

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

Location:	City Hall	Date:	October 4, 2012
	834 Main Street	Time:	7 pm
	Ferndale CA 95536	Posted: 9/27/12	

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 –City Clerk
4. CEREMONIAL:
 - a. Oath of Office for Councilman Michael Sweeney Page 3
 - b. Proclamation for Guy Fiery Page 4
5. MODIFICATIONS TO THE AGENDA
6. STUDY SESSIONS None
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 2/3rds 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: September 6, 2012 Page 20
9. CALL ITEM
10. PRESENTATION / Community Forum
 - a. Airport Information - Don Ehnebuske, Ken Mierzwa Page 22

11. BUSINESS

- a. Resolution 2012-26 Accepting a one year extension to the MOU with Eel River Disposal concerning Green Waste Curbside Collection Program Page 23
- b. Resolution Number 2012-28 Approving the Execution of Supplemental Agreement No. 005-N to Administering Agency-State Agreement No. 01-5097R to allocate \$18,000 of Federal Funds to the PA&ED and PS&E phases of the Pedestrian Improvement Project - Phase 2. Page 26
- c. Resolution 2012-30 Authorizing the City Manager to execute an agreement for improvements at the intersection of Washington St. and Schley Ave. and authorize the submittal of the Notice of CEQA Exemption..... Page 28
- d. Resolution 2012-31 Authorizing the City Manager to move forward with the final design, bid process and construction, as well as execute a construction contract for the drainage Improvements for the intersection of 4th St and Shaw Ave; authorize the submittal of the Notice of CEQA Exemption. Page 30
- e. Resolution 2012-29 Giving authorization to move forward with the final design, bid process and construction for the drainage Improvements on 5th St near the Ferndale housing complex and authorize the submittal of the Notice of CEQA Exemption. In addition, authorize the City Manager to execute a construction contract dependent upon environmental review clearance. Page 33
- f. Change in Police Department budget Page 36

12. CORRESPONDENCE Page 38

13. REPORTS

- a. City Manager Staff Report and Community Events..... Page 45
- b. Commissions / Committees and others
 - i. Design Review..... Page 57
 - ii. Drainage Committee Page 59
 - iii. Planning Commission..... Page 60
 - iv. Sign Committee Page 561
- c. Council Reports and Comment
 - i. HCAOG Minutes None
 - ii. HMRA Minutes None
 - iii. HWMA Abstract Page 66
 - iv. RCEA Minutes Page 76
 - v. RREDC Minutes..... Page 78

14. ADJOURN..... Page 80

**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 1, 2012 in the Auditorium of City Hall at 7:00pm**

Section 1

Call Meeting to Order

Section 2

Pledge Allegiance

Section 3

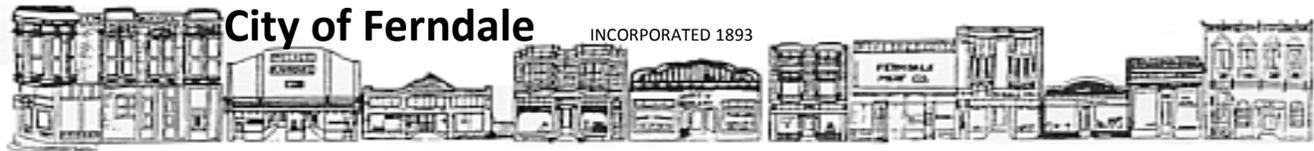
Roll Call

Section 4

Ceremonial

Oath of Office for Councilman Michael Sweeney

Proclamation for Guy Fieri



**A PROCLAMATION
OF THE CITY COUNCIL OF THE CITY OF FERNDALE
HONORING
SUPER CHEF, GUY FIERI**

WHEREAS, Chef extraordinaire Guy Fieri began his love affair with food at the age of ten in Ferndale, selling soft pretzels from a three-wheeled bicycle cart he built with his dad, Jim, called “The Awesome Pretzel.”; and

WHEREAS, Renowned Author Guy Fieri donated a Pretzel Cart to the Ferndale Junior High School; and

WHEREAS, Restaurateur Guy Fieri initiated a training and entrepreneurship program for the youth in our community; and

WHEREAS, Food Network’s Host of “Diners, Drive-Ins and Dives,” Guy Fieri supports this community by promoting the City of Ferndale on nationwide television; and

WHEREAS, Culinary Genius Guy Fieri has made generous donations to fundraisers and auctions of various kinds in our community; and

WHEREAS, All Around Good Guy, Guy Fieri’s attitude and willingness to promote and give back to our community will help keep the small town authenticity of Ferndale for generations to come.

NOW, THEREFORE BE IT PROCLAIMED that the City Council of the City of Ferndale does hereby commend Guy Fieri for his many years of involvement in our community and expresses its sincere thanks on behalf of the citizens of Ferndale.

PROCLAIMED by the City Council of the City of Ferndale on October 4, 2012:

Jeffrey Farley, Mayor

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 08/21/12 To 09/20/12
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
45365	09/04/12		101AP	101 AUTO PARTS	Monthly		29.09
24315014				Vehicle expense		29.09	
Total for 101 AUTO PARTS							29.09
45304	08/21/12		ACHUM	ACCESS HUMBOLDT	Cable Related Service		5,000.00
10165055				Contractual services		5,000.00	
Total for ACCESS HUMBOLDT							5,000.00
45366	09/04/12		ARNKE	ARNOLD C. KEMP	Monthly		229.80
10435052				Building regulation/inspectio		229.80	
Total for ARNOLD C. KEMP							229.80
45305	08/21/12		BAYWE	BAY WEST SUPPLY, INC.	Monthly		119.05
10175024				Supplies - public restroom		119.05	
45352	09/04/12		BAYWE	BAY WEST SUPPLY, INC.			7.78
10175024				Supplies - public restroom		7.78	
45367	09/04/12		BAYWE	BAY WEST SUPPLY, INC.			51.11
10625020				Building and ground maint.		51.11	
45400	09/20/12		BAYWE	BAY WEST SUPPLY, INC.			47.14
10635020				Buildings and grounds maintenance		47.14	
Total for BAY WEST SUPPLY, INC.							225.08
45353	09/04/12		BENAD	BENEFICIAL ADMIN COMPANY INC.			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	Monthly	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
45401	09/20/12		BLOEN	BLOCK ENVIRONMNETAL SERVICES			13,100.00
30515157				Effluent testing	Sewer	13,100.00	
Total for BLOCK ENVIRONMNETAL SERVICES							13,100.00
45368	09/04/12		BRSMT	BRET SMITH	Reimbursement		142.40
10215012				Office expense		142.40	
45402	09/20/12		BRSMT	BRET SMITH			45.00
10215012				Office expense		45.00	
Total for BRET SMITH							187.40
45403	09/20/12		CALLA	CALIFORNIA LABOR LAW POSTER SERVICE			125.50
10165099				Miscellaneous	Poster	125.50	
Total for CALIFORNIA LABOR LAW POSTER SERVI							125.50

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45404	09/20/12	CRWA	CALIFORNIA RURAL WATER ASSOCIATION		441.00
30515044			Meetings and dues Sewer	441.00	
Total for CALIFORNIA RURAL WATER ASSOCIATI					441.00
45306	08/21/12	CALST	CALIFORNIA STATE DISBURSEMENT UNIT	Employee Paid	408.91
10012250			Gamishments payable	408.91	
45354	09/04/12	CALST	CALIFORNIA STATE DISBURSEMENT UNIT		408.91
10012250			Gamishments payable	408.91	
Total for CALIFORNIA STATE DISBURSEMENT UNI					817.82
45405	09/20/12	CITEU	CITY OF EUREKA	Recycling	19.61
25315600			Recycling grant expenditures	19.61	
Total for CITY OF EUREKA					19.61
45369	09/04/12	CITFO	CITY OF FORTUNA	Monthly	1,016.66
10215035			Dispatch service	1,016.66	
Total for CITY OF FORTUNA					1,016.66
45307	08/21/12	COMAS	COMPUTER ASSISTANCE	Police	60.00
10215052			Professional services	60.00	
Total for COMPUTER ASSISTANCE					60.00
45308	08/21/12	DVLNO	DAVE LENARDO	Sewer	290.00
30515055			Contractual services	290.00	
45355	09/04/12	DVLNO	DAVE LENARDO		305.00
30515055			Contractual services	305.00	
45399	09/20/12	DVLNO	DAVE LENARDO		490.00
30515055			Contractual services	490.00	
Total for DAVE LENARDO					1,085.00
45309	08/21/12	DELOR	DEL ORO WATER CO., FDLE. DIST.		406.78
10155031			Water	27.76	
10175031			Water - public restroom	91.81	
10215029			Water	28.68	
10615033			Water Monthly	26.00	
10625033			Water	67.00	
10635031			Water	80.96	
24315033			Water	28.68	
30515032			Utilities - electric - plant	55.89	
Total for DEL ORO WATER CO., FDLE. DIST.					406.78
45356	09/04/12	DEPJU	DEPARTMENT OF JUSTICE	Police	35.00
10215052			Professional services	35.00	
Total for DEPARTMENT OF JUSTICE					35.00
45310	08/21/12	DOCST	DOCUSTATION		138.47
10165078			Copy machine expense Monthly	138.47	
45406	09/20/12	DOCST	DOCUSTATION		152.95
10165078			Copy machine expense	152.95	

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Acct No.	Type			Override Description	Amount	Amount
Total for DOCUSTATION						291.42
45407	09/20/12		EELRI	EEL RIVER DISPOSAL		570.90
				Trash service	30.00	
				Garbage/sludge Sewer	540.90	
Total for EEL RIVER DISPOSAL						570.90
100	09/04/12	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		1,002.04
				State P/R Tax Deposits Payroll Taxes	1,002.04	
Total for EMPLOYMENT DEVELOPMENT DEPART						1,002.04
45370	09/04/12		FORLU	FORBUSCO LUMBER	Monthly	132.99
				Building and ground maint.	132.99	
Total for FORBUSCO LUMBER						132.99
45408	09/20/12		FORMO	FORTUNA MOTORS	Police	1,099.91
				Vehicle expense	1,099.91	
Total for FORTUNA MOTORS						1,099.91
45357	09/04/12		FRONT	FRONTIER		886.53
				Telephone	170.39	
				Telephone	230.84	
				Telephone Monthly	110.10	
				Telephone	49.31	
				Telephone	325.89	
Total for FRONTIER						886.53
45311	08/21/12		GECAP	GE CAPITAL		220.83
				Copy machine expense	220.83	
45409	09/20/12		GECAP	GE CAPITAL	Monthly	220.83
				Copy machine expense	220.83	
Total for GE CAPITAL						441.66
45312	08/21/12		HACCO	HACH COMPANY	Sewer	132.42
				Effluent testing	132.42	
Total for HACH COMPANY						132.42
45313	08/21/12		HCPWD	HUMBOLDT COUNTY PUBLIC WORKS DEPT		2,000.00
				Clean F. Creek Monitoring	2,000.00	
Total for HUMBOLDT COUNTY PUBLIC WORKS DE						2,000.00
45314	08/21/12		HUMTE	HUMBOLDT TERMITE & PEST	Police	49.00
				Building and grounds maint.	49.00	
45410	09/20/12		HUMTE	HUMBOLDT TERMITE & PEST		49.00
				Building and grounds maint.	49.00	
Total for HUMBOLDT TERMITE & PEST						98.00
45315	08/21/12		HUMTI	HUMMEL TIRE & WHEEL, INC		14.50
				Vehicle expense	14.50	
45358	09/04/12		HUMTI	HUMMEL TIRE & WHEEL, INC	Police	571.15
				Vehicle expense	571.15	

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Acct No.	Type		Override Description		Amount	Amount
Total for HUMMEL TIRE & WHEEL, INC						585.65
45371	09/04/12	JAYPA	JAY PARRISH			400.00
	10165096		Car Allowance	Monthly	400.00	
Total for JAY PARRISH						400.00
45411	09/20/12	JDGNS	JOHN DEERE GOVERNMENT & NATIONAL SAL			45,588.66
	30515095		Capital outlay	Sewer	45,588.66	
Total for JOHN DEERE GOVERNMENT & NATIONA						45,588.66
45412	09/20/12	JOHNY	JOHNNY'S FLOORING & WINDOW COVERINGS \ JOHNNY'S			4,522.79
	10615095		Lytel grant expenditures	Library	4,522.79	
Total for JOHNNY'S						4,522.79
45413	09/20/12	JUNLI	JUNIOR LIBRARY GUILD			342.00
	10615024		Books	Library	342.00	
Total for JUNIOR LIBRARY GUILD						342.00
45316	08/21/12	KAESR	KAESER COMPRESSORS, INC.			110.83
	30515121		Sewer plant maintenance	Sewer	110.83	
Total for KAESER COMPRESSORS, INC.						110.83
45317	08/21/12	LMREN	L & M RENNER, INC.			2,194.55
	10215016		Fuel		1,163.11	
	24315016		Vehicle Fuel		768.09	
	30515016		Vehicle gas	Monthly	263.35	
45414	09/20/12	LMREN	L & M RENNER, INC.			2,285.27
	10215016		Fuel		1,211.19	
	24315016		Vehicle Fuel		799.84	
	30515016		Vehicle gas		274.24	
Total for L & M RENNER, INC.						4,479.82
45415	09/20/12	LELEXPL	LEXIPOL LLC			2,950.00
	10215053		Lexipol Services	Police	2,950.00	
Total for LEXIPOL LLC						2,950.00
45372	09/04/12	LINFR	LINDSEY FRANK			10.74
	10215012		Office expense	Reimbursement	10.74	
Total for LINDSEY FRANK						10.74
45416	09/20/12	MANHD	MANHARD CONSULTING LTD			15,363.50
	10425052		General engineering		5,692.50	
	10425053		Developer engineering	June & Aug	88.50	
	26315052		Engineering		2,530.00	
	30515095		Capital outlay		7,052.50	
Total for MANHARD CONSULTING LTD						15,363.50
45318	08/21/12	MERFR	MERCER FRASER COMPANY			38,380.50
	40315052.1		Construction engineering	Ped & Bicycle Path	38,380.50	
45359	09/04/12	MERFR	MERCER FRASER COMPANY			310.87
	24315021		Street maintenance		310.87	

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45373	09/04/12		MERFR	MERCER FRASER COMPANY			339.28
	24315021			Street maintenance		339.28	
45417	09/20/12		MERFR	MERCER FRASER COMPANY			58.82
	24315021			Street maintenance		58.82	
Total for MERCER FRASER COMPANY							39,089.47
45374	09/04/12		MIRRE	MIRANDA'S RESCUE	Monthly		450.00
	10225096			Animal control		450.00	
Total for MIRANDA'S RESCUE							450.00
45319	08/21/12		MISSN	MISSION UNIFORM & LINEN	Community Center		26.08
	10635020			Buildings & grounds maintenance - Commu		26.08	
45360	09/04/12		MISSN	MISSION UNIFORM & LINEN			30.87
	10175024			Supplies - public restroom		4.79	
	10635020			Buildings & grounds maintenance - Commu		26.08	
45418	09/20/12		MISSN	MISSION UNIFORM & LINEN			26.08
	10635020			Buildings & grounds maintenance - Commu		26.08	
Total for MISSION UNIFORM & LINEN							83.03
45419	09/20/12		MBDVZ	MITCHELL, BRISSO, DELANEY & VRIEZE	Monthly		2,317.50
	10145052			Professional services		2,317.50	
Total for MITCHELL, BRISSO, DELANEY & VRIEZE							2,317.50
45420	09/20/12		NILCO	NILSEN COMPANY			402.12
	10155020			Building and ground maint.		51.79	
	10175024			Supplies - public restroom		11.16	
	10625020			Building and ground maint.		52.09	
	10635020			Buildings and grounds maintenance	Monthly	12.03	
	24315014			Vehicle expense		77.12	
	24315021			Street maintenance		3.53	
	30515121			Sewer plant maintenance		194.40	
Total for NILSEN COMPANY							402.12
45361	09/04/12		NORCO	NORTH COAST LABORATORIES LTD.	Sewer		160.00
	30515157			Effluent testing		160.00	
Total for NORTH COAST LABORATORIES LTD.							160.00
45421	09/20/12		NCUAQ	NORTH COAST UNIFIED AIR QMD	Sewer		922.27
	30515092			Sewer plant permit		922.27	
Total for NORTH COAST UNIFIED AIR QMD							922.27
100	09/04/12	EFT	NORVA	NORTH VALLEY BANK	Payroll Taxes		5,804.97
	10012301			Federal P/R Tax Deposits		5,804.97	
45375	09/04/12		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK			1,948.36
	26315194			Interest-Six Rivers loan	Loan	1,948.36	
Total for NORTH VALLEY BANK							7,753.33
45320	08/21/12		NRTHC	NORTHCOAST PUMPHOUSE	Sewer		100.00
	30515121			Sewer plant maintenance		100.00	

