated with City Manager about increased staffing and permit processing.
- Responded to housing information request from a realtor including: vacant land percentage, owner and rental occupied housing, single and multi-family units and commercial and residential zoned land percentages.
- Responded to request about adopted General Plan Elements.
- Responded to realtor request about the subdivision potential of property located on 5th street and what initial subdivision costs would be.
- Responded to request about City's demolition review procedures.
- Researched gutter replacement information and potential acceptable materials.
- Reviewed and commented on Navy Housing Deed Restrictions.
- Coordinated mapping updates for City's website.
- Attended 8/24 Planning Commission meeting.
- Participated in 8/25 Design Review Committee meeting by phone.

Projects

- 132 Ocean Ave. - Conducted 8/24 public hearing on behalf of City Engineer. Prepared and sent PC action letter to applicant.
- General Plan Update - Participated in 8/23 consultation with Bear River Band of Rohnerville Rancheria Tribal Historic Preservation Officer and City Manager.
- General Plan Update - Historical & Cultural Resources Element - Public review and hearing of Draft Element scheduled for 8/24 PC meeting. Received and incorporated DRC comments into draft Element.
- General Plan Update - Housing Element Update - Reviewed Housing Element requirement and additional analysis required.

CITY ENGINEER:

Sewer Projects: –

- New Sewer Manholes Located in Main Street with Cleanouts at various locations
 - Project has been awarded to DCI Builders.
 - DCI working with Caltrans to obtain Encroachment Permit for work on State Route (Main Street)

Pedestrian Improvement Project –

- Prepare Construction Documentation for bid
- Project is advertised for Bids (Bid opening will be Oct. 18, 2011)
- Work will proceed through the winter season

- Working on Bid Addendum to detail work on Herbert Street and clarify wet weather construction schedule

Applications –

- Correct Keyes LLA, revisions to Notice of LLA per Assessor's Office
- Approved Improvement Plan and Revised Drainage Report for Matt Pidgeon
- LLA1120 Christainsen - Conducted engineering review of LLA, site visit, correspondence with City and Utility company staff, analysis of project, prepared conditions of approval and staff report.

NAVY Housing –

- Working with the City Manager and Ms. Elizabeth Conner to identify utility and access easements that may need to be address in the MOU with the Lytel Foundation. We are looking to identify the existing inventory, determine who is responsible for maintaining infrastructure, and establish that the owning utility or agency is satisfied with the access rights for maintenance.
 - Including but not limited to:
 - Access
 - PG&E
 - City Sewer
 - Frontier Communications
 - Suddenlink
 - Del Oro Water Company
 - Storm Drain System
- Working with the City Manager and Ms. Elizabeth Conner to identify the process for building permits and renovations as required for Certificate of Occupancy on each individual structure. We will establish a process and determine responsibilities in the MOU
- Working with the City Manager and Ms. Elizabeth Conner to identify actions of future property owners that will trigger infrastructure improvement requirements. An example would be: If future owner proposes phased subdivisions or proposes additional residential structures what improvements if any would be required by the City.

General Engineering –

- WWTF Construction Permit Compliance - Correspondence with City staff and RWQCB regarding expiration date of compliance with State General Permit for Construction, discuss details of updating Storm water Pollution and Prevention Plan to maintain compliance with the State's permit.
- ARRA reporting for Pedestrian Improvement Project

- Review opportunities for new transportation projects funded by State or Federal sources
- General support for cemetery boundary line correction
- Approved Final improvement plan and drainage report for Matt Pidgeon Subdivision
- Attend HCOAG TAC Meeting
- Working on a capital improvement priority list
- Research and correspondence with City and County staff regarding Francis Creek sediment deposition and dredging.