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Acct No.		Type		Override Description		Amount	Amount
Total for NORTHCOAST PUMPHOUSE							100.00
45321	08/21/12		PACGA	PACIFIC GAS & ELECTRIC	2 Monthes		5,755.14
	10155032			Utilities electric		141.01	
	10175032			Electric - public restroom		26.69	
	10215032			Utilities electric		130.99	
	10615032			Utilities		156.81	
	10625032			Utilities - electric		30.27	
	10635032			Utilities		342.81	
	22315058			Street lighting		1,197.05	
	24315032			Utilities		197.55	
	30515032			Utilities - electric - plant		3,531.96	
45422	09/20/12		PACGA	PACIFIC GAS & ELECTRIC			4,276.82
	10155032			Utilities electric		139.85	
	10175032			Electric - public restroom		25.33	
	10215032			Utilities electric		131.54	
	10615032			Utilities		151.76	
	10625032			Utilities - electric		28.01	
	10635032			Utilities		280.28	
	22315058			Street lighting		26.86	
	24315032			Utilities		168.37	
	30515032			Utilities - electric - plant		3,324.82	
Total for PACIFIC GAS & ELECTRIC							10,031.96
45322	08/21/12		PLANW	PLANWEST PARTNERS, INC.	2 Monthes		4,474.25
	10415052			General planning services		4,419.25	
	10415053			Reimbursable fees		55.00	
45423	09/20/12		PLANW	PLANWEST PARTNERS, INC.			4,680.25
	10415052			General planning services		4,282.75	
	10415053			Reimbursable fees		397.50	
Total for PLANWEST PARTNERS, INC.							9,154.50
45376	09/04/12		PLAYCR	PLAYCRAFT DIRECT			Void
	10165099			Miscellaneous		Void	
45424	09/20/12		PLAYCR	PLAYCRAFT DIRECT	Park		247.95
	10165099			Miscellaneous		247.95	
Total for PLAYCRAFT DIRECT							247.95
45323	08/21/12		POREN	PORTLAND ENGINEERING			300.00
	30515121			Sewer plant maintenance	Sewer	300.00	
Total for PORTLAND ENGINEERING							300.00
45425	09/20/12		RSLIV	R & S LIVESTOCK SUPPLY			26.80
	30515121			Sewer plant maintenance	Sewer	26.80	
Total for R & S LIVESTOCK SUPPLY							26.80
45324	08/21/12		REDES	REDWOOD ELECTRICAL SERVICES			200.00
	30515121			Sewer plant maintenance	Sewer	200.00	
Total for REDWOOD ELECTRICAL SERVICES							200.00

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Acct No.	Type		Override Description	Amount	Amount	
45377	09/04/12		ROBSM	ROBIN SMITH		153.47
	10245052			Professional services	Monthly	153.47
Total for ROBIN SMITH						153.47
45362	09/04/12		ROTR0	ROTO-ROOTER		996.00
	10155020			Building and ground maint.	Restroom Repair	996.00
Total for ROTO-ROOTER						996.00
45426	09/20/12		SEQGA	SEQUOIA GAS COMPANY		581.88
	10155033			Utilities gas	Monthly	239.67
	10615031			Gas		72.03
	10635033			Gas		270.18
Total for SEQUOIA GAS COMPANY						581.88
45325	08/21/12		SNCON	SIERRA NATIONAL CONSTRUCTION, INC		87,525.39
	40315052.1			Construction engineering	Ped & Bicycle Path	87,525.39
Total for SIERRA NATIONAL CONSTRUCTION, INC						87,525.39
45363	09/04/12		SIXRC	SIX RIVERS COMMUNICATIONS		45.36
	10215024			Special department supply	police	45.36
Total for SIX RIVERS COMMUNICATIONS						45.36
45326	08/21/12		SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT		10,593.15
	10012260			Health insurance payable		931.01
	10105007			Medical insurance		530.14
	10125007			Medical insurance		1,208.60
	10215007			Medical insurance		3,080.04
	10315007			Medical insurance		146.45
	10635007			Medical insurance	Monthly	143.18
	22315007			Medical insurance		162.72
	24315007			Medical insurance		196.82
	25315007			Medical insurance		199.70
	26315007			Medical insurance		187.69
	30515007			Medical insurance		3,806.80
45427	09/20/12		SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT		10,593.15
	10012260			Health insurance payable		931.01
	10105007			Medical insurance		530.14
	10125007			Medical insurance		1,208.60
	10215007			Medical insurance		3,080.04
	10315007			Medical insurance	Monthly	146.45
	10635007			Medical insurance		143.18
	22315007			Medical insurance		162.72
	24315007			Medical insurance		196.82
	25315007			Medical insurance		199.70
	26315007			Medical insurance		187.69
	30515007			Medical insurance		3,806.80
Total for SPECIAL DISTRICT RISK MANAGEMENT A						21,186.30

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

Printed Regular Checks

General Checking - Distribution Detail - From 08/21/12 To 09/20/12
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
45327	08/21/12		SPETR	SPECIALTY TRAFFIC SYSTEMS			77.50
	24315021			Street maintenance	TDA	77.50	
45378	09/04/12		SPETR	SPECIALTY TRAFFIC SYSTEMS			Void
	24315020			Building & ground maintenance		Void	
45428	09/20/12		SPETR	SPECIALTY TRAFFIC SYSTEMS			103.51
	24315020			Building & ground maintenance		103.51	
Total for SPECIALTY TRAFFIC SYSTEMS							181.01
45364	09/04/12		STAPE	STAPLES CREDIT PLAN			683.22
	10125012			Office expense	Monthly	476.19	
	10155020			Building and ground maint.		42.09	
	30515012			Office expense		164.94	
Total for STAPLES CREDIT PLAN							683.22
45429	09/20/12		TASER	TASER INTERNATIONAL			337.33
	10215024			Special department supply	Police	337.33	
Total for TASER INTERNATIONAL							337.33
45379	09/04/12		FEREN	THE FERNDALE ENTERPRISE			66.93
	10115013			Advertising - Council		66.93	
45430	09/20/12		FEREN	THE FERNDALE ENTERPRISE			50.00
	10615024			Books	Library	50.00	
Total for THE FERNDALE ENTERPRISE							116.93
45431	09/20/12		THOGZ	THOMAS W. GONZALEZ, SR			230.00
	10635020			Buildings and grounds maintenance	Community Center	230.00	
Total for THOMAS W. GONZALEZ, SR							230.00
45328	08/21/12		TIPMO	TIPPLE MOTORS, INC.			37.71
	10215014			Vehicle expense	Police	37.71	
45432	09/20/12		TIPMO	TIPPLE MOTORS, INC.			121.58
	24315014			Vehicle expense		121.58	
Total for TIPPLE MOTORS, INC.							159.29
45433	09/20/12		USBNK	U.S. BANK CORPORATE PAYMENT SYSTEM			1,116.31
	10165095			Capital outlay		945.78	
	30515121			Sewer plant maintenance	Sewer	170.53	
Total for U.S. BANK CORPORATE PAYMENT SYSTE							1,116.31
45329	08/21/12		UNDSE	UNDERGROUND SERVICE ALERT			150.00
	30515044			Meetings and dues	Sewer	150.00	
Total for UNDERGROUND SERVICE ALERT							150.00
45380	09/04/12		USABL	USABLUBOOK			527.07
	30515157			Testing and monitoring	Sewer	527.07	
Total for USABLUBOOK							527.07
45330	08/21/12		VALLU	VALLEY LUMBER			413.58
	10635020			Buildings and grounds maintenance		40.48	
	20625020			Blding/Grd Mnt.	Monthly	158.94	
	24315021			Street maintenance		214.16	

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Acct No.		Type		Override Description		Amount	Amount
45434	09/20/12		VALLU	VALLEY LUMBER			709.95
	10625020			Building and ground maint.		6.41	
	20625020			Blding/Grd Mnt.	Monthly	23.36	
	24315021			Street maintenance		680.18	
Total for VALLEY LUMBER							1,123.53

45381	09/04/12		VERZN	VERIZON			484.74
	10155034			Telephone		29.96	
	10215034			Telephone	Monthly	119.83	
	24315034			Telephone		11.79	
	30515034			Telephone		323.16	
Total for VERIZON							484.74

45331	08/21/12		WILSA	WILDWOOD SAW			52.06
	24315020			Building & ground maintenance	TDA	52.06	
Total for WILDWOOD SAW							52.06

45332	08/21/12		WDMCN	WILLIAM DONNY MOBLEY CONSTRUCTION			1,128.25
	30515122			Sewer line maintenance	Sewer	1,128.25	
Total for WILLIAM DONNY MOBLEY CONSTRUCTI							1,128.25

45435	09/20/12		WPFCY	WINDY POINT FENCE COMPANY			627.06
	10625020			Building and ground maint.	Park	627.06	
Total for WINDY POINT FENCE COMPANY							627.06

45436	09/20/12		WYCKO	WYCKOFF'S			51.00
	30515121			Sewer plant maintenance	Sewer	51.00	
Total for WYCKOFF'S							51.00

Total for the 99 checks						292,670.77	292,670.77

City of Ferndale

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Account Distributions

Account No.	Account Description	Amount
10012250	Garnishments payable	817.82
10012260	Health insurance payable	1,905.59
10012301	Federal P/R Tax Deposits	5,804.97
10012302	State P/R Tax Deposits	1,002.04
10105007	Medical insurance	1,069.16
10115013	Advertising - Council	66.93
10125007	Medical insurance	2,441.32
10125012	Office expense	476.19
10145052	Professional services	2,317.50
10155020	Building and ground maint.	1,222.87
10155030	Trash service	30.00
10155031	Water	27.76
10155032	Utilities electric	280.86
10155033	Utilities gas	239.67
10155034	Telephone	200.35
10165055	Contractual services	5,000.00
10165078	Copy machine expense	733.08
10165095	Capital outlay	945.78
10165096	Car Allowance	400.00
10165099	Miscellaneous	373.45
10175024	Supplies - public restroom	142.78
10175031	Water - public restroom	91.81
10175032	Electric - public restroom	52.02
10215007	Medical insurance	6,208.32
10215012	Office expense	198.14
10215014	Vehicle expense	1,708.77
10215016	Fuel	2,374.30
10215020	Building and grounds maint.	98.00
10215024	Special department supply	382.69
10215029	Water	28.68
10215032	Utilities electric	262.53
10215034	Telephone	350.67
10215035	Dispatch service	1,016.66

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10215052	Professional services	95.00
10215053	Lexipol Services	2,950.00
10225096	Animal control	450.00
10245052	Professional services	153.47
10315007	Medical insurance	295.37
10415052	General planning services	8,702.00
10415053	Reimbursable fees	452.50
10425052	General engineering	5,692.50
10425053	Developer engineering	88.50
10435052	Building regulation/inspectio	229.80
10615024	Books	392.00
10615031	Gas	72.03
10615032	Utilities	308.57
10615033	Water	26.00
10615034	Telephone	110.10
10615095	Lytel grant expenditures	4,522.79
10625020	Building and ground maint.	736.67
10625032	Utilities - electric	58.28
10625033	Water	67.00
10635007	Medical insurance	287.57
10635020	Buildings and grounds maintenance	407.89
10635031	Water	80.96
10635032	Utilities	623.09
10635033	Gas	270.18
20625020	Blding/Grd Mnt.	182.30
22315007	Medical insurance	327.01
22315058	Street lighting	1,223.91
24315007	Medical insurance	396.11
24315014	Vehicle expense	242.29
24315016	Vehicle Fuel	1,567.93
24315020	Building & ground maintenance	155.57
24315021	Street maintenance	1,684.34
24315032	Utilities	365.92
24315033	Water	28.68
24315034	Telephone	61.10
25315007	Medical insurance	403.05

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25315600	Recycling grant expenditures	19.61
26315007	Medical insurance	377.55
26315022.1	Clean F. Creek	2,000.00
26315052	Engineering	2,530.00
26315194	Interest-Six Rivers loan	1,948.36
30515007	Medical insurance	7,662.29
30515012	Office expense	164.94
30515016	Vehicle gas	537.59
30515030	Garbage/sludge	540.90
30515032	Utilities - electric - plant	6,912.67
30515034	Telephone	649.05
30515044	Meetings and dues	591.00
30515055	Contractual services	1,085.00
30515092	Sewer plant permit	922.27
30515095	Capital outlay	52,641.16
30515121	Sewer plant maintenance	1,153.56
30515122	Sewer line maintenance	1,128.25
30515157	Testing and monitoring	13,919.49
40315052.1	Construction engineering	125,905.89
		<u>292,670.77</u>

City of Ferndale

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Printed PayCheck Checks

General Checking - Date Range: From 08/21/12 To 09/20/12 - Check #: All - Dept: All
 Sort Code: All - EmpID: All - Emp Name: All - By Check Number

Check #	Date	Emp. #	Employee Name	Amount
45287	08/21/12	1,215	DEBERA H. AUSTRUS	1,668.65
45288	08/21/12	2,190	HEATH A. BOHACIK	719.89
45289	08/21/12	6,115	MARY ELLEN BOYNTON	85.03
45290	08/21/12	5,220	STEVE L. COPPINI	1,463.03
45291	08/21/12	5,221	DOUGLAS E. CULBERT	1,994.37
45292	08/21/12	2,178	PAUL A. DIAZ JR.	1,010.77
45293	08/21/12	2,185	LINDSEY D. FRANK	902.84
45294	08/21/12	2,179	JASON R. HYNES	1,011.35
45295	08/21/12	5,222	IAN E. IVEY	447.08
45296	08/21/12	1,214	NANCY S. KAYTIS-SLOCUM	1,311.52
45297	08/21/12	5,235	TIMOTHY W. MIRANDA	961.88
45298	08/21/12	1,012	JAY D. PARRISH	2,552.76
45299	08/21/12	6,142	DIANNA L. RICHARDSON	85.03
45300	08/21/12	2,200	BRET A. SMITH	1,417.82
45301	08/21/12	1,216	BRIANNA A. SMITH	635.10
45302	08/21/12	2,186	ADAM D. STRICKER	236.78
45303	08/21/12	5,280	DANIEL V. SUTTON	1,066.50
45333	09/04/12	1,215	DEBERA H. AUSTRUS	1,668.66
45334	09/04/12	2,190	HEATH A. BOHACIK	719.90
45335	09/04/12	6,115	MARY ELLEN BOYNTON	85.02
45336	09/04/12	5,220	STEVE L. COPPINI	1,463.03
45337	09/04/12	5,221	DOUGLAS E. CULBERT	1,994.37
45338	09/04/12	2,178	PAUL A. DIAZ JR.	976.29
45339	09/04/12	2,185	LINDSEY D. FRANK	902.85
45340	09/04/12	2,179	JASON R. HYNES	2,098.11
45341	09/04/12	5,222	IAN E. IVEY	158.69
45342	09/04/12	1,214	NANCY S. KAYTIS-SLOCUM	1,311.52
45343	09/04/12	5,235	TIMOTHY W. MIRANDA	961.88
45344	09/04/12	1,012	JAY D. PARRISH	2,552.76
45345	09/04/12	6,142	DIANNA L. RICHARDSON	85.02
45346	09/04/12	2,200	BRET A. SMITH	1,417.82
45347	09/04/12	1,216	BRIANNA A. SMITH	623.67
45348	09/04/12	2,186	ADAM D. STRICKER	434.23
45349	09/04/12	5,280	DANIEL V. SUTTON	1,049.91
45350	09/04/12	6,221	BONNIE K. VON BRAUN	54.22
45351	09/04/12	1,510	MARIA A. ROSA	193.77
45382	09/05/12	1,216	BRIANNA A. SMITH	598.55
45383	09/18/12	1,215	DEBERA H. AUSTRUS	1,668.65
45384	09/18/12	2,190	HEATH A. BOHACIK	810.88
45385	09/18/12	6,115	MARY ELLEN BOYNTON	66.13
45386	09/18/12	5,220	STEVE L. COPPINI	1,637.20
45387	09/18/12	5,221	DOUGLAS E. CULBERT	1,994.36
45388	09/18/12	2,178	PAUL A. DIAZ JR.	1,111.31
45389	09/18/12	2,185	LINDSEY D. FRANK	1,100.78
45390	09/18/12	2,179	JASON R. HYNES	103.57
45391	09/18/12	5,222	IAN E. IVEY	310.44
45392	09/18/12	1,214	NANCY S. KAYTIS-SLOCUM	1,567.49
45393	09/18/12	5,235	TIMOTHY W. MIRANDA	1,271.09
45394	09/18/12	1,012	JAY D. PARRISH	2,552.76
45395	09/18/12	6,142	DIANNA L. RICHARDSON	56.68
45396	09/18/12	2,186	ADAM D. STRICKER	1,074.15
45397	09/18/12	5,280	DANIEL V. SUTTON	938.75

City of Ferndale

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<u>Check #</u>	<u>Date</u>	<u>Emp. #</u>	<u>Employee Name</u>	<u>Amount</u>
45398	09/18/12	2.200	BRET A. SMITH	1,417.83
Total				<u>54,602.74</u>

City of Ferndale, Humboldt County, California USA
City Council Minutes for September 6, 2012

Mayor Jeffrey Farley called the Regular City Council Meeting to order at 7:00PM. Present were Councilmen Ken Mierzwa, John Maxwell and Stuart Titus, along with staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum, City Engineers Praj White and David Caisse, and City Police Chief Bret Smith. Those present pledged allegiance to the flag. The City Clerk called roll call.

Consent Calendar: Councilman Maxwell asked that the Accounts Payable be separated from the minutes. MOTION: (Mierzwa/Titus) Accept Accounts Payable. Unanimous. MOTION: (Mierzwa/Titus) Approve minutes from the August 2 and August 23, 2012 meetings as presented. Three ayes, and one abstain from Councilman John Maxwell due to absence to the meetings.

Interview and selection of Council Member to fill term until November 4, 2014. Mayor Farley discussed the Council Vacancy Policy that was accepted in 2003. He asked one of the Candidates to leave the room while the other candidate answered questions. Mr. Lino Mogni left the room. Mr. Michael Sweeney stepped to the podium. The councilmen took turns asking the following questions: (1) What are some of the issues you see facing the City? Do you have a vision for the future of the City? (2) Please explain why your background and qualifications would make you a good choice to fill the council vacancy. (3) How do you see working with us as a team; what strengths do you bring to help us continue to work as a team? (4) The time commitment for our monthly City Council meetings is about 2 ½ hours, with packet review taking up to two hours. Will you be able to make this time commitment? (5) The mayor has the responsibility to appoint councilmembers to represent the City on various Joint Powers Authorities, committees and commissions which meet once a month to once a quarter. Would you be able to also make this time commitment? (6) Do you have any known Conflicts of Interest that would keep you from serving in your full capacity? Mr. Sweeney answered the questions, then left the room and Mr. Mogni took the podium to answer the same questions. Mr. Sweeney was called back into the room. Mayor Farley asked if any in the audience had questions for the candidates. Mr. Jerry Bruga asked both candidates to relay how long they had lived in the City and what government committees they had served on. Both candidates answered the question. The council then took a vote by written ballot that were collected by City Manager Jay Parrish and opened and read by City Clerk Nancy Kaytis-Slocum. The votes were: Mayor Farley for Lino Mogni; Councilmen Maxwell, Mierzwa and Titus for Michael Sweeney. The councilmembers thanked the candidates for stepping forward. Mayor Farley announced that Michael Sweeney would be sworn in before the October City Council Meeting.

Cable Franchise Change: City Manager Parrish relayed that The City of Ferndale holds a franchise Agreement with Suddenlink Communications (Suddenlink). Suddenlink has recently informed us that the equity investors of its parent company, Cebridge Acquisition, have entered into a Purchase and Sale Agreement with Nespresso Acquisition. We have been told that there will be no change locally, and that our community will continue to be served by Suddenlink. While the transaction will simply substitute existing equity investors with the new investors, it is our responsibility to make sure the transition is scrutinized; review any compliance issues; and approve the change of control. To assist in the transition, Suddenlink has provided \$5000, which, the City Manager explained, could be used to hire Access Humboldt and the Buske Consulting group. MOTION: (Titus/Maxwell) Approve \$5000 miscellaneous revenue (1001411) be expended on Professional Services (10165055). All in favor.

Green Curb in front of the Red Front Store at 577 Main Street. Chief Bret Smith noted that the request appears consistent with other green zone (20 minute) parking areas within the downtown business area (in front of the Post Office at 554 Main Street, in front of and to the side of North Valley Bank at 394 Main, and in front of Valley Lumber at 657 Shaw), and that it will cost approximately \$32. MOTION: (Mierzwa/Titus) Approve the painting of 42' of green curb in front of 577 Main Street. Unanimous.

Classification change to local streets and roads: City Engineer Praj White explained that by accepting this change and city would be eligible for additional funding from the Department of Transportation. MOTION: (Maxwell/Titus) Accept Resolution 2012-25 Approving the submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation. All in favor.

City Manager Jay Parrish presented Ordinance 2012-03 An ordinance amending Purchasing Ordinance 07-04, Section 6.01. Councilman Maxwell pointed out an error on the first page of the ordinance: "c. When the City has a contract with another governmental unit to purchase a particular ~~time~~-item on a cooperative basis;" MOTION: (Titus/Mierzwa) Approve the Second Reading of and Adopt Ordinance 2012-03 An ordinance amending Purchasing Ordinance 07-04, Section 6.01.1(d) as corrected, by title only, and direct staff to notice the adoption appropriately. Unanimous.

Correspondence: City Manager Parrish relayed that the city has been working with InLight Fitness for a Memorandum of Understanding regarding their use of the Community Center, and that we may be bringing something back to the council on this.

Reports: The City Manager reminded all that there will be quite a few events happening this weekend: Bargain Lovers Weekend; Bocce Tournament; Wedding at the Community Center; Ice Cream Social at City Hall; the Milk Can Game at the High School and the Gem and Mineral Show at the Fairgrounds. Councilman Ken Mierzwa reported that the Air Quality Board has been issuing health advisories and if called could supply anyone with the hazard in light of the many wildfires around the state.

The meeting adjourned at 8:00PM. The next regular Council Meeting is scheduled for October 4, 2012 at 7PM.

Respectfully submitted,

Nancy Kaytis-Slocum
City Clerk

Section 9

CALL ITEMS

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

Section 10

PRESENTATIONS

Don Ehnebuske and Ken Mierzwa regarding the Airport

Section 11

BUSINESS

Meeting Date:	October 4, 2012	Agenda Item Number	11a
Agenda Item Title:	Resolution 2012-26 Accepting a one year extension to the MOU with Eel River Disposal concerning Green Waste Curbside Collection Program		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve Resolution 2012-26 Accepting a one year extension to the MOU with Eel River Disposal concerning Green Waste Curbside Collection Program		

RECOMMENDATION: Approve Resolution 2012-26 Accepting a one year extension to the MOU with Eel River Disposal concerning Green Waste Curbside Collection Program

BACKGROUND

In negotiations with ERD representative Karen Smith, it was acknowledged that the program was running well at this time they do not have a desire to raise rates. They do not feel they have enough information to determine if the rate should change therefore they have agreed not to raise rates for one year while they continue to compile data. Based on community support for this program, we believe it is worth continuing for another year.

FINANCIAL IMPACT

None

RESOLUTION 2012-26
THE CITY COUNCIL OF THE CITY OF FERNDALE
ACCEPTS A ONE YEAR EXTENSION TO THE MOU WITH EEL RIVER DISPOSAL CONCERNING
GREEN WASTE CURBSIDE COLLECTION PROGRAM

This is an extension for one year of the existing Memorandum of Understanding dated November 1, 2011 between Eel River Disposal Company, Inc. ("ERD") and the City of Ferndale ("City").

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

WHEREAS, the Franchise Agreement defines recyclable materials to include yard trimmings ("Green Waste") and

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, 2013 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 either 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.
7. ERD shall save, keep, hold harmless, defend and indemnify the City, its officers, agents, employees, and volunteers from and against any and all claims, damages, costs, fees and liabilities, of every type and nature, which may arise out of ERD's performance of the work under this Memorandum of Understanding.

PASSED AND ADOPTED by the City Council of the City of Ferndale on the 4th Day of October, 2012 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Jeffrey Farley, Mayor

Attest:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	October 4, 2012	Agenda Item Number	11B
Agenda Item Title:	Resolution Number 2012-28 Approving the Execution of Supplemental Agreement No. 005-N to Administering Agency-State Agreement No. 01-5097R to allocate \$18,000 of Federal Funds to the PA&ED and PS&E phases of the Pedestrian Improvement Project - Phase 2.		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve Resolution Number 2012-28		

RECOMMENDATION:

Approve Resolution Number 2012-28 Approving the Execution of Supplemental Agreement No. 005-N to Administering Agency-State Agreement No. 01-5097R to allocate \$18,000 of Federal Funds to the PA&ED and PS&E phases of the Pedestrian Improvement Project - Phase 2.

BACKGROUND

The Agency-State Agreement No. 01-5097R already exists between the City and the Department of Transportation for \$250,000 of Federal Funds with an additional \$15,025 of City Funds for Pedestrian Improvements on Rose Ave. from McKinley Ave. to Berding St. The Supplemental agreement shifts \$4,000 of Federal funds from the construction contingency budget to the Project Approval & Environmental Document (PA&ED) and the Plans, Specifications and Estimates (PS&E) phases. The additional \$4,000 is needed to renew the NEPA exemption and to submit an application to the California Department of Fish & Game for the improvements required to the existing drainage ditch.

FISCAL IMPACT

\$18,000

Resolution Number 2012-28

**THE CITY COUNCIL OF THE CITY OF FERNDALE
APPROVING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 005-N TO ADMINISTERING
AGENCY-STATE AGREEMENT NO. 01-5097R TO ALLOCATE \$18,000 OF FEDERAL FUNDS TO THE PA&ED
AND PS&E PHASES OF THE PEDESTRIAN IMPROVEMENT PROJECT – PHASE 2**

WHEREAS, the Department of Transportation has issued a program supplement to adopt and incorporate the Administering Agency – State Agreement for Federal Aid, which was entered into between the Administering Agency and the State on 10/16/08 and is subject to all the terms and conditions thereof; and

WHEREAS, The Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement; and

WHEREAS, the Project is a Pedestrian Walkway and the location is Rose Avenue from McKinley Avenue to Berding Street in the City of Ferndale with a Project Approval and Environmental Document (PA&ED) and Plans, Specifications and Estimate (PS&E) phases at an estimated cost of \$18,000, which will be covered with Federal Funds (L22E) of \$18,000; and

WHEREAS, The City of Ferndale authorizes the City Manager to sign the Supplemental Agreement; and

WHEREAS, The Program Supplement Agreement is Numbered 005.N to Administering Agency-State Agreement No. 01-5097R, the File is 01-HUM-0FER; RPSTPLE-5097 (008); and

WHEREAS, the Department of Transportation requires the local agency certified authorizing resolution that clearly identifies the project and the official authorized to execute the agreement; and

WHEREAS, the proposed pedestrian improvement project is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Class 1 Categorical Exemption, sections §15301 (c & d) Existing Facilities.

NOW THEREFORE BE IT RESOLVED that the foregoing resolution was introduced at a regular meeting of the City Council of the City of Ferndale, held on the 4th day of October 2012, by Council Member _____, who moved its adoption, which motion was duly seconded by Council Member _____, and the resolution adopted by the following vote:

PASSED AND ADOPTED on this 4th day of October 2012 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Jeffrey Farley, Mayor

ATTEST:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	October 4, 2012	Agenda Item Number	11C
Agenda Item Title:	Resolution 2012-30 Authorizing the City Manager to execute an agreement for improvements at the intersection of Washington St. and Schley Ave. and authorize the submittal of the Notice of CEQA Exemption.		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve Resolution 2012-30		

RECOMMENDATION:

Approve Resolution 2012-30 Authorizing the City Manager to execute an agreement for improvements at the intersection of Washington St. and Schley Ave. and authorize the submittal of the Notice of CEQA Exemption.

BACKGROUND

There is a 12” steel drainage pipe that is located beneath the northern side of Washington St. beginning at Schley Ave. and heading towards the alley located approximately 260 LF to the northwest. The pipe is collapsed and can no longer function properly. In order to maintain proper drainage in the area, a new inlet will be installed at the intersection of Washington St. and Schley Ave. and approximately 40 LF of 12” HDPE pipe (corrugated plastic pipe) will be installed across the roadway. The existing 12” steel pipe will be abandoned in place.



FISCAL IMPACT:

Not to Exceed \$7,500 from the Drainage Fund

RESOLUTION NO. 2012-30**THE CITY COUNCIL OF THE CITY OF FERNDALE AUTHORIZES THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR IMPROVEMENTS AT THE INTERSECTION OF WASHINGTON STREET AND SCHLEY AVENUE AND APPROVES THE SUBMITTAL OF THE NOTICE OF CEQA EXEMPTION, PURSUANT TO CLASS 1 CATEGORICAL EXEMPTION**

WHEREAS, The City of Ferndale wishes to improve drainage throughout the city; and,

WHEREAS, The City wishes to delegate authorization to execute agreements for this project and any amendments to the City Manager; and

WHEREAS, There is a 12" steel drainage pipe that is located beneath the northern side of Washington St. beginning at Schley Ave. and heading towards the alley located approximately 260 LF to the northwest; and,

WHEREAS, The pipe is collapsed and can no longer function properly. In order to maintain proper drainage in the area, a new inlet will be installed at the intersection of Washington St. and Schley Ave. and approximately 40 LF of 12" HDPE pipe (corrugated plastic pipe) will be installed across the roadway; and

WHEREAS, The existing 12" steel pipe will be abandoned in place; and

WHEREAS, Funding for this project will be drawn from the Drainage Fund and will not exceed \$7500; and,

WHEREAS, the proposed drainage improvement projects for 4th and Shaw Ave and Washington St Culvert repair is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Class 1 Categorical Exemption, sections §15301 (c & d) Existing Facilities.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Ferndale authorizes the City Manager to execute an agreement for improvements at the intersection of Washington Street and Schley Avenue and approves the submittal of Notice of CEQA Exemption.

PASSED AND ADOPTED by the City Council of the City of Ferndale on October 4, 2012 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Jeffrey Farley, Mayor

Attest:

Nancy Kaytis-Slocum, City Clerk

Meeting Date:	October 4, 2012	Agenda Item Number	11D
Agenda Item Title:	Resolution 2012-31 Authorizing the City Manager to move forward with the final design, bid process and construction, as well as execute a construction contract for the drainage Improvements for the intersection of 4 th St and Shaw Ave; authorize the submittal of the Notice of CEQA Exemption.		
Presented By:	Jay Parrish, City Manager and Praj White, City Engineer		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve Resolution 2012-31		

RECOMMENDATION:

Approve Resolution 2012-31 Authorizing the City Manager to move forward with the final design, bid process and construction, as well as execute a construction contract for the drainage Improvements for the intersection of 4th St and Shaw Ave; authorize the submittal of the Notice of CEQA Exemption.

BACKGROUND

The intersection of 4th St and Shaw Ave was built so that the crowned section of 4th St is dominant through the intersection. Traffic along Shaw Ave has to dip down before the intersection, ramp up through the intersection, and dip down again before leaving. The additional traffic loads and pressures created by the dips have caused the concrete gutters and adjacent pavement to fail. As a result, the northwest corner of the intersection has become a large pothole that continues to grow every year. In order to correct the problem, the damaged portion of the intersection will be removed and excavated in order to place additional base. In addition, the concrete gutter slope will be adjusted to increase drainage, the curb ramps will be reconstructed to meet ADA requirements and STOP signs will be added to create a 4-way, STOP controlled intersection. In order to expedite the process in hopes of completing the construction before the rainy season, the project would need to be advertised, and awarded prior to the next City Council meeting.

FISCAL IMPACT

\$25,000 with an additional \$5,000 in contingency funds from the annual distribution of TDA funding.

RESOLUTION NO. 2012-31

THE CITY COUNCIL OF THE CITY OF FERNDALE AUTHORIZES THE CITY MANAGER TO MOVE FORWARD WITH THE FINAL DESIGN, BID PROCESS AND CONSTRUCTION, AS WELL AS EXECUTE A CONSTRUCTION CONTRACT FOR THE DRAINAGE IMPROVEMENTS FOR THE INTERSECTION OF 4TH STREET AND SHAW AVENUE AND AUTHORIZE THE SUBMITTAL OF THE NOTICE OF CEQA EXEMPTION.

WHEREAS, The City of Ferndale wishes to improve drainage throughout the city; and,

WHEREAS, The City wishes to delegate authorization to execute agreements for this project and any amendments to the City Manager; and

WHEREAS,; The intersection of 4th Street and Shaw Avenue was built so that the crowned section of 4th Street is dominant through the intersection; and traffic along Shaw Ave has to dip down before the intersection, ramp up through the intersection, and dip down again before leaving; and

WHEREAS, The additional traffic loads and pressures created by the dips have caused the concrete gutters and adjacent pavement to fail: the northwest corner of the intersection has become a large pothole that continues to grow every year; and

WHEREAS, the damaged portion of the intersection will be removed and excavated in order to place additional base; and

WHEREAS, the concrete gutter slope will be adjusted to increase drainage, the curb ramps will be reconstructed to meet ADA requirements and STOP signs will be added to create a 4-way, STOP controlled intersection; and,

WHEREAS, In order to expedite the process in hopes of completing the construction before the rainy season, the project needs to be advertised, and awarded prior to the next City Council meeting; and,

WHEREAS, Funding for this project will be drawn from the annual distribution of TDA funding in the amount of \$25,000, with an additional \$5,000 in contingency funds; and,

WHEREAS, the proposed drainage improvement project for 4th and Shaw Ave. is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Class 1 Categorical Exemption, sections §15301 (c & d) Existing Facilities.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Ferndale authorizes the City Manager to move forward with the final design, bid process and construction, as well as execute a construction contract for the drainage improvements for the intersection of 4th Street and Shaw Avenue and approves the submittal of Notice of CEQA Exemption.