Meetings and Committees –

- None

Reporting and Correspondence –

- Prepared monthly staff report
- General correspondence and meetings with City Staff

WASTEWATER OPERATIONS:

- Prepared monthly sample containers
- Filled out POs for monthly invoices
- New Plant Startup and Training:
 - Most of the facility components are on-line and functioning. The belt press will be started up when the plant has accumulated enough solids to waste from the plant.
 - Operator Coppini and Chief Plant Operator Culbert traveled to Manhattan, Kansas September 12-15 for process and lab training for the Aeromod system as part of Aeromod's startup contract. The operators toured one of the local Aeromod plants as well as the factory where our facility and belt press were constructed and assembled. The operators spent 10 hours in the classroom studying process control and learning how to best operate our facility in general. Operators from Florida, Oklahoma, Iowa and Kansas also attended the class.
 - Demolition of the chlorine contact chamber occurred during the month. The tank was drained and all the baffles were removed. What remains is an open basin that will now be used to briefly store the finished effluent.
 - The influent bypass station taken off line during the month.
 - The sludge cake effluent pipe was installed.
 - Started new effluent and irrigation pumps as well as put the hydro tank online. There are still a few bugs to work out but they are minimal.
 - Most of the lab equipment has been delivered and stocked. While our lab will not be certified to perform regulatory testing it will still be valuable in performing process testing that will help the operators in the operation of the system.
 - Both operators have moved into the new offices and are working full time at the facility site. Daily monitoring and periodic testing is performed. Maintenance schedules have been compiled and staff has already begun performing some of that maintenance that is required shortly after startup.
- Sewer lateral inspections at 1012 Main St and the 100 block of Berding.
- Sewer trouble call on Washington St. Staff cleared line with City owned sewer snake.
- The Main Street and Harrison manhole job, awarded to DCI Construction, is still in the permitting stage waiting for Cal Trans. Anticipate completing that job by mid-November or sooner.
- CPO trained office staff with downloading video files from August meetings.

- CPO reviewed and signed daily operation sheets for WWTF
- CPO performed the daily operation of WWTP during operator Coppini's scheduled day off.
- The state has gone to a mandatory online Electronic Self Monitoring Report(eSMR) system. All reporting is now done online. Staff will continue to send a copy to the Regional Board via email in the original format.
- Operator Coppini performed general maintenance around the facility
- Operator Coppini filed online SSO report.
- Operator Coppini performed the normal in-house weekly and monthly testing and scheduled lab work to be done.

August 2011 Flows	Total	Average	Minimum	Maximum
Influent MGD	4.350	.146	.121	.175
Effluent MGD	3.204	.103	.019	.185

PUBLIC WORKS:

Again:

Walked Frances Creek looking for obstructions.

Ongoing – Follow up on creek and speaking with property owners.

Talk with the remaining residents that have not cleaned out their portion of the creek.

CITY PROPERTY

- Firemen's Park
 - Routine Maintenance, i.e. Mowing Park and Baseball Field.
 - Routine daily walk through to pick-up garbage.
 - Mowed the Bocce area and BB Field.
 - Patched playground rubberized surface.
 - Regraded chips under the swing set.
 - Removed down tree at park from Frances Creek. Cut up and hauled away.
 - Re-stripping the parking lot at the community center.
 - Prepped infield for upcoming Bocce Tournament and watering the greens by the courts.
- Park Restrooms
 - Routinely cleaned every day of the week including weekends.
- Russ Park
 - Routine maintenance: Pulling out trash from trash & recycle bins daily.
 - Picked-up loose garbage from Russ Park.
- Town Hall
 - Routine mowing and weedeating

- Pull out trash daily
- Cleaned out redwood gutters. These gutters are in very poor condition and need replacing.
- Checked into water filtration for City Hall water. Not cost effective. Need to rehook into city water 3 to 4 months out of the year.
- Getting estimates for the roof for City Hall.
- Library
 - Routine mowing and weed eating
- City Parking Lot
 - Picked up garbage – Routinely as least once a week unless otherwise warranted.
 - Re-striping the parking lot
- Main Street Restrooms
 - Routine maintenance: Daily cleaning and stocking of Main Street Restrooms – 7 days a week.
- Community Center
 - Routine checking of CC when the facility is rented before and after.
 - Put in new combo dead bolt at the kitchen.
 - **CHILDRENS CENTER**
 - Repaired broken play equipment
 - Adjusted the lock at the CommCenter.
- Police Department
 - Routine mowing and weed eating
- Scout Hall - Routine mowing and weedeating
-
- Roadsides - Routine mowing and weed eating
- Wet Well –
- .
-
- Public Works –
- Had keys made for Coast Guard Housing.