PASSED AND ADOPTED by the City Council of the City of Ferndale on October 4, 2012 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Jeffrey Farley, Mayor

Attest:

Nancy Kaytis-Slocum, City Clerk

NOTICE OF CEQA EXEMPTION

Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (California Code of Regulations, Title 14, Division 6, Chapter 3) §15062, the City of Ferndale as the CEQA Lead Agency is filing this Notice of Exemption with the Humboldt County Clerk, 825 5th St, 5th Floor, Eureka 95501.

PROJECT TITLE: Minor Drainage Improvements

PROJECT APPLICANT: The City of Ferndale

PROJECT LOCATION, ZONING & GENERAL PLAN DESIGNATION: Public

PROJECT DESCRIPTION:

The intersection at 4th Street and Shaw Avenue has deteriorated creating a large dip that traffic must traverse it passes through the intersection. The proposed project is to reconstruct the damaged portion of the intersection, improve drainage through the intersection, reconstruct the curb ramps to meet ADA compliance, and add STOP signs to create a 4-way STOP controlled intersection.

The existing 12” drainage pipe below the northern side of Washington Street at Schley Avenue has collapsed. The proposed project is to abandon the existing pipe in-place, install a new inlet and pipe to replace the collapsed pipe.

LEAD AGENCY/CONTACT: City of Ferndale, Planning Department; Nancy Kaytis-Slocum, City Clerk; P.O. Box 1095 Ferndale CA 95536; phone (707) 786-4224; fax 786-9314; email cityclerk@ci.ferndale.ca.us

EXEMPTION FINDINGS: The City of Ferndale, as Lead Agency, has determined that the above-described activity is a project subject to California Environmental Quality Act (CEQA). The City of Ferndale 5th Street Drainage Improvement Project is Class 1 Categorical Exemption under §15301 Existing Facilities. §15301(d) “Restoration or rehabilitation of deteriorated or damaged structures, facilities ... to meet current standards of public health and safety ...” Further, the Lead Agency has determined that the use of the categorical exemption is not barred by one of the exceptions set forth in Section 15300.2 of the CEQA Guidelines.

The material supporting the above finding is contained in the staff report prepared by the City of Ferndale’s Engineering Department. Copies of the documents related to the evaluation of this project are available for review upon request at the Ferndale City Hall, address above.

Nancy Kaytis-Slocum
City Clerk, City of Ferndale

Date

Date received for filing by the Humboldt County Clerk): _____
Period for Posting by County Clerk: 30 days

Note to the County Clerk: Pursuant to the CEQA Guidelines, Section 15062, the City of Ferndale as CEQA Lead Agency is requesting that the Humboldt County Clerk post this Notice of Exemption within 24 hours of receipt, for a period of at least 30 days. Thereafter, please return this notice to Nancy Kaytis-Slocum, City Clerk, City of Ferndale, P.O. Box 1095, Ferndale CA 95536.

Meeting Date:	October 4, 2012	Agenda Item Number	11E
Agenda Item Title:	Resolution 2012-29 Giving authorization to move forward with the final design, bid process and construction for the drainage Improvements on 5 th St near the Ferndale housing complex and authorize the submittal of the Notice of CEQA Exemption. In addition, authorize the City Manager to execute a construction contract dependent upon environmental review clearance.		
Presented By:	Jay Parrish, City Manager and Praj White, City Engineer		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve Resolution 2012-29		

RECOMMENDATION:

Approve Resolution 2012-29 Authorizes moving forward with the final design, bid process and construction for the drainage Improvements on 5th Street near the Ferndale Housing Complex, authorizes the submittal of the Notice of CEQA Exemption and Authorizes the City Manager to execute a construction contract dependent upon environmental review clearance.

BACKGROUND

For a number of years this location has been a drainage problem and has resulted in flooding of the roadway. In order to alleviate the problem and meet the criteria in the drainage ordinance, the existing inlet and culvert will need to be replaced and the west ditch would need to be widened. In order to expedite the process in hopes of completing the construction before the rainy season, the project would need to be advertised, and awarded prior to the next City Council meeting.

FINANCIAL IMPACT:

\$60,000 with an additional \$10,000 in contingency funds

RESOLUTION NO. 2012-29**THE CITY COUNCIL OF THE CITY OF FERNDALE AUTHORIZES MOVING FORWARD WITH THE FINAL DESIGN, BID PROCESS AND CONSTRUCTION FOR THE DRAINAGE IMPROVEMENTS ON 5TH STREET, AUTHORIZES THE SUBMITTAL OF THE NOTICE OF CEQA EXEMPTION AND AUTHORIZES THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT DEPENDENT UPON ENVIRONMENTAL REVIEW CLEARANCE**

WHEREAS, the City of Ferndale is undertaking a Fifth Street Drainage Improvement Project; and

WHEREAS, the project location is Fifth Street (Public), Residential (R1) and Agricultural (AE), APN's 030-101-007, 030-041-003 and 030-041-002; and

WHEREAS, The project description is: The drainage inlet and culvert located on the east side of 5th Street just south of the northern entrance to the Fairview Drive loop has been an area of localized flood for years (2004 Drainage Master Plan Update for the City of Ferndale).

The proposed project is to replace the deteriorating, undersized culvert beneath 5th Street just south of the northern entrance to the Fairview Drive loop and widen the ditch the culvert drains to. The approximately 1.5 foot wide ditch begins at the west end of the culvert and heads approximately 900 linear feet west where it connects with another ditch at the City limits. The proposed work includes widening the bottom width of the ditch to 4.0 feet with 2:1 side slopes. The current depth of the ditch ranges between about 1.0 -1.5 feet. As part of the project, the depth of the ditch will be made a consistent 1.5 feet. Small pools will be included for habitat benefits within the drainage ditch; and

WHEREAS, In order to expedite the process in hopes of completing the construction before the rainy season, the project would need to be advertised, and awarded prior to the next City Council meeting; and

WHEREAS, The City wishes to delegate authorization to execute a construction contract to the City Manager; and

WHEREAS, Funding for the project would come from the Drainage Fund in the amount of \$60,000, with an additional \$10,000 in contingency funds; and

WHEREAS, the project is a Class 1 Categorical Exemption under §15301 Existing Facilities. §15301(d) "Restoration or rehabilitation of deteriorated or damaged structures, facilities ... to meet current standards of public health and safety ..." Further, the Lead Agency has determined that the use of the categorical exemption is not barred by one of the exceptions set forth in Section 15300.2 of the CEQA Guidelines.

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Ferndale authorizes moving forward with the final design, bid process and construction for the drainage improvements on 5th Street near the Ferndale Housing Complex, authorizes the submittal of the Notice of CEQA Exemption and Authorizes the City Manager to execute a construction contract dependent upon environmental review clearance.

PASSED AND ADOPTED by the City Council of the City of Ferndale on October 4, 2012 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:

Jeffrey Farley, Mayor

Nancy Kaytis-Slocum, City Clerk



NOTICE OF CEQA EXEMPTION

Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (California Code of Regulations, Title 14, Division 6, Chapter 3) §15062, the City of Ferndale as the CEQA Lead Agency is filing this Notice of Exemption with the Humboldt County Clerk, 825 5th St, 5th Floor, Eureka 95501.

PROJECT TITLE: 5th Street Drainage Improvement Project

PROJECT APPLICANT: The City of Ferndale

PROJECT LOCATION, ZONING & GENERAL PLAN DESIGNATION: Public (5th Street), Residential (R-1) and Agricultural (AE). APNs: 030-101-07, 030-041-03, and 030-041-02.

PROJECT DESCRIPTION:

The drainage inlet and culvert located on the east side of 5th Street just south of the northern entrance to the Fairview Drive loop has been an area of localized flood for years (2004 Drainage Master Plan Update for the City of Ferndale).

The proposed project is to replace the deteriorating, undersized culvert beneath 5th Street just south of the northern entrance to the Fairview Drive loop and widen the ditch the culvert drains to. The approximately 1.5 foot wide ditch begins at the west end of the culvert and heads approximately 900 linear feet west where it connects with another ditch at the City limits. The proposed work includes widening the bottom width of the ditch to 4.0 feet with 2:1 side slopes. The current depth of the ditch ranges between about 1.0 -1.5 feet. As part of the project, the depth of the ditch will be made a consistent 1.5 feet. Small pools will be included for habitat benefits within the drainage ditch.

LEAD AGENCY/CONTACT: City of Ferndale, Planning Department; Nancy Kaytis-Slocum, City Clerk; P.O. Box 1095 Ferndale CA 95536; phone (707) 786-4224; fax 786-9314; email cityclerk@ci.ferndale.ca.us

EXEMPTION FINDINGS: The City of Ferndale, as Lead Agency, has determined that the above-described activity is a project subject to California Environmental Quality Act (CEQA). The City of Ferndale 5th Street Drainage Improvement Project is Class 1 Categorical Exemption under §15301 Existing Facilities. §15301(d) "Restoration or rehabilitation of deteriorated or damaged structures, facilities ... to meet current standards of public health and safety ..." Further, the Lead Agency has determined that the use of the categorical exemption is not barred by one of the exceptions set forth in Section 15300.2 of the CEQA Guidelines.

The material supporting the above finding is contained in the staff report prepared by the City of Ferndale's Engineering Department. Copies of the documents related to the evaluation of this project are available for review upon request at the Ferndale City Hall, address above.

Nancy Kaytis-Slocum
City Clerk, City of Ferndale

Date

Date received for filing by the Humboldt County Clerk: _____
Period for Posting by County Clerk: 30 days

Note to the County Clerk: Pursuant to the CEQA Guidelines, Section 15062, the City of Ferndale as CEQA Lead Agency is requesting that the Humboldt County Clerk post this Notice of Exemption within 24 hours of receipt, for a period of at least 30 days. Thereafter, please return this notice to Nancy Kaytis-Slocum, City Clerk, City of Ferndale, P.O. Box 1095, Ferndale CA 95536.

Meeting Date:	October 4, 2012	Agenda Item Number	11F
Agenda Item Title:	Change in Police Department Budget		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Authorization to recognize \$2000.00 from PARSAC, our risk management authority, to pay Lexipol LLC for the police department’s policy manual, updates and daily training bulletins/tests.		

RECOMMENDATION

Staff requests authorization to recognize \$2000.00 from PARSAC, our risk management authority, to pay Lexipol LLC for the police department’s policy manual, updates and daily training bulletins/tests. The revenue will be placed in the Police Special Services Revenue Account (10084291) and posted to the Lexipol Services Expenditure line item (10215053).

DISCUSSION

The Ferndale Police Department contracts with Lexipol LLC for its policy manual and updates. This also includes daily training bulletins and testing data. The policy manual and updates are utilized by the majority of law enforcement agencies in the State of California. Our annual subscription is \$2,950.00. The City’s risk management authority, PARSAC, pays \$2000.00 toward the annual subscription and the police department is responsible for \$950.00.

PARSAC normally issues a check for \$2000.00 directly to Lexipol and the police department pays our \$950.00 portion from our line item 10215053. This fiscal year PARSAC sent their check to the City of Ferndale. Subsequently, the money was available to pay the annual subscription; however, the line item does not reflect the additional revenue. The line item will appear to be \$2000.00 overspent; however, this was not the case due to the \$2000.00 check from PARSAC. Staff requests this money be used to reimburse the Lexipol Services line item to pay the annual service.

FISCAL IMPACT

An increase of \$2000.00 to the Police Special Services Revenue Account (10084291) and a corresponding increase of \$2000.00 to the Lexipol Services Expenditure line item (10215053).

Section 12
CORRESPONDENCE

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

LIGHTHOUSE LAMP SHOP, INC.

Cape Mendocino Fresnel Lens

Disassembly & Storage

9/18/2012

Cape Mendocino Lens
Disassembly & Storage
Final Conservation Report
19 September 2012

Overview

During September 8-12, 2012 the Fresnel lens of the former Cape Mendocino Lighthouse, proudly displayed for 65 years at the entrance of the Humboldt County Fairgrounds, was disassembled and placed into safe storage. The wooden replica lighthouse tower built to house the *L. Sautter & Cie.* lens had deteriorated through the years, creating the necessity of removal. There is every hope that funds will be raised to create a new exhibition for the lens.

Lighthouse Lamp Shop, Inc. was contracted by the U.S. Coast Guard to accomplish the disassembly and packing processes required for keeping the lens in reserve until funding becomes available for its conservation and future display. All aspects of disassembly, packing and crating, and the transfer of all lens components to the designated storage facility were successful.

Procedures

A combination of time, environment, human intervention, and lack of regular maintenance has affected some of the fabrics responsible for a continued stability of the lens. Disassembly and assembly of a lens are the most critical evolutions that a lighthouse lens can undergo. Although prism panels may be stable while remaining in situ, once they are disturbed and separated from the whole, failure of aged putty becomes evident as frame stress is relieved.

It is likely that the lens will undergo full conservation treatment prior to eventual reassembly for display. Lighthouse Lamp Shop, Inc. performed temporary stabilization only to fabrics necessary for preventing loss of glass elements. Prior to disassembly, examination of putty revealed it to be friable and brittle; many areas were treated with Rhoplex WS-24 to consolidate and prevent gross loss during removal and packing. Even so, bits of dry putty rained as upper catadioptric panels were dislodged.

Of particular concern was the possible dislodgment of extant central plano convex glass elements (bull's-eyes) during disassembly. For prevention and added stability, Acraloid B-72 was migrated into the mating joints. A glass-protective film was applied to plano surfaces for added stability.

Because the lens had not been cleaned for some time, glass panels and brass frames were treated by application of a solution of distilled water and JL-80-X, which loosened adhered particulate, then wiped with soft microfiber cloth. This was followed with a rinse solution of isopropyl alcohol and distilled water. Isopropyl alcohol is used as a surfactant, and also, to assist with the flashing-off of distilled water. A final step was the buffing of the lens with lint-free microfiber chamois.

Curiously, at some unknown time and for what purpose, the central column of the lens was cut in two. Speculation cannot answer. Meanwhile, a circle of thick plywood had been bolted so as to 'connect' the central column, apparently in an effort to maintain lens position.

Fasteners: The fasteners as found throughout were a medley of correct ones, cut ones, missing ones, some incorrectly installed, some replaced with improper material, and others mixed within the system—even steel fasteners had been added (with incorrect thread pattern). Prior to removal of fasteners, Kroil penetrating fluid was applied and allowed to seep into threaded surfaces for ease of removal. Two bolts of the pedestal 'skirt' were stubborn and required several applications of a penetrating oil.

Clock Case & Ironwork: Upon disassembly, original green paint was discovered in areas concealed when the lens is assembled. It appeared that the ironwork had been coated with a substance like shellac, which has caused the underlying paint to soften, shrink, and wrinkle.

As each prism panel was disengaged and lowered by line to the middle level of the 'lighthouse', it was wrapped in a 4-mil material impregnated with copper and carbon to act as a moisture barrier, and also, as a sacrificial element to assist with corrosion prevention of brass elements. Every one of the 16 upper, 16 central, and 16 lower prism panels had its own purpose-built, moisture-and vermin-tight crate built to standard specifications. Ethafoam layers were positioned inside the crates to cushion prism panels, and also, foam block wedges to prevent shifting.

The sealed lens crates were lowered out of the structure by means of block and tackle; a track guide was fabricated to support crates and add control. However, the weight of iron elements—the lens pedestal, rotation mechanisms, platen, clockwork and its case—was too great for exiting the tower by this means. A forklift was hired, which would raise pallets to the level of the gallery railing. The heavy items were manhandled onto the pallets, lowered, and driven to the storage area. From there, a pallet jack was used to move the pallets into the storage facility. Since the storeroom is climate controlled, it was decided that the ironwork need not be enclosed in crates.

Something rather exciting and unseen before was revealed on this early lens as panels came away. Two of the prism panel base rings have printed on them in black lettering the description of their function. *Basic* translation of the French words reads as follows:

CERCLE D PANNEAUX OPTIQUE INFERIEURS FACE SUPERIEURE (ASSEMBLAGE DES MONTANTS A COL DI
[or DE or DU] CYGNE

montants—upright, rising, sum, total

cygne—swan

col—collar, neck

Circle of optical panels lower upper face assembly rising to a swan neck

CERCLE DU DESSOUS DES PANNEAUX DE LA COUPOLE FACE SUPERIEURE (HAUT DU TAMBOUR CENTRAL 16 LENTILLES)

tambour—drum

dessous—beneath, below

Circle of panels below the dome top face (upper central drum 16 lenses)

Examination Results

Putty: As expected, putty was friable due to age, environment, and factors resulting from vibration and possible structure settlement.

Brass Frame: The lens frame exhibits a pleasant uniform patina with areas of verdigris; no active corrosion was discovered.

Glass Elements: Most of the damage to glass appeared to be impact-related and found mainly on relief angles, peaks and surfaces. Cracks were conchoidal, concentric, and Hertzian cone.

Weights in pounds:

- upper catadioptric panels 90
- central dioptric panels 51
- lower catadioptric panels 53
- cantilever braces 23
- cantilever ring 48.5
- bottom ring of lower cats 56
- ring on top of lower cats 46
- ring on bottom of lower cats 46
- upright braces 16
- cantilevers with bolts 15.5 (x 8)
- total of the 8 narrow center mounting brackets 13
- clock case sides 77 (x 6)
- clock case steps 15.5 (x 4)
- the 'bell' 100
- top platen of case 149.5
- case platen center column 111
- platen 411.5
- bull gear 238.5
- clock case corner columns 60.5
- table 600
- clock case base 600
- guide roller carriage 80 (estimate)
- chariot 90 (estimate)

Overall, with exception of putty, the Cape Mendocino Lighthouse lens is in good state. It needs conservation, but its age and manufacture, and the fact that its original clockwork remains, make this lens special. It is no small thing that the lens exists so many years after it was taken from its lighthouse.

To: Ferndale City Manager

From: Richard Hooley

Subject: retracting request for revocable easement. Ref. Letter submitted 8/1/12 requesting the easement.

Date: 9/10/12

SEP 11 2012

On 8/1/12 I submitted a request for a revocable easement for the area of the fence across the west end of "E" st. This request was submitted to the planning commission on 8/29/12. It is apparent that some members of the commission are determined to create a major issue out of this simple request and asked for a legal review. I believe the cost to the city for legal briefs etc. could be better utilized on more important matters. As a result I am retracting my request and will remove the fence by 11/15/12. Since the city has no need for this street, at this time, and has not maintained the property I will continue to maintain the half of the street that leads to my garage and assume that, in the absence of further notification from the city, that this will be acceptable.

Respectfully submitted;

Richard Hooley



September 17, 2012

F A X E D
9-17-12
11:37am

Ms. Nancy Trujillo
Sylvia Sterling Trust of 1995
P.O. Box 193
Ferndale, CA 95536

Re: 580 Main Street, 031-143-004, material replacement of front façade.

Ms. Trujillo:

The city will be able to schedule your application, for façade renovation at 580 Main Street, for the September 27 2012 Design Review Committee meeting if we receive application materials listed in this letter by close of business today, Monday September 17. We understand that you want to get some material up on the building as soon as possible. The process that should be used is to follow the instructions on the Historic District – Design Review Application Process, which we have attached to this message.

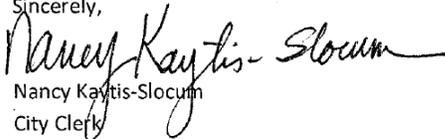
Under Staff Considerations on the application form: "(A) If your application is within the Secretary of the Interior's guidelines, your application will go to the Design Review Committee without a fee." [Note: The guidelines on the back page of the application include (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. And (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.] Because of the above, you are now under Staff Considerations: "B. If your application falls outside of the Secretary of the Interior's guidelines, then a fee deposit will be required before the application goes to the Planner for environmental review."

Staff has agreed what needs to be submitted with your application:

- Plans and Drawings
- Photographic representation of site, structure, materials, etc.
- Sample of proposed material.
- \$200 fee deposit for initial CEQA review.

Please note that we need your information 10 days before the Design Review Committee Meeting.

Sincerely,


Nancy Kaytis-Slocum
City Clerk

File: Correspondence
580 Main Street

Attached: Design Review, Historic District application

Section 13

REPORTS

Section 13a: City Manager Staff Report

CITY MANAGER:

Meetings and Projects:

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
- Separate meetings with Gerald Silva, David Yarrington, and County planning staff regarding new route to Russ Park
- Discussions with Karen Clower (September 1st) of the County regarding the use of City Hall for budgetary meetings in March that may be televised through Access Humboldt.
- City Council – September 6th – 7:00-8:30 pm
- Kiwanis Bocce Tournament – Sept 8th - All day
- SRWC – August 28th - 2:00-5:00 pm
- Design Review- Sept 13, 20, and 27th - 8:30 am
- SRWC meeting- Sept 11th - 2:00-5:00 pm
- RCEA Board meeting – Sept 17th - 3:15-5:00 pm
- City Manager meeting- Sept 20th - 3:00-5:00 pm
- Meeting with Donna Chambers (RCD) regarding Mike Thompson and Jimmy Smith event on Sept 22
- Salt River Restoration Event - Sept 22nd 1:00-2:00 pm
- Met with PW regarding daily routine. Focus this month was on Francis Creek maintenance and drainage projects we want to complete before the weather changes this fall. We have a collapsed culvert on Washington that needs to be remedied, as well as a drainage problem on 5th Street.
- Number of conversations with non-profit representative regarding condition of carpet in Library and a submission of a grant proposal for replacement. We were successful and the library is in the process of scheduling the installation of the carpet. We should be very proud of our library which is one of the only libraries in the county that is partially funded by their City. In the last several years we have put a new roof, a new handrail system, painted the outside of the building, and replaced all the lighting fixtures inside through grants.
- Conversations with Donna Chambers of RCD regarding planning for the celebration events related to the Salt River Restoration Project. The first event on September 22nd would be in Firemen's Park from 1:00-2:00 pm and would focus on a salute to Mike Thompson and Jimmy Smith for all energy and effort they put in to helping this project get off the ground. The ceremony was a great success and was well attended not only by Congressmen Thompson and former Supervisor Smith, but by many dignitaries and agency representatives. Mayor Farley kicked off the event with a short history and introduced Watershed Director Dave Carr. Director Carr explained that our organization has been focused on helping property owners understand the project and developing a procedure to make sure we are able to maintain the drainage system once the project is complete. Councilmen Mierzwa gave a great history of the project and referred to the many individuals that have been

associated with the project over the course of many decades. Since the event we have received the Coastal Development permit, which will allow us to move forward with the project.

- Met with City Managers and CAO to go over the process of transfer of new ownership of Suddenlink. Access Humboldt is continuing to follow up with the Buske Group and Suddenlink regarding ownership transfer. The Buske Group feels that we will be able to plan for action steps which will require each jurisdiction to adopt a resolution approving a Transfer Agreement. They are working on the conditions of that agreement now.
- ERD contract negotiations: Karen Smith and I met a few times to go over our greenwaste program and she said that there was no desire on ERD's side to increase rates for the service at this time, and I have had no reports or complaints about the program since it began. We will bring this to the Council for a one year extension.
- Daily meetings with chief regarding police activities and community safety issues.
- Conversations with Wastewater operators regarding compliance related, personnel related issues and scheduling. Also many sludge related alternatives and guidance to reduce associated weight and costs. CPO went over the latest alternative which would be an agreement with a permitted local facility to take our sludge and at the same time turn over all liability associated with it. I also spoke with Lisa Bernard about this possibility and she said that she was in favor of the program. I received a contract for six months and had our attorney review it. He made a few changes but all-in-all it looks like it will save the City substantially over our previous process.
- Daily interaction with Staff regarding workload. We have a new Administrative Assistant, Lacy Pedrotti, and we are bringing her up to speed as quickly as possible in anticipation of our Finance Director, Debbie Austrus taking time off to recover from surgery. Lacey has been with us a couple of weeks and is catching on very quickly.
- Numerous conversations regarding Salt River Project with Watershed Council members, RCD representatives, council members and citizens. We continue work with property owners in effort to get support for the project. We now have all property owners on board and are meeting with Coastal Committee in hopes of getting the development permit.
- Frequent conversations with John Driscoll and Congressmen Thompson representatives and Coast Guard (CG) representatives regarding the MOU to retain Fresnel lens at Fairgrounds while giving us time to secure funding to reassemble lens in the museum. The Coast Guard has plans to start disassembly around September^{9th}, with that process taking around a week. The City and Shining Light Foundation (SLF) will have four years according to the MOU to raise the required funds. It has been a long process negotiating with the CG in an effort to keep the lens in our community where it has resided for over sixty-three years. The Shining Light Foundation which is comprised of the City, County Fair, Chamber of Commerce, the Museum, and the Ferndale Enterprise should be commended for its time and efforts to retain this iconic artifact which is part of our historic fiber. We also had numerous conversations with SLF members regarding the preparation of temporary housing building to make sure it was compliant with CG guidelines. The City has used its approved share of funding to prepare the temporary building with climate control equipment. This equipment will eventually be moved with the lens to the museum site to perform the same function. The setup will also include a daily monitoring capability that will produce a record of the humidity and temperature that we will annually send to Coast Guard Curator. The report that was produced by the disassembly team said that the lens was in relatively good condition as a result of the sixty-four years of stewardship by the County Fair.
- Numerous meetings with Gerald Silva related to possible agreement on Russ Park access. David Yarrington is working with Planwest and putting together an estimate of costs associated with a possible trade of some land that would allow Russ Park enthusiasts to enter the park just past the

water company on Eugene Street. In analyzing the procedure with the County it was pointed out that the Siva property was under the Williamson Act and that would complicate the process and that we might consider waiting until that came out of the Act in 2014. We are in the process of talking to all parties to get consensus before moving forward.

- Numerous meetings with individual councilmen and the mayor regarding City issues, and updates about representation on the various joint power authorities the City are members of.
- Sculpture in City Green was taken away at the end of April and we are trying to replace with a student sculpture from HSU. I am working with Sondra Schwetman of the Art Department in an effort to start some type of rotational exhibit. She is excited about the possibilities and is in the process of putting a proposal together that will possibly allow the City to have a sculpture from HSU students on a rotational basis. We are looking forward to participating with HSU on this project. I met with Sondra on September 5th, and we have started the process. It will take around a year for the students to go through the process and for us to see a sculpture back on the green.
- The Sign Ordinance Committee is making good progress. The current ordinance and procedures are still in effect and businesses must still go through Design Review and procedures for placement of signs and related issues. Staff is in the process of writing a letter to business district updating our progress and reminding them that there were non-compliant situations before we started this process and that although there may be changes in what is and is not allowed, we will be enforcing whatever the Council approves at the end of this process.
- Discussions with City Planner regarding Design Review and planning issues. Planning Commission continues to have presentations related to the Safety Element.
- Several conversations with Cybelle Immitt who is a senior planner for the County. Cybelle led a coalition of cities and agencies back in 2008 through a process to develop Hazard Mitigation Plans (HMP) for those agencies and the County. Those migration plans had a shelf life of 5 years and now we are required to update our previous plans. The goal of this planning effort is to update data for the natural hazards that could impact the planning area to determine the level of risk, update the identification of actions and activities that can reduce any losses from those hazards, and reinvigorate the coordinated process of implementing the plan. Back in of October of last year the Council approved a match of \$2,500 dollars to continue our participation in this program to update our HMP. The fiscal match was waved as a consequence of representation on the steering committee.
- We have successfully initiated in conjunction/collaboration with Leland Rock and Gerald Silva a monitoring program to watch and record any movement of last year's slide area. This area looks stable and we will continue to monitor. Tom Stevens is monitoring the site for the City and has reported no movement so far and he is pleased with what he sees to this point. He commented at the Drainage Committee meeting that the slide was about twice as long as originally reported and that he will continue to monitor at pre-determined times of the year dependent on weather events.
- Numerous discussions with City Planner regarding design review and planning issues. We are in the final stages of completing the Design Review Process and the Final Review for Design Review Applications.
- Numerous discussions with our Planner and City Inspector and staff about the Kinetic building downtown that has had stucco removed from the front of the building. The City Inspector approved an emergency demolition permit to remove the stucco at the request of their structural engineer. The property manager will then apply for building permit to address whatever structural issues it may have. The construction project seems to be at the end of the repairs and the City Inspector is waiting for documentation from engineer of exactly what those repairs included. When the

inspector has approved that step the City will accept an application that addresses what will replace the original material.

- Numerous conversations with the new Gingerbread property owner and manager regarding renovation plans, ideas and design review applications. They have made great headway and the building is truly being brought back to match its iconic status and contribute as a resource for many decades.
- Spoke with several pastors in the town who expressed an interest in helping put a new coat of paint on City Hall. The Rotary has approved a grant that will pay for the paint. We intend to replace gutters before painting. I also intend to repair the windows around City Hall that are in need of rehabilitation. I have this grant proposal already going through the system and we should know within a month or so.
- Inside the council chambers we have improvements to the stage area, including the sound system and curtains. I have received bids on curtains and gutters. Sound Advice is giving us a bid on the sound system, which will replace our system with new microphones for the council, staff and public, and will also include all amplifiers and speaker systems. They will also look at some type of acoustic design change for best performance of the system. If we are able to garner the funds for these improvements we will be able to consider having the capability to have certain venues carried on our local Access Humboldt cable network. A majority of these improvements will go through the Village Club and supported by the City. There are also some kitchen renovations involved with these other improvements. The grant application is in the process of being considered.
- The City Managers group is working with Access Humboldt to analyze the requirements we need to go through as a result of the change in ownership of Suddenlink.
- Numerous conversations with resident who lives beside E Street and put up a fence that shortened the dead-end street by about thirty feet in 2000. The property owner has informed the City that he intends to take the fence down by November 15th. This was on the PC agenda and they did not recommend further action.
- A little over a year ago we were able to work out an agreement that would allow us to get a new car for our police department for approximate two years and then turn it over to a cab company for them to put it into cab service. This has worked out well for us and we are looking forward to another car under the same plan. We should be receiving the additional car sometime this month.
- Met with Michael Sweeney to go over any questions he might have regarding his new position as a Councilmen.
- A number of discussions with RWQCB representatives and County representatives regarding the wastewater disposal site and the condition of the receiving water streambed condition as it relates to drainage in that area. The concern is what interim needs are there before the SRRP addresses in phase two a long term solution to flooding issues in that area.

FINANCE MANAGER:

Meetings

- Meeting with City Manager on Office Issues
- CAL OSHA Webinar
- Meeting with City Manager to interview new Admin. Asst.

Projects

- Payroll
- Accounts Payable

- Accounts Receivable
- Answer Phones
- Purchase Various Supplies
- Receive and File July Financial Reports
- Train Admin Asst. on Accounts Payables
- Train Admin Asst. on Payroll
- LAWCX PARSAC Report
- Closed USDA Account & Transferred to General Account
- Update July Financial Budget
- Update Chart of Accounts
- Reconcile Bank Account
- Excess Liability PARSAC Report

CITY CLERK ACTIVITY

Meetings

- Daily meetings with Office Manager and/or City Manager regarding work schedule.
- City Council meeting 9/6/12.
- Drainage Committee Meeting 9/13/12.

Projects

- Counter and phones.
- Pick up mail, copy, distribute and file.
- Continue to work with InLight Fitness regarding MOU with the city for the use of the Community Center for a reasonable fee of \$5.00 per hour.
- Prepared Drainage Committee Agenda for September 13th.
- ERMA Training online. Slowly catching up on missed training while on Family Leave last year.
- Filed August report of Building or Zoning Permits issued for new privately-owned housing units.
- Organize quotes for work at City Hall.
- City Council Meeting Follow-up
 - Printed, signed, posted online and filed 8/23/12 and 8/2/12 minutes
 - Filed Resolution 2012-25 Approving the submittal of a Functional Classification Change for Local Streets and Roads to the State of California, Department of Transportation. Copy for City Engineers.
 - Filed Ordinance 2012-03 "An Ordinance amending Purchasing Ordinance 07-04 Section 6.01 Pertaining to Bidding Procedure;" Posted public notice on Ordinance, Revised Purchasing Ordinance 07-04 with amendment, and re-posted online.
- Prepared City Council packet for October 4, 2012 meeting
- Election Duties: approved Ballot artwork. Issued paperwork for Write In Candidate.
- Prepared Design Review meeting packet for 9/20 and for 9/27
- Prepared Sign Committee meeting packet for 9/20
- Prepared Planning Commission packet for 9/19
- Organizing Design Review applications on Administrative Assistant's desk.
- Follow-up on Francis Creek Cleanup letters.
- Entered 4-H meetings on Community Center and City Hall Calendars.

- Worked with Vikki Young of the Ferndale Rep Theatre to set up rehearsal dates at the Community Center and City Hall for use from September 21 through November 19th.
- Training with Finance Manager on Payroll and Accounts Payable
- Work with City Manager and Public Works on creek walk results.

Land Use, Building and Encroachment Permits Issued

Building Permits	
161 Francis	Replace post and pier foundation
1182 Rose	Reroof Garage and addition
515 Fifth Street	reroof
1182 Rose	Bldg Inspection – Consultation

Land Use Permits		
1085	Main	Paint House
820	Herbert	Reroof
580	Main	Sign
161	Francis	paint
375A	Main	Workshop

CITY PLANNER:

Meetings, Planning & Coordination

- Coordinated with City Manager, City Clerk, and Deputy City Clerk on planning and development projects.
- Prepared cost estimates for CEQA environmental review documents at request of City Clerk.
- Responded to property owner questions regarding converting an existing structure on the property into a dwelling space. Coordinated with City Clerk to advise resident on options.
- Prepared staff report regarding request for a revocable easement for a fence in a public right of way and drafted sample easement; presented at August 29 Planning Commission meeting. Presented follow-up report at September 19 Planning Commission meeting regarding applicant’s revocation of request.
- Coordinated with City Clerk on process for notifying resident of Design Review Combining Zone violation for removal of a contributing feature from a listed building in the Historic District.
- Continued coordination on alleviating issues stemming from Russ Park access across private land.
- Responded to questions regarding unsafe building requirements in response to demolition permit application.
- Wrote and mailed application incomplete letter to applicant for siding repair at 535 Main St.
- Coordinated with City Clerk and City Manager to draft email to Ferndale resident outlining City requirements for a Design Review Use Permit application for stucco removal in the Historic District.