Children's Center –

Ordered a new door for the Children's Center. The front door they have now is rotting.

Cut back the hedge

Repaired trikes

Storm Drains

Removed debris from all the drains around town. –

Sewers

STREETS AND SIDEWALKS

- Routine maintenance: Regular maintenance of roadside mowing.
- Routine picking up trash at the edge of town.
- Routine maintenance: Continuing to pick-up piles around town as resident call and request removal.
- Routine maintenance: Sweep Main St., Monday, Wednesday and Friday mornings.
- Marked out USA locates throughout town. – When needed.
- Removing piles.
- Prepared for fair. Cleaned Van Ness all the way up and down.
- Painted red curbs all over for the fair.
- Cleaning up after the fair.
- Worked on down stop sign at McKinley and Dewey St.
- Painting cross bars at Shaw and 5th four way stop. Getting ready for school to start.
- Put in new stop signs at McKinley and Dewey. Pole and sign.
- Put in new stop signs at Dewey and Jackson. Pole and sign.
- Picking up garbage all over Van Ness and surrounding streets every day (a lot) due to fair.
- Re-hung old DEAD END sign at Dewey and McKinley
- Cleaned out ditch at Nichol's Way.
- Cleaned out culvert on Washington
- Replace DEAD END sign at the end of McKinley
- Roadside mowing of Bluff and Lower Bluff St.
- Painted STOP bar at Shaw at 5th St.
- Painted crosswalks at 5th and Ocean
- Mowed the alley behind the Library
- Mowed the foot of the Wildcat and hauled off garbage.
- Sprayed throughout town within city limits as needed
- Painted STOP bars at: Eugene at Berding, Berding at Shaw, Berding at Washington, Berding and Harrison, Berding at Lewis, Berding at Fern, Berding at Rose, Rose at McKinley, Rose at Schley, Washington at Schley, Grant at McKinely, Rose at McKinley & Rose at Herbert

VEHICLE / EQUIPMENT MAINTENANCE

- Routine monthly maintenance and weekly maintenance on frequently used equipment.

-

MISCELLANEOUS

- Routine paperwork.
- Dealing with daily work orders as residents call.
- Viewed Safety videos.
- Went to Bay West to pick up supplies.

POLICE DEPARTMENT:

Faraz Soltani was sworn in as a Seasonal Police Officer.

Lee Haldorson was sworn in as a Level I Reserve Officer.

The California Law Enforcement Association of Records Supervisors (CLEARS) and the Ferndale Police Department hosted training at Town Hall on September 23. There were 30 attendees.

Officer Diaz participated with the Fire Department in planning a joint prevention day at the Ferndale Elementary School.

Chief Smith attended Kiwanis meetings/functions.

Chief Smith attended the monthly LECAH meeting.

Chief Smith attended the monthly Community Corrections Partnership Executive Committee.

Officer Diaz attended the monthly LETMA meeting.

Police Statistics – August 2011

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	1	
Assault	2	
Burglary	1	
Vehicle Theft	0	
TOTAL	4	
SECONDARY CRIMES	12	
Calls for Service	65	
Reports Written	22	
Traffic Citations	12	
Other Citations	6	

Parking Citations	0
Warnings	45
ARRESTS	10
AGENCY ASSISTS	15
TRAFFIC COLLISIONS	1

Section 13b: Commissions, Committees and Others

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Design Review Minutes for the 8/25/11 8:30am meeting</p>
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Dan Brown opened the meeting at 8:32am. Committee Members Dane Cowan, Michael Bailey, Lino Mogni and Michael Sweeney along with staff Administrative Assistant Brianna Smith and City Planner Vanessa Blodgett by phone. Members of the public Joey Jachowski, and Niels Holgersen were present.

Michael Sweeney remarked that he had not received the August 18 packet through email, and had not known of the meeting.

MOTION: (Cowan/Bailey). Approve minutes from August 4, 2011. All in favor.