Projects

- General Plan Update—Prepared Draft General Plan Safety Element Settings & Context and Geologic & Seismic Hazards chapters and presented at 8/29 Planning Commission meeting. Arranged study session presentation by Troy Nicolini, Warning Coordination Meteorologist for the National Weather

Service in Eureka, tsunami program manager for northwestern California, and co- chair of the Redwood Coast Tsunami Work Group. Rescheduled presentation for January 16 study session. Prepared Draft Flooding & Drainage Hazards chapter and presented at 9/19 Planning Commission meeting. Arranged study session with presentation by Sherry Constancio of the Department of Water Resources Division of Flood Management and Reginald Kennedy of the National Weather Service.

- Design Review Use Permit Application Process –Made additional changes to application process as directed by Design Review Committee at 7/26 Committee meeting. Prepared staff report and final draft of application process for 8/23 meeting. Meeting was cancelled due to lack of quorum; revised all materials for 9/27 meeting.

CITY ENGINEER:

Sewer Projects –

- Working on a proposed capital improvement report (sewer)
 - Met with Doug and discussed scope of projects to be included and priority ranking. Working on updated cost estimate and map for DRAFT submittal.

Pedestrian Improvement Project -

- Rose Street: (Phase 2)
 - \$250,000.00 has been granted to the City of Ferndale for Transportation Enhancement (pedestrian improvements) on Rose Street.
 - Design development and preparation of construction documents have been authorized.
 - Preparing the environmental study and preliminary design.

Applications –

- Mr. Willis Hadley - Francis Street Project: A letter has been forwarded to the owner regarding the requirements that need to be met in order for the application to be approved. Still waiting for response.
- Beal LLA approved.

General Engineering –

- 5th Street Flooding in front of Navy House Parcel – Solution determined
 - Conceptual design approved by the Drainage Review Committee.
 - Preparing to meet with the property owner to discuss proposed design and potential easements.
 - Preparing to meet with the Department of Fish and Game to discuss and potential environmental concerns regarding the proposed ditch location and excavation.
- Working on a Project Study Report for resurfacing Berding Street
 - Determining possible solutions and cost estimates based on the Pavement Condition Index Report.
- Discussed results of the Project Initiation Document for the intersection of 4th and Shaw Ave.
 - Design has been completed. Waiting on responses from the School Superintendent and Police Chief to express any concerns with the project being constructed before the rainy season.
- Working on a proposed capital improvement report (roads and drainage)

- Met with Tim and discussed scope of projects to be included and priority ranking. Working on updated cost estimate and map for DRAFT submittal.
- Working on Roadway Functional Classification change
 - Cal Trans has approved the map change and submitted the revisions to FHWA for approval.
- Washington St. drainage culvert repair.
 - Prepared the agenda item for the City Council meeting.

Meetings and Committees –

- HCAOG
 - Attend TAC meetings
- Drainage Review Committee
 - Attended Drainage Review Committee

Reporting and Correspondence –

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

WASTEWATER OPERATIONS:

- CPO complete Sewer Tax audit and Assessor report.
- OIT assisted operator Coppini with moving irrigation pipes
- CPO worked on North Coast CWEA award nominations. We are nominating the facility for Plant of the Year and also Manhard LTD for Engineering Excellence. If our facility is chosen for the North Coast we will qualify for nomination for the State award.
- Met with Hank Brenard of HBE to discuss biosolids disposal and management. His company is sending us a proposal to take all our biosolids.
- Discussed California Toxic Rule(CTR) constituents for the next permit with Lisa Bernard. (See below regarding copper WER)
- Sent historical CTR data to Lisa B for review and possible removal from permit.
- CPO updated City Manager on biosolids handling options.
- Ordered uniform shirts for OIT Ivey
- Lateral tests performed at 825 Main, 505 Shamsi and 558 Watson
- Issues with Influent PLC discussed with and fixed by Portland Engineering Inc.
- Assist City Manager with Bocce Tournament poster
- Assist office with computer issues
- Drain and wash debris from disc filter #2.
- CPO attend waste diversion meeting with HWMA in Eureka.
- Ordered hoist and trolley truck for lifting apparatus for influent pump removal.
- CPO discuss biosolids management options with Mike Flockhart from City of Fortuna.
- CPO review draft NPDES permit proposed by the Regional Board
- Started profile with Waste Management in Redding regarding taking our biosolids. Sampling has been done and awaiting results.
- City annual review with CalRecycle with City Manager and CPO at City Hall. Discussed our recycling programs and future ideas.

- Motor Operated Valve (MOV) from the pond has an issue with sealing on close. Manufacturer was in to replace the valve but it was found to not be seating properly. Tech was able to get it into place and it is working fine. We have been able to backflow sewage from the pond as the irrigation pumping schedule is increased. The pond has dropped 18 inches in a week.
- Boom truck in to clear influent pumps.
- Staff performed process tests to assist in the operation of the facility.
- Operator Coppini manage biosolids handling with turning and mixing to get maximum dry.
- OIT Ivey perform quarterly cleaning of the disc filters
- Mow and weedwack along road adjacent to facility
- CPO continued discussion on capital improvement plans with Manhard to coordinate any work being done on the roads.
- After submitting results from the copper Water Effects Ratio(WER) test that was completed last month it was found that copper will be removed from our permit completely. The ultimate goal was to increase the limit of copper we could have to reduce or eliminate any fines related to non-compliance. Not only did we get copper removed but additionally, all monitoring for metals and 3 other parameters were removed based on our past history compared to the new facility. Two of our constituents were left in the permit but just for monitoring only with no limits. After a series of results have been submitted we can petition to have those removed all-together also. The cost saved by not running these monthly tests in the winter will pay for the WER study within the cycle of the permit. Since there were so many changes in our favor the Regional Board thought it best to issue us an entirely new permit rather than trying to amend the current one. The new permit will go out for public comment next month and before the Board for approval in December and will be effective until 2017.
- Sent letter to Regional Board asking to add Operator Steve Coppini on the list of authorized signers and report submitters.
- Took composite samples from dried biosolids in storage for sampling to determine whether it would classify as A grade biosolids for land application anywhere without a permit. Still waiting for test results.
- Checked for a sewer backup at 420 Schley as per customer phone call. Staff checked and found that the blockage was on the customer's side and is their responsibility.
- Continued to work through some process issues at the plant. Flows are decreasing and therefore the biological process is changing.
- CPO met with reps from Fortuna Iron to finalize the construction of a small, portable hoist that can be used for removing the small influent pumps for routine maintenance.
- Completed and submitted monthly electronic annual report for the Regional Board
- The facility received a total of 16 septic dumps from Roto Rooter & Wyckoff's totaling 24,400 gallons and generating \$4,392 in revenue for the facility.
- Plant DATA updated on SEMS software
- CPO attended CWEA board meeting in Eureka
- Monthly eSMR was submitted
- Staff performed routine process tests in our lab.
- Prepared monthly sample containers
- Filled out POs for monthly invoices
- Monthly samples picked up by NCL
- 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.
- There were no biosolids disposed of during the month of August. All biosolids were managed on site for drying.
- No violations were reported during the month
- Total flows through the collection system were 5.644 MG. The average flow was .182 MGD. Of that, 1.651 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 3.981 MG for the month of August. The average flow was .128 MGD.
- Irrigation flows totaled 3.992 MG for the month of August. The average flow was .129 MGD.

PUBLIC WORKS:

CITY PROPERTY

- Firemen's Park
 - Routine Maintenance, i.e. Mowing Park and Baseball Field.
 - Routine daily walk through to pick-up garbage.
 - Contractor installing a 10' fence gate at the outfield fence.
 - Pulled an alder log from the creek at the park.
 - Cleaned all over the park, bocce and parking area from the Beer and Bocce Tourney.
- Park Restrooms
 - Routinely cleaned every day of the week including weekends.
- Russ Park
 - Routine maintenance: Pulling out trash from trash & recycle bins as needed.
 - Picked-up loose garbage from Russ Park.
- Town Hall
 - Routine mowing and weedeating
 - Pull out trash daily
- Library
 - Routine mowing and weed eating
- City Parking Lot
 - Picked up garbage – Routinely as least once a week unless otherwise warranted.
 - Restriped lot – painted parking stripes.
 - Met with property owner by the City Parking Lott regarding trees in the creek.
 - Removed broken top of a tree from the creek at 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.
 - Showing CC to potential renters as needed
 - Unwired override switches to the refrigerator. This switch was accidentally turned off.
 - Restriped parking lot.
 - Installed new power head for the bathroom fan.
- Police Department
 - Routine mowing and weed eating

- Scout Hall - Routine mowing and weedeating
- Roadsides - Routine mowing and weed eating
- Public Works –
 - Washed the gas tank.

STREETS, SIDEWALKS and STORMDRAINS

- 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.
- Continuing to patch the roads as needed.
- Road patch Rose and Berding streets.
- Installed handicap sign and post at the Gingerbread Mansion. Painted the curb blue.
- Patched a valley in the gutter at 4th and Shaw. The concrete was broken up. Working with Manhardt on this.
- Drainage on Washington St. to be addressed by the city engineer. Waiting on a start date.
- Painting green curbs throughout town and adding white “20 minutes street side parking” lettering on the green area.
- Painted the crosswalks at 5th and Shaw and 5th and Ocean.
- Painted stop bars and signs.
- Picked up garbage all over the city limits from Bargain Lovers Weekend.
- Removed dead deer from 591 Van Ness.
- Cleaned Main St. due to a car crash. Glass, Oil and parts etc.
- Removed debris from all the drains and grates around town. –

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.
- Follow up on creek clean-up.

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 Other**City of Ferndale, Humboldt County, California USA**
Design Review Minutes for the 06/21/12 8:30am meeting

Chairman Dan Brown opened the meeting at 8:40 a.m. Committee Members Michael Sweeney, Lino Mogni, Michael Bailey and Dane Cowan along with staff Deputy City Clerk Brianna Smith were present along with members of the public Dennis DelBiaggio and applicants Michael and Gina Warner.

Modifications to agenda- Move 5c before 5a

724 Main Street- The Committee all agreed that they would like to see more details before the approve Phase 2 of the application. MOTION: (Cowan/Sweeney) Approve Phase 1 of the application. Unanimous.

1289 Main Street- MOTION: (Sweeney/Bailey) Approve application as presented. Unanimous.

207 Francis St- Tabled until paint colors for gutters are decided.

The meeting adjourned at 9:19AM. The next meeting regular meeting will be June 28, 2012

Respectfully submitted: Brianna Smith Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 06/28/12 8:30am meeting

Chairman Dan Brown opened the meeting at 8:34 a.m. Committee Members Michael Bailey, Michael Sweeney, Lino Mogni and Dane Cowan were present along with staff City Manager Jay Parrish, City Planner Melanie Rheaume and Deputy City Clerk Brianna Smith. Also present were applicant Jim Roberson and William Warren.

No public comment

Approval of the May 24, 2012 minutes: MOTION: (Cowan/Mogni). Approve minutes as presented. Unanimous.

Approval of the May 31, 2012 minutes: MOTION: (Brown/Cowan). Approve minutes as presented. Unanimous.

923 Main Street- MOTION: (Cowan/Bailey). Approve application as presented. Unanimous.

Design Review Procedure- City Planner Melanie Rheaume gave an update on the Design Review process and let the Committee know that Planwest is working to update the DR process to

come into compliance with the Zoning Ordinance. She went over the draft changes made to the application explain that they have combined the Historic and DR application into one. The Demolition Process was also discussed, it was explained that we don't have a current process for demolition and that it is something that should be discussed. City Planner Rheaume also discussed a DR manual that will address the DR process, the Historic District as well as DR guidelines. Committee members asked for time to review the draft changes made to the DR application and this will be brought back at the next regular meeting to discuss further.

Final Procedure for DR Applications- Chairman Brown brought two applications forward that did not comply with what their applications had stated;

1. 1430 Main St, the pattern of the siding under the window is similar to how it was before, but it's not exactly the same as the applicant stated. It was decided that City Manager Jay Parrish, along with Committee members Dan Brown and Dane Cowan would meet with applicant Mitch Tonini to discuss the siding.
2. 777 Main Street, the application for a carport was denied and the applicant went ahead and put up a plastic carport without permission from the Committee. There was question to whether or not this was a temporary structure or a permanent structure. Staff will look into this and report back at the next meeting.

The meeting adjourned at 9:35AM. The next meeting regular meeting will be July 26, 2012.

Respectfully submitted, Brianna Smith Deputy City Clerk

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Design Review Minutes for the 07/19/12 8:30am meeting</p>

Chairman Dan Brown opened the meeting at 8:32 a.m. Committee Members Michael Sweeney, Lino Mogni, Michael Bailey and Dane Cowan along with staff City Manager Jay Parrish and Deputy City Clerk Brianna Smith were present.

1085 Main Street- MOTION: (Cowan/Mogni). Approve color choices as presented. Unanimous.

820 Herbert- MOTION: (Mogni/Bailey). Approve application as presented. Unanimous.

Committee Comments. Committee member Dane Cowan and City Manager Jay Parrish gave an update on final approval of the siding at 1430 Main Street. Committee member Cowan and City Manager Parrish met with applicant, Mitch Tonini to discuss the siding under the window and how it is different from what was stated on the application, after some discussion with the applicant the problem was resolved to Committee member Cowan's satisfaction and was approved.

The meeting adjourned at 9:23AM. The next meeting regular meeting will be June 26, 2012

Respectfully submitted: Brianna Smith Deputy City Clerk

City of Ferndale, Humboldt County, California USA
Drainage Committee MINUTES for the Meeting of May 24, 2012, 4:00 p.m.

Vice Chairman Richard Hooley called the meeting to order at 4:05 pm. Committee members Tom Stephens, Lee Tomasini and Jim Bass as well as City Manager Jay Parrish and City Clerk Nancy Kaytis-Slocum were present. Stuart Titus was absent.

Under Public Comment, Tom Stephens talked about the Francis Creek Slide. He has visited the site three times, after getting access permission from the property owners, Leland Rock and Gerald Silva. Stephens put in 12 stakes approximately 10' apart. The plug in the channel is about 3000 to 4000' long, 80' wide and 15' deep. Stephens returned after about 10" of rain, and the stakes hadn't moved. However, the dam is started to give way and the sides of the channel are falling in. There is a waterfall over the top. When Stephens visited the third time, the stakes still hadn't moved. He will return just before it rains again. Downstream of the slide, there is lots of sediment in the stream. There are tension cracks at the top of the slide; however, not much can be done. There is about 100' fall from the toe of the dam to where it levels out near the waterworks bridge.

Minutes: The modified 6/9/11 minutes as presented were unanimously approved by MOTION (Tomasini/Bass).

Creek Walk: City Manager Parrish reported rather than having each property owner on the creek have to deal with The Department of Fish & Game, the City took over the responsibility for walking the creek and deciding which vegetation has to be removed. All members of the committee would like to be notified when the Creek Walk will take place. City Manager Parrish showed a map that is being developed showing drainage easements.

Comments: City Manager Parrish reported that our drainage project for this year is to put another Drainage Inlet across from Hamper's property on 5th Street. Committee Vice Chair Dick Hooley asked that drainage on 5th Street from the Hamper property be on the next agenda. He is concerned that a drainage pipe under the sidewalk may be inadequate, and is currently plugged.

The meeting was adjourned at 4:45 pm. The next meeting will be September 27, 2012 starting at 4pm. (The third Thursday has a conflicting meeting.)

Respectfully submitted,

Nancy Kaytis-Slocum, City Clerk

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of August 29, 2012

Call to Order: Chair Jorgen Von Frausing-Borch called the Planning Commission meeting to order at 7:02pm. Commissioners Dan Brown, Uffe Christiansen, Trevor Harper, and Lino Mogni along with staff City Manager Jay Parrish, Deputy City Clerk Brianna Smith, and City Planner Melanie Rheume. Those in attendance pledged allegiance to the flag. MOTION: (Brown/Christiansen). The July 18, 2012 minutes were unanimously approved.

Modifications to the agenda: City Manger Parrish asked that Item 6.3 the Revocable Easement for E-Street be moved to the first item. No Public Comment.

Recvocable Easement for E-Street: City Planner Melanie Rheume briefly gave a background on the E-Street Revocable Easement. She Let the Commissioners know that the applicant had asked the City to wave the fee for the Easement. It was added that since this issue was brought forth by City officials that it didn't seem fair for the applicant to pay. City Planner Melanie Rheume asked that the PC Commissioner look over the draft easement. A Commissioner asked how this issue affects the Fosters, who also use the fence. City staff explained that the Fosters were in full support in keeping the fence, but have not requested anything. Mr Hooley gave some background on the fence. He explained to the Commissioners that he had installed the fence after he had some conversations with then Public Works Director Mr. Taubitz in 2001. He had asked Mr. Taulbitz if he needed permission from the City to clean up the area and install a fence between his property and the Foster's property. His informal response was that he saw no need to get formal approval. Ron Smith, who lives at the West end of E-St who could not be at the meeting expressed to Mr. Hooley that he has no concerns with the fence and would like to see it left up. A Commissioner had a question to as who the owner of E-Street was? It was explained that The City is the owner E-Street. It was asked why the City doesn't deem themselves the owner of the fence? Staff explained that the Revocable Easement puts the onus off the City. Commissioners had concern about the legal aspects of the Revocable Easement and asked if it had been looked over by legal counsel. It was explained that it had not been, but that this document had been used by other cities and had been altered to fit the situation. All Commissioners agreed that they wouldn't feel comfortable recommending this to Council as is and that they would like more legal information and would like to know more about Adverse Possession and its role. MOTION: (Brown/Mogni) Tabled until legal advice is obtained. Unanimous

Geological and Tsunami Hazards and Safety Presentation-Troy Nicolini: Will be rescheduled at a later date.

Safety Element Update: It was asked that Study Sessions at 6:30 were reinstated do to speakers that will be giving presentations at the September, October, November and February meetings. City Planner Melanie Rheume gave an update on the Safety Element. She went over The Setting and Context section which includes identification and overview of geological, storm, flood, fire and other potential hazards in the Ferndale Planning area. The next section that was looked at was the Geological and Seismic Hazards and the Potential Liquefaction Area of the Ferndale Planning area. Figures for Soil Instability and the Tsunami Evacuation area were looked at. City Planner Melanie Rheume also briefly discussed Acceptable risk and Emergency Preparedness.

The next regular meeting will be September 19, 2012. The meeting was adjourned at 8:09PM.

Respectfully submitted, Nancy Kaytis-Slocum, signing for Brianna Smith, Deputy City Clerk

City of Ferndale, Humboldt County, California USA

Sign Ordinance Committee Minutes for the 5/17/12 2:30 pm meeting

Acting Chairperson Michael Sweeney opened the meeting at 3:32 pm. Committee members Trevor Harper, Phil Ostler and Karen Pingitore were present. Committee member Michael Bailey was absent (on vacation).

No modifications to agenda

April 18, 2012 Minutes: MOTION: Approve minutes as presented. (Harper/Sweeney). All in favor.

No public comment.

BUSINESSA. Review, Add and Revise the following: 10004.1 Sign Standards, Maintenance and Design Control

The Committee reviewed edits completed by Chairman Bailey following discussions at the April 18, 2012 meeting. Additional discussion focused on draft sub-section 1004.1.1 Design and Construction, specifically language related to sign size and what size would trigger the need for sign design by an engineer or professional designer. Draft language stated: "In any case, signs (including mounting structure) larger than thirty-two (32) square feet and/or 50 lbs. or more will require plans signed by an engineer..." Trevor Harper reminded the Committee that under current ordinance and practice all signs are reviewed by Arnie Kemp, the City's building inspector, during the permitting process. The Committee decided to strike the above language related to size requiring engineer design from this section. The remaining language would clarify this matter: "The permitting process and the installation will be inspected by the City building inspector prior to final approval by the Planning Commission.

Subsection 1004.1.5 Copy Design and Typeface Guidelines language states: These principles are provided in a separate brochure provided by the Ferndale Design Review Committee. Michael Sweeney disclosed that the Handbook for Building & Business Owners in the Historic District (assuming this is the brochure referred to above) does not include any principles related to Copy Design and Typeface. The Committee decided to strike the above language related to "...principles provided in a separate brochure..."

Subsection 1004.1.6 Lighting includes the following draft language: "No sign should be lighted before sunset or after sunrise." The Committee felt that this restriction was not practical and decided to strike the language from this section.

Trevor Harper noted that during the most recent Planning Commission meeting Commission members did not support the allowance for "sandwich board" signs in the City. Historically, many sandwich boards were provided by the producers of the movie Majestic to support businesses during filming.

Long after the movie was finished some businesses continued to use sandwich boards for advertising. Commission members expressed concern about these types of signs blocking the sidewalk and creating a hazard for pedestrians. Karen Pingatore expressed her belief that sandwich boards were important signs for some businesses (museum, flower shop, surrey bicycles) and added additional aesthetic features to the “streetscape.” Phil Osler believed that sandwich board signs were valuable in conveying a commercial message. None of the current existing “sandwich board” signs have ever been vetted through the permitting process. Karen Pingatore stated that the signs should “look like a sign” (rather than a hand written message on a blackboard or poster board) and be approved via the permitting process including Design Review. There should also be a requirement that the signs are removed at the end of the business day. She also added that when going through the permit process, the size of a sandwich board sign should not be included as part of the signage allowed for the building occupied by the same business.

B. Review Committee Inputs on Section 1004.2 Miscellaneous Business Signs

The Committee continued the discussion from the April meeting addressing 1004.2.Miscellaneous Business Signs and draft language proposed by Michael Bailey. In review of sub-section 1004.2.1 Directional (On & Off-Site) Signs, draft language stated: Directional signs may not exceed six (6) square feet in area and forty six (46) inches in height. Trevor Harper stated that current dimensions for directional signs contained in the Ferndale Sign Ordinance section 7.23.1 b) (v) adequately regulated signs related to business. Accordingly, the Committee reduced the “not to exceed to three (3) square feet in area” and struck the remainder of the sentence from the text as shown below:

Directional signs may not exceed ~~six (6)~~ three (3) square feet in area. ~~and forty six (46) inches in height.~~

Under subsection 1004.2.1 3. The Committee added the following language in parentheses after the sub-heading Off-site temporary direction signs (e.g., sandwich board or sidewalk signs). Additional language was added here to limit the size at six (6) square feet and 46 inches in height. The last sentence of this sub-section was edited to place a period at the end of annually and strike through the remainder of the sentences as presented below:

An application for these signs must be submitted annually. ~~or if any changes are made to the sign copy. Copy change signs are not allowed for this application.~~

As the above signs may include copy related to menus or special messages (e.g, Mother’s Day Special, etc.) the Committee felt that sign copy should be allowed to change as the circumstances related to the message change throughout the year. However, the physical design of such signs should be submitted and approved through the permitting and Design Review processes on an annual basis.

Under sub-section 1004.2.2 Multifaced, Double Faced & V-Type signs, the draft language was edited as follows:

One (1) multifaced sign shall be permitted. Such signs shall ~~not~~ be located at a safe setback from vehicular traffic ~~closer than three (3) to the vertical plane of the right-of-way.~~

For sub-section 1004.2.3 Exterior and Interior signs, the Committee felt that existing sign ordinance language was preferable and substituted the draft language in this section with the following from Section 7.23.3.a. (i - iv):

- a. In any C-1, C-2 or M-L zone, appurtenant to any permitted use, the maximum aggregate area of all signs shall not exceed the following:
 - i. On a building with forty (40) feet or less frontage on a public way, sign(s) shall not exceed 0.25 square feet for each foot of frontage. In the case of a building with frontage on more than one public way, each frontage is considered separately.
 - ii. On a building with frontage greater than forty (40) feet, sign(s) shall not exceed 0.25 square feet for each foot of frontage, to a maximum of twenty (20) square feet. In the case of a building with frontage on more than one public way, each frontage is considered separately.
 - iii. A business with a location within the interior of a structure served by an interior mall or other means of ingress and egress shall be limited to one (1) sign at each building entry identifying the building name and a directory that may contain the names of all businesses within the building. Individual businesses within the building shall be limited to one (1) overhanging sign not to exceed three (3) square feet or one (1) flat sign not to exceed six (6) square feet.
 - iv. Signs found to be of historic significance by the City Council on the recommendation of the Planning Commission may be exempt from the above requirements.

In discussing sub-section 1004.2.4 Freestanding Sign, the Committee considered that signs of this nature (as described under this sub-section) appear not to be appropriate for the Historic District or elsewhere in the City largely due to the allowed size which suggest a sign similar in scale to a billboard. Subsequently, this language was stricken from the section.

Discussion of sub-section 1004.2.5 Ground Sign did not lead to any editorial changes. Such signs are few in Ferndale including Nilsen's, the Mortuary, Redwood Suites, the churches, and the NotoCo sign.

Discussion of 1004.2.6 Monument Signs concluded that such signs are out of character with the City of Ferndale.. Phil Osler stated that monument signs represent a significant piece of construction. Karen Pingatore suggested that a monument sign would be appropriate if Nilsen's broke itself into a mall with several separate stores requiring multiple signs typically included in a monument type sign. Subsequently, this language was stricken from the section.

Committee discussion concluded with three subsections remaining for review:

1004.2.7 Wall or Fascia

1004.2.8 Wall Murals and Graphic Designs, and

1004.2.9 Window and Door

The next regular meeting will be June 21, 2012 at 2:30 pm. The meeting was adjourned at 5:00 pm.

Respectfully submitted by:

Michael Sweeney

Section 13c: Council Reports and Comments



HUMBOLDT WASTE
MANAGEMENT AUTHORITY

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BOARD OF DIRECTORS

Mark Lovelace, County of Humboldt, **Vice Chair**
Shane Brinton, City of Arcata
Sherman Schapiro, City of Blue Lake
Lance Madsen, City of Eureka
John Maxwell, City of Ferndale, **Chair**
Jack Thompson, City of Rio Dell

MINUTES

Thursday, June 14, 2012, 6:30 PM

Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Mark Lovelace, Shane Brinton, Sherman Schapiro, Lance Madsen, John Maxwell, Jack Thompson
Staff: Patrick Owen, Tyler Egerer
Legal Counsel: Nancy Diamond

1) Call to Order and Roll Call

Chairman Maxwell called the meeting to order at 6:32 p.m. A quorum was present and acting.

2) Approve the Agenda

Interim Executive Director Owen would like to switch the order of Items 12a and 12b.

Chairman Maxwell Opened the Floor to Public Comment. No one spoke.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Schapiro/Brinton to Approve the Agenda with Items 12a) and 12b) switched
6 Ayes/0 Nays & Abstentions/0 Absent.

3) Board Member Reports

Boardmember Thompson reported that the City of Rio Dell's new sewer plant is moving along very well. The City is presently waiting for approval of the elections and they are four votes short of the bond issue. Currently, they are at 63% and need to obtain 66.6% for approval. The plan for landscaping downtown was approved and is going to engineering and funding.

Boardmember Schapiro asked for the actual numbers for voting turnout.

Boardmember Thompson stated that turnout was very low, about 33%, estimated to be about 245 voters.

Boardmember Brinton would like to report that the City of Arcata has voted to approve \$10,000 to hire an architect for the restroom project. The energy use tax, which would apply to users consuming over 300%, 400% or 500% of baseline limits depending on what the council approves, is headed to the polls in November. Boardmember Brinton would like to thank everyone who voted to renew the abandoned vehicle abatement fee.

Boardmember Schapiro asked whether there are other jurisdictions within the state with an energy use tax similar to what Arcata would like to impose.

Boardmember Brinton stated that Arcata is unique in imposing a tax for high energy consumption. There are areas which choose to charge different rates for residential and commercial customers, but none that have different tax rates for use.

Chairman Maxwell updated the Board on the Executive Director recruitment. May 1st, 2012 was the closing date for this recruitment. Approximately 57 individuals submitted materials indicating an interest in the position. He reported that the search committee

members are very engaged and working hard, and is pleased to announce that Executive Committee member David Tyson will join Randy Mendosa, Phillip Smith-Hanes, Boardmember Lovelace and Chairman Maxwell in selecting the finalists to bring before the full Board. Because of the engagement of all involved, the process has taken longer than Mr. Test had envisioned; Chairman Maxwell asks for the patience of all involved while they make the final decision.

Chairman Maxwell addressed the lengthy postponement of the JPA amendments, noting that a number of conversations have taken place to help smooth out the process in the interim. He urged review of the JPA and the proposed changes in assisting with discussion of Closed Session items between Boardmembers and their Alternates, and a number of edits meant to clean up out-of-date language.

Chairman Maxwell also thanked all those who voted for the abandoned car abatement fee. He noted that this is his last meeting as Board Chair and thanked the public for their participation and engagement, staff for all of their help provided and his colleagues as members of the Board.

Boardmember Schapiro asked for an estimate as to when Executive Director interviews and hiring will take place. Chairman Maxwell clarified that the interviews are on June 30th and that there may be a new Director in place by September 1st.

4) Oral and Written Communications

Interim Executive Director Owen brought to the attention of the Board two letters from Zero Waste Humboldt concerning Strategic Planning and the Plastic Bag Ban.

Boardmember Schapiro drew attention to the communication included in the packet, thanking the Authority for their help with local cleanup efforts and thanking Program Manager Whitener for his educational efforts.

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

5) Consent Calendar

Boardmember Schapiro would like to pull item 5e).

Boardmember Brinton would like to pull item 5a).

Boardmember Thompson would like to pull item 5f).

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Madsen/Lovelace to Approve the Balance of the Consent Calendar 6/0/0.

a) **Approve Minutes from the May 10, 2012 HWMA Board of Directors Meeting.**

Boardmember Schapiro would like to note that he was listed in the minutes as Chairman instead of Boardmember on page 6 under 5a).

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Brinton/Lovelace to Approve Minutes from the May 10, 2012 HWMA Board of Directors Meeting with Changes 6/0/0.

e) **Receive an Update on the Cummings Road Landfill Closure Project.**

Boardmember Schapiro asked about the delays caused by the recent rains. Special Project Manager Test stated that 2.46 inches of rain fell in one day up at the Landfill; current efforts involve turning the dirt to dry it out. There are four to six areas of the Landfill that will require digging out and replacing with fresh dirt. Cost for completion of Phase I has increased \$100,000 to \$180,000 due to the rain; four days have been added to the contract termination date to allow for rain days, but September 30th continues to be

the deadline for erosion control. There will be a meeting in August to discuss what can be completed by the end of September.

Boardmember Schapiro asked for clarification on the total amount of time lost due to rain. Special Project Manager Test indicated that the contractors have lost roughly one week, though much of that depends on how long it will take for the place to dry out.

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Schapiro/Thompson to Receive Update on Cummings Road Landfill Closure Project 6/0/0.

f) **Receive an Update on Strategic Planning Activities.**

Senior Programs Analyst Sherman would like to let the board know that there is a meeting scheduled with R3 for the end of June.

Boardmember Schapiro asked if this will be the first time R3 is coming to Humboldt County formally since they made their proposal and who exactly would be in attendance from the consulting firm. Ms. Sherman confirmed that this would be R3's first official visit, and that Richard Tagor-Erwin, William Schoen and Terry Supahen would be in attendance. The meeting should be conducted over a two day period.

Boardmember Thompson expressed significant concern about the possibility of debt owed by the City of Rio Dell. He noted a number of concerns regarding the project site and the potential loss of millions of dollars in the event of a natural disaster. He would like the Board to consider making obtaining earthquake and flood insurance to better protect the Authority's investment and its smaller member agencies.

Boardmember Schapiro asked who this project will benefit; Senior Programs Analyst Sherman responded that the food waste digester project would impact the entire region in a positive way.

Chairman Maxwell discussed recent conversations with Boardmember Thompson, and reiterated that the smaller members of the JPA suffer higher risk than the larger members and asked that the Board consider that issue when deciding on matters regarding the strategic plan.

Boardmember Thompson suggested that if the bed and sales tax earned by the larger members were shared with the City of Rio Dell, they would feel comfortable sharing the potential debt incurred. Without those revenue shares, the City would face certain bankruptcy in the face of a catastrophe.

Boardmember Lovelace appreciated the issue Boardmember Thompson brought up, but suggested that R3 further explore the protections provided by the JPA along with the potential for differential between benefits and liabilities for the member agencies.

Chairman Maxwell Opened the Floor to Public Comment.

Jane Woodward asked the Board at what point in the process the members of the Public Advisory Committee would be chosen.

Chairman Maxwell relayed from Ms. Sherman that this initial meeting with R3 will determine the makeup of the PAC, and how its members will be chosen.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Schapiro/Brinton to Receive Update on Strategic Planning Activities 6/0/0.

6) **Review and Approve Edits and Updates to JPA Agreement.**

Legal Counsel Diamond briefly reviewed the history of the revisions, which have been brought up a number of times in the recent past. The seven categories of changes recommended are entirely housekeeping updates, and comprise the following:

- Update to reference the HWMA now operates with an Executive Director as opposed to a General Manager as its highest official;
- Pledge of revenue definition contains an out of date site to the code of regulations;
- Cummings Road Landfill changes since the JPA agreement was created in 1999. The Landfill does not accept waste and the Authority will not be setting rates, requiring an update to the definition of “Member”;
- It has been some time since HWMA functioned solely out of the Hawthorne Street facility and HWMA has been accepting member agency solid waste at satellite facilities for some time, so there is an attempt to update the language to acknowledge the satellite facilities;
- The Executive Director holds the personnel function for the agency;
- Update the list of designated facilities at which HWMA accepts solid waste;
- Update to the Brown Act which allows a Boardmember and their Alternate to share information obtained during closed session.

Boardmember Schapiro suggested the pledge of revenues section should read “as currently defined and subsequently amended,” because it could very well change again. Legal Counsel Diamond agreed.