MOTION: (Cowan/Bailey). Approve minutes from August 11, 2011. All in favor.

MOTION: (Cowan/Bailey). Approve minutes from August 18, 2011. Four ayes with Michael Sweeney abstaining.

1226 Main Street: Applicant to submit a revised sketch. MOTION:(Cowan/Bailey). Eliminate gable roof portion of project. Approve re roofing of main house and addition of shed roof. All in favor.

Public Education: Received a new map. Discussion involved if handbook should be 11x17 vs 8 ½ x 11. The map is much more readable in 11x17 also the text taken out to make information fit in 8 ½ x 11 can be added back. Michael Sweeney will have a print out of the handbook in 11x17 at next regular meeting for committee members to look at. Also discussed was the September 1st deadline of the Draft Historical and Cultural Resources Element. Committee member Bailey brought up that there were some errors in the background of Ferndale. There was brief mention of the Danish and that the Portuguese were left out entirely. He believes this would be a mistake and that it could upset some of the Portuguese families in Ferndale. He would like to see more information about the Portuguese and Danish influence in the Draft Historical and Cultural Resources Element. Vanessa will look into.

Sign Committee update, possible interview of volunteers from the business community: Dan Brown gave an update. Sign Committee will report directly to the Planning Commission. It was voted at the Planning Commission meeting that Phillip Ostler would be approved to serve on the Sign Committee Dan explained that the Sign Committee could start meeting with four members.

Sign Brochure: Tabled until next regular meeting

Distribution of Historic District Handbook: Tabled until next regular meeting.

Committee Member Comments: Discussion involved the confusion of who puts together the agenda for the Design Review and the question of who to present an item to for the agenda. Michael Sweeney had a question regarding the handbook and if it needed to be approved by the Planning Commission? Chairman Brown directed staff to put Chairman and Vice Chairman, meeting time and how to put an agenda together on agenda for next regular meeting.

The next regular meeting will be September 22, 2011 at 8:30am. The meeting was adjourned at 9:24.

Respectfully submitted:

Brianna Smith
Administrative Assistant

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Special Design Review Minutes for the 9/1/11 8:30am meeting</p>

Chairman Dan Brown opened the meeting at 8:30. Committee members Dane Cowan, Lino Mogni, Michael Sweeney and Michael Bailey were present along with staff Administrative Assistant Brianna Smith and member of the public Matt Beck.

No public comment.

719 Main Street: MOTION: (Cowan/Bailey). Approve roofing application to install composition shingles.

Committee Comments: It was thought that the Historic District Handbook was supposed to be on agenda for this special meeting. Dan Brown suggested that committee members be clearer to as whether they want an item on the agenda for special meeting or a regular agenda. 11x17 handbook was passed around. Does it need to go to PC? Historic District Handbook will be on next special meeting agenda. Discussion also included the Historical and Cultural Resources Element comments; it was also thought that this was going to be on agenda. It was explained by staff that the comments were not received in time to be put on agenda for this special meeting. Staff was directed to put the Historical and Cultural Resources Element on the next special agenda.

The next special meeting will be September 8, 2011. The meeting was adjourned at 9:03 am.

Respectfully submitted
Brianna Smith

Administrative Assistant

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 9/22/11 8:30am meeting

Chairman Dan Brown opened the meeting at 8:31am. Committee members Michael Bailey, Dane Cowan, Lino Mogni, and Michael Sweeney were present, along with City staff Administrative Assistant Brianna Smith and City Planner Vanessa Blodgett by phone. Members of the public Andrei Hedstrom and Neils Holgersen were present as well.

No public comment.

MOTION: Approve minutes from August 25, 2011. (Cowan/Bailey). All in favor

MOTION: Approve minutes from September 1, 2011. (Sweeney/Cowan). All in favor

831 Main Street: MOTION: Approve applicant to build fence as presented. (Cowan/Bailey).

1226 Main Street: MOTION: Approve application with the condition that a similar skirting be added to the bottom of the porch to match the existing skirting on the house. (Bailey/Cowan). All in favor.

Chair & Vice Chair: MOTION: Approve existing Chair and Vice Chair. (Sweeney/Bailey). All in favor.

Meeting time: MOTION: Approve existing meeting time. (Sweeney/Cowan). All in favor.

Agenda Assembly: It was explained that Administrative Assistant Brianna Smith is the one who puts together the agenda and packet for the Design Review and that all agenda items should be sent to her, as well as to Chairman Brown with a CC to the City Manager and City Clerk. Also Chairman Brown asked that staff send agenda items to Vice Chair Dane Cowan as well.

Public Education: No new business.

Distribution of the Historic Handbook: It was decided that the Historic Handbook needs to go to the Planning Commission. MOTION: Approve the handbook being distributed via direct mailing to residences in the Design Review Zone, business owners, property owner, also it will be distributed with new business licenses, at City Hall, Chamber of Commerce, Ferndale Museum, Committees and boards, and is to be posted on the City's website once it has been approved by the Planning Commission. (Bailey/Sweeney). All in favor.

Sign Committee Update: Michael Bailey gave an update on the Sign Committees first meeting.

Sign Brochure Draft: Remove from agenda. Will bring back if necessary.

Draft Historical and Cultural Resource Element comments: City Planner Vanessa Blodgett explained that she incorporated the corrections and comments that the DR had into the Draft Historical and Cultural Resource Element and that it will be in the Planning Commission packet for the 9/28/2011 meeting for the PC to approve.

No Committee comments.

The next regular meeting will be on October 27, 2011. The meeting was adjourned at 9:30.

Respectfully submitted,

Brianna Smith
Administrative Assistant

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of August 24, 2011

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 7:10p.m. Commissioners Trevor Harper and Dan Brown as well as staff City Clerk Nancy Kaytis-Slocum and Planner Vanessa Blodgett were present. Lino Mogni was absent. Those in attendance pledged allegiance to the flag. MOTION: (Harper/Brown): The June 15, 2011 minutes were unanimously approved. Proposed change: move item 5.2 before item 5.1.

The Chair opened the Public Hearing for the Christiansen Lot Line Adjustment, 132 Ocean Avenue: City Planner Vanessa Blodgett, as a representative of the City Engineer, gave an overview of the Lot Line Adjustment. The City Engineer intends to approve the lot line adjustment as proposed, subject to the conditions of approval included in the staff report dated 8/24/11. Commissioner Trevor Harper asked if under Findings of Fact, the third bullet under Item 4 should be changed since it does not seem applicable to this Agriculture-Exclusive project. It now reads "Is compatible with the maintenance of a healthful residential living environment and the predominantly residential character of the area." The Planner agreed to adjust that item on future findings. Comments from the public: Nancy Trujillo, 277 Ocean Ave, inquired if the land is being made available for purchase by ShellWind or the City in order to widen the Wildcat Road. Mr. Uffe Christiansen said that he had no intention to sell it to ShellWind; that he hasn't been contacted by nor has he contacted ShellWind. The Public Hearing was closed.

The Chair opened the Public Hearing for the Historical and Cultural Resources Element. City Planner Vanessa Blodgett commented that the DRAFT Element is on the city's website and has been linked to other local websites. The City Manager and City Planner met with the Bear River Rancheria group regarding the Element; there were no formal comments. The Planner said that there would be some comments from the Design Review Committee. There were no comments from the public.

Navy Housing Acquisition – General Plan Consistency Determination The City Planner summarized the project and explained that the Planning Commission would need to determine that the acquisition is consistent with the General Plan. The Planner had determined that there are no restrictions in the General Plan. Members from the public to speak included Dick Hooley who was concerned with the property's non-compliance with the Zoning Ordinance. Planner Blodgett explained that what is before the Planning Commission is whether the acquisition is compliant with the General Plan, and it is. Nancy Trujillo also spoke regarding who is responsible for lot splits and sewer hookups as well as loan value to ratio. Commissioner Trevor Harper relayed that if there are entities interested in the property, why haven't they been named? The Planner explained that that issue would be brought before the city council. MOTION: (Brown/Harper) Approve Resolution Number PC 2011-34, Navy Housing Acquisition General Plan Consistency Determination. All in favor.

Navy Housing Disposition – General Plan Consistency Determination: The City Planner summarized the Resolution. Nancy Trujillo wondered if the property were to be managed by a third party, not necessarily transferred to a third party. Dick Hooley said that in order for the city to accept the property or transfer the property, the Planning Commission has to determine that it is consistent with the General Plan. The following changes were suggested by the Planning Commission on Resolution Number PC 2011-35: Second” WHEREAS, the City of Ferndale expects to obtain title to the Property on or before September 30, 2011 and ~~thereafter~~ *possibly* transfer it to another entity for affordable housing opportunities consistent with the federal appropriation condition ...”. On the fourth WHEREAS “the City’s *possible* disposition of the Property ...” MOTION: (Von Frausing-Borch/Brown) Approve Resolution Number PC 2011-35 Disposition of Housing Property Acquired from US Navy General Plan Consistency Determination as amended. All in favor.

Planning Commission Applicants: MOTION (Von Frausing-Borch/Harper) Wait 90 days per City Ordinance and re-advertise for the Planning Commission Vacancy. All in favor.

Approval of Sign Ordinance Committee Members: Nancy Trujillo pointed out that with the makeup of the committee if the committee reports to the Design Review Committee, who then reports to the Planning Commission, two members of the Planning Commission would have already determined their vote on the sign ordinance before it comes to the Planning Commission. Staff was asked to place on the next agenda: Have the Sign Committee report directly to the Planning Commission. The commission then discussed appointing Diane and Phillip Ostler to the committee. Although our city attorney advised there was nothing legally wrong with a husband and wife on the same committee, the Planning Commission disagreed. MOTION: (Von Frausing-Borch/Brown) Approve the appointment of Phillip Ostler to the Sign Committee. All in favor.

Beginning Sign Ordinance Committee meetings without a full complement of business owner members. MOTION: (Harper/Brown) Approve beginning sign ordinance committee meetings with the current membership. On a future agenda, discuss changing the makeup of the committee to include members of the public.

Correspondence: Commissioner Harper wanted the City Council to go to the government agency for which HCD works and get an elected official to get on board regarding the regional housing needs to include the Navy Housing.

The meeting was adjourned at 8:30 p.m. The next regular meeting will be September 21, 2011

Respectfully submitted:

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA

Sign Ordinance Committee Minutes for the 9/15/11 3:30pm meeting

Michael Bailey opened the meeting at 3:48pm. Committee Members Michael Sweeney, Phillip Ostler, and Trevor Harper were present along with staff City Manager Jay Parrish and Administrative Assistant Brianna Smith.

No public comment.

Chair and Vice Chair: MOTION: (Sweeney/Harper). Accept Michael Bailey for Chair. All in favor. MOTION: (Sweeney/Harper). Accept Phillip Ostler for Vice-Chair. All in favor.

Meeting time and day: MOTION: (Harper/Ostler). Accept meeting time and day for the 2nd Thursday of the month at 3:30pm.

Committee Protocol & Ethics: Staff handed out reference handbooks for committee members to go over. City Manager Jay Parrish gave a brief overview of the protocol and ethics as well as the conflict of interest. Committee member Ostler will need to get with staff to fill out the 700 form and take online course.

Historical Materials: What is the purpose of the Sign Committee was discussed. It was explained that the existing Sign Ordinance is vague and that there is a lot of wordage not in the ordinance and that the committee was need to help establish a new structure and make it easier for the community to understand. Committee also discussed the handout that Committee member Michael Bailey put together.

Conflict of Interest: Phil to get with staff to fill out some paper work.

Committee Comments: Committee member Bailey has some correspondence to introduce at next regular meeting. Committee member Sweeney had a question as to what the goal from now to the next meeting would be. It was agreed that generating a general plan would be the goal to focus on. It was decided that each member would come up with steps to wind up with an ordinance and at the next meeting the committee will review the inputs.

The next regular meeting will be October 13' 2011 at 3:30pm. The meeting was adjourned at 4:40.

Respectfully submitted,

Brianna Smith
Administrative Assistant

Section 13c: Council Reports and Comments

Section 14
ADJOURNMENT