Boardmember Schapiro noted that mailing addresses are referenced in the JPA, but physical addresses are listed on page 51 and 52. He asked if, since some Cities have separate physical and mailing addresses, it might be worthwhile to include both. Counsel agreed, suggesting that email addresses might also be prudent. Boardmember Schapiro also noted necessary edits to clean up addresses in Exhibit A of the JPA.

Boardmember Brinton asked for clarification regarding the Brown Act, such that if he perceives a direct risk to the City of Arcata he is permitted to discuss closed session information with Arcata counsel. Legal Counsel specified that it is a perceived financial impact (not risk) as defined by the member agency’s attorney. She further noted that the JPA was written to shield member agencies from debt and liability.

Boardmember Thompson would like to add indemnified to the definitions as contained in the JPA agreement. Legal Counsel briefly reviewed the various definitions of indemnity, and offered to further define indemnify and present it for board approval.

Boardmember Lovelace suggested more appropriate language under Section 8.5(a), regarding closed session discussion, replacing “will be” with “shall be”. He further noted that section 8.5(c) seemed more appropriate as a subsection of 8.5(b). During public comment, Legal Counsel confirmed that 8.5(c) should in fact be 8.5(b)(3).

Chairman Maxwell Opened the Floor to Public Comment.

Jane Woodward would like to state that if pending legislation is not a sufficient financial interest for a particular counsel to have to address, it should be defined what is sufficient. Also, to what extent is HWMA indemnified in insurance against lawsuits, failures or earthquakes?

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Lovelace followed up on public comment by questioning whether implications of financial liability could be as general as those incurring staff, legal, or fiscal impacts to a member agency. Legal Counsel noted the language was verbatim from the Brown Act, her reluctance to comment on the intention of the language without some input from the State, and that she had restructured the flow of the language to a better format for the JPA agreement. She also confirmed the need to change the section labels as pointed out earlier by Boardmember Schapiro.

Jane Woodward, Arcata resident, questioned whether case law existed to guide Boardmembers and their alternates in knowing when discussion of these types of issues

would be appropriate. The Board turned the question to Legal Counsel, who indicated that no litigation existed to her knowledge that would give guidance on this issue. She indicated willingness to further research the topic.

Chairman Maxwell indicated that the changes recommended allow the Board a number of new pathways to sharing and exchanging information with their alternates and councils, and that, regardless of the details, the change would provide much needed benefit to the Board on a regular basis.

Boardmember Schapiro noted language regarding insurance provisions required of the Authority seemed vague, and in light of Boardmember Thompson's comments might indicate a lack of coverage for buildings and property owned by the Authority. Legal Counsel reviewed the section, and noted that the Authority does maintain property and liability insurance. While the section could potentially use some updating, the language is sound, and the member agencies are also covered by the provisions of the JPA agreement. **Boardmember Thompson** questioned the language in the JPA that indicated other counties could join the JPA. Legal Counsel indicated that the language mirrored state law; such a thing could occur if other counties gave flow control of their solid waste over to the Authority.

Boardmember Brinton indicated that such an agreement would have to be at the consent of all current members of the JPA, and thus would not be something that could be forced on the current Board.

Boardmember Lovelace reviewed the specific changes noted by the Board; Section 8.5(a) will be cleaned up to read "shall be" or "will be", depending on Legal Counsel's determination of the more appropriate wording; Section 8.5(c) will be moved to Section 8.5(b)(3); the contact information for the City of Blue Lake will be updated; a definition of "indemnity" or "indemnify" will be included in the list of definitions.

Boardmember Schapiro and Chairman Maxwell further suggested contact information for all members be updated, and that the section regarding pledge of revenue be updated to note that California Code of Regulations as "currently" defined are in effect. Legal Counsel noted a need to clean up Exhibit A of the document, and received confirmation to approve the JPA pending the definition of indemnity on next meeting's consent calendar.

Motion Lovelace/Brinton to Approve Resolution 2012-02, Second Amendment to HWMA Joint Exercise of Powers Agreement, with Edits as Noted, Pending Approval of "Indemnity" Language to be Added to Definitions.

Ayes: Maxwell, Lovelace, Schapiro, Thompson, Brinton, Madsen.

Nays: None.

Abstentions: None. The motion passes unanimously.

7) Review Model Plastic Bag Ordinance and Discuss Possible CEQA Strategies.

Programs Manager Whitener provided a brief update on carpet recycling activities, which have resulted in the first trailer being filled and shipped. Regarding the Plastic Bag Ordinance, Mr. Whitener intends to present a tool for local governments to use in order to tailor what works for their specific jurisdiction. Staff has visited each jurisdiction and spoken with City Councils and Boards of Supervisors, giving him an idea of what each is looking for. With that information, and assistance from HWMA staff, a model has been assembled for distribution to member agencies. This model is purely to open discussion and provides further detail to allow for educated decision making by the councils and boards. Because of progress made in other jurisdictions, HWMA staff is suggesting that there are two possibilities. First, Approval has been granted for hiring a qualified

consultant to develop a CEQA initial study and then use those results to develop a CEQA document that would support a model ordinance. Mr. Whitener noted that this is not something that the Authority can provide on a regional level; each member agency that opts in must have a separate CEQA document that supports the ordinance that they wish to adopt. The second option involves using HWMA staff time to move forward and produce a model CEQA environmental impact report that would be sufficient in scope to accompany a model ordinance on behalf of each jurisdiction while standing the test of legal challenge.

Boardmember Schapiro asked what would happen if an agency passes an ordinance without a CEQA document, and what the timeframe would be to challenge that ordinance. Legal Counsel indicated that it depends on how the ordinance was passed. Under CEQA there are methods for reducing the statute of limitations. If the member agency releases a notice, then the statute of limitations is 90 days.

Boardmember Brinton asked whether the price for either hiring a consultant or using HWMA staff to produce the report included the initial report and the EIR. Mr. Whitener responded that it was estimated that the cost for an initial report would cost around \$20,000, while the \$50,000 to \$100,000 included the EIR. In response to further questioning from Boardmember Brinton, Mr. Whitener indicated that staff would perform the initial study in-house.

Boardmember Brinton asked whether the initial study would determine whether an EIR is necessary. Legal Counsel indicated that an initial study is not necessary if the member agency knows that they are moving forward with an EIR.

Boardmember Lovelace wondered if some of the work involved in the creation of an initial study would reduce the work – and cost – of an EIR. Mr. Whitener noted that, with the several successful documents being accepted throughout the State, 70% of the information necessary for the EIR is available online, much of it in template form, significantly reducing the cost of completion of the document. In regards to the cost for a Negative Declaration, Mr. Whitener indicated he would need more time to arrive at a clear estimate.

Boardmember Lovelace would like to know if the EIR would be for the jurisdictions to pull information from, or if there would be an EIR for each individual jurisdiction. Mr. Whitener reiterated the need for separate reports for each member agency.

Boardmember Schapiro discussed the costs as originally set forth to perform the EIR for each of the member agencies, and wondered if the original estimate of \$55,000-\$100,000 was per entity. Mr. Whitener indicated that at the time, that estimate indicated a total cost for everyone, and that the number might have changed significantly over the past year.

Boardmember Brinton questioned whether or not the EIR performed for the City of Arcata – most likely to be the most encompassing EIR – would work as a basis for each of the other member agencies, provided none went above and beyond the scope of the original. Mr. Whitener indicated that the biggest difference would be to model each EIR to best fit the wording and intent of the ordinance to be derived from it.

Boardmember Brinton asked of Counsel her opinion on whether or not the effort for further EIR's would be necessary. Legal Counsel indicated that one of the largest factors of an EIR is the geographical aspect, but further noted that much of the language in these documents is beginning to be formulaic. Were the study to be done county-wide, agencies within the County would still point to specifics about their jurisdiction in their own EIR work.

Chairman Maxwell Opened the Floor to Public Comment.

Jane Woodward, of Zero Waste Humboldt, introduced a letter from ZWH endorsing the Authority's work. That letter is attached to and made part of these minutes. Ms. Woodward further indicated the skill of staff to create the CEQA documents necessary to move this effort forward.

Chuck Schager, of Eel River Disposal, recognized Mr. Whitener for his work. He noted the alternatives to banning plastic bag use; first, that the provision of plastic film require offering a drop-off for that film for disposal; second, he urged that ordinances provide for the recycling of plastic film, since outlets exist to recycle that material.

John Mason, Willow Creek resident, expressed his concern for the effect plastics are having on the ocean and its wildlife. He feels that, although there may be some political and legal problems in banning plastic bag use, the problems that will be left to future generations if plastics aren't banned will be far greater. He urged the Board make the right choice and ban plastic bags.

Vanessa Vasquez, of Humboldt Baykeeper, provided some feedback from local retailers that have been working to reduce plastic bag use. Westwood Murphy's Market in Arcata, and Ray's in McKinleyville, have both eliminated plastic bag use in their stores and are receiving a positive response from their customers for doing so. She thanked Mr. Whitener for his efforts, and spoke highly of Authority staff, urging the Board to produce EIR documentation in house.

Boardmember Schapiro asked Ms. Vasquez if the markets that have stopped using plastic bags have seen a rise in paper bag or cloth bag use. Ms. Vasquez indicated that reusable bags seem to be on the rise, but that the benefits of using paper bags to carry more groceries outweighs the one-time nature of those bags.

Colleen Clifford, of Surfrider Humboldt, spoke of her organization's efforts in the community and with the Authority to see plastic bag bans enacted through the County, and provided written comments from MJ Mazurek, the Volunteer Coordinator and Rise above Plastics co-Coordinator for Surfrider. In addition, a letter from the Vice Mayor of Fort Bragg to local businesses was introduced. Those letters are attached to and made part of these minutes. She noted the work done in Mendocino County, and the potential resource Mike Sweeney, of Mendocino County, could provide in finalizing the work being done in Humboldt. Ms. Clifford indicated some statistics and tools to better understand the total impact plastic bags have on the environment. She urged the Board to move as fast as possible in enacting these bans for the safety of the environment.

Chairman Maxwell Closed the Floor to Public Comment.

Chairman Maxwell provided a brief history of how work on the plastic bag ordinance came to the Authority, noting primarily the work of the City of Arcata and the County in bringing attention to the issue.

Boardmember Brinton confirmed Mr. Maxwell's statement, and noted the effort of community groups in assisting with initial awareness of the issue. He spoke of much of the Arcata City Council's sense of urgency in completing this project, and their continued willingness to see a regional model is enacted. He urged, however, that decisive action be made to perform a study at this evening's meeting.

Boardmember Brinton asked of Legal Counsel what differences there were in the decision of other agencies to perform EIR's as compared to an initial study and some form of negative declaration, and if those differences were substantive or the will of the Board overseeing each. He preferred to do the work that best protected the separate member agencies, and thanked Mr. Whitener for his work thus far to do so.

Legal Counsel reviewed the actions of other agencies in creating their ordinances. She noted LA County, which chose to do a full EIR and thus provided its cities with a

template from which to draft their ordinances. The Manhattan Beach decision by the Supreme Court has made it easier for smaller entities to perform mitigated negative declarations, which works well for the Humboldt Bay area, as both communities are small, coastal regions with similar environmental impacts. She continued by noting that much of the danger of litigation stems from organizations willing to create litigation, and that the feel from her colleagues in other areas of the state indicate that the Save the Plastic Bag coalition is losing steam, as more jurisdictions successfully enact ordinances. She noted the legal means by which an initial study could be forced to become an EIR.

Chairman Maxwell noted his preference to bypass the initial study and perform an EIR. He urged against categorical exemption, which seems to be agreed to be a poor method by most all agencies seeking to ban plastic bags. In speaking of size, he noted the difference between Manhattan Beach as a city and the County of Humboldt as a whole, and that an area as small as Fort Bragg also received a letter from the Save the Bag coalition. He noted a website keeping track of the status of plastic bag bans across the State, and that to date the only ones overturned have not performed at least an initial study. He believed that the work of Mr. Sweeney in Mendocino has paved the way for an EIR to be completed easily, providing for the path of least resistance to enacting a ban.

Boardmember Thompson stated his pleasure that plastic bags are not an issue in the City of Rio Dell. He stated that Rio Dell would not be enacting any type of ordinance on plastic bag use in Rio Dell. In discussing the efforts of Authority staff, he noted the inability of the Authority to enact any type of ban itself and urged the other member agencies to perform their own studies independently in an effort to save the Authority money on performing the work for each agency. He continued by discussing some of the effects of banning items in the past, and the potential litigation tied to the issue at hand. He urged the Board to consider using the money being put aside to perform these studies to offer incentives to the public to recycle plastic bags and get them out of the waste stream. He finished by reiterating his City's intent not to enact a plastic bag ordinance, and suggested that if the Authority moves forward, the City of Rio Dell would suggest receiving a pro-rated portion of the funds being used to perform these studies.

Boardmember Lovelace discussed the reasons for performing this work under the umbrella of the Authority, noting the benefits of pooling funds and effort for the good of the community as a whole. He noted the ability of each jurisdiction to choose whether or not to enact a ban, but cautioned against requesting money in place of a study as such payments have the effect of turning waste management fees into taxes, which the Authority is not capable of doing at this point in time.

Boardmember Schapiro discussed the benefits to Blue Lake of enacting a ban for the sake of the other Member Agencies. As more of an importer than a creator, his City has little need of a ban for itself; the show of a unified statement is important, however.

Boardmember Madsen expressed his support for beginning the ban process.

Chairman Maxwell Called a Break at 8:56 p.m.

Chairman Maxwell Called the Meeting to Order at 9:08 p.m.

Boardmember Madsen reiterated his support, and noted that discussions with his staff indicate the City of Eureka would prefer an Initial Study approach. Boardmembers Schapiro and Thompson agreed to this approach.

Chairman Maxwell spoke in favor of moving forward. He provided a brief history of his thoughts on the subject, moving from reluctance to a strong desire to lead the effort in enacting a bag ban. He noted the potential costs that could burden ratepayers, but stated the beneficial effect on the environment was too necessary to pass up. He urged focus on the elimination of single-use plastic bags.

Motion Lovelace/Brinton to Direct Staff to Perform Work In-House Produce Initial Study for Environmental Scope and Geographical Broadness 6/0/0.

Motion Brinton/Schapiro to Continue Meeting per Board Policy 1100 6/0/0.

8) Proposed Amendment to Integrated Waste Collection Fee Resolution, to Include New Fee and Definition for “Designated Divertible Materials,” and to reduce Franchise Greenwaste Tip Fee .

Interim Executive Director Owen explained the reason for the new rate; with a number of new materials becoming available for diversion, staff feels that the Executive Director should have the flexibility to establish rates in the middle of a fiscal year to better promote diversion of those materials. In addition, Mr. Owen has been able to negotiate more favorable rates for Greenwaste processing of franchise Greenwaste, and intends to reduce the rate back to 2012 levels.

Boardmember Schapiro indicated some minor edits to the Resolution document, and suggested that language in Section 4 read “... is adopted for Fiscal Year 2013, or until a new Fee Schedule is put in place.”

The Board briefly discussed the method by which this modification to the Resolution adopted by the Board in May would take effect. Legal Counsel clarified that the former resolution would go into effect on July 1, and that the rates as introduced in the modification would go into effect one month from the date of the June meeting. Staff clarified that that date should be July 14, not August 14 as previously indicated.

Chairman Maxwell Opened the Floor to Public Comment.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Lovelace/Thompson to Approve Resolution 2013-02 as Amended, with Edits 6/0/0.

9) Elect Authority Officers for Fiscal Year 2012/2013 and Appoint/Confirm Subcommittee Members for Executive Director Hiring and Strategic Planning.

Administrative Services Manager Egerer provided a brief review of the process, and turned voting discussion over to the Board with a reminder to either appoint or confirm members to the Hiring and Strategic Planning subcommittees.

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Brinton/Schapiro to Appoint Boardmember Lovelace as Chair of the Board 6/0/0.

Boardmember Lovelace suggested that the members of each subcommittee – Boardmembers Maxwell and Lovelace for Hiring, and Boardmembers Maxwell and Brinton for Strategic Planning – be reconfirmed for the sake of continuity.

Chairman Maxwell Opened the Floor to Public Comment. No comment made.

Chairman Maxwell Closed the Floor to Public Comment.

Motion Lovelace/Maxwell to Appoint Boardmember Brinton as Vice Chair of the Board and to Confirm Members of Executive Director Hiring and Strategic Planning Committees 6/0/0.

Boardmember Brinton thanked Chairman Maxwell for his service and hard work during a very difficult year for the Board.

10) Review FY 2012/13 Board Calendar.

Administrative Services Manager Egerer reviewed the calendar dates, noting that no changes had been made; barring the need for a special meeting, the Board would not meet in August or December. He briefly revisited a suggestion by a former Boardmember that no breaks be taken if a new Executive Director were hired.

Interim Executive Director Owen indicated that staff may need to establish a special meeting to move strategic planning forward in the next couple months.

Boardmember Schapiro asked Legal Counsel if special meetings required for Executive Director hiring would be noticed and made into Closed Session meetings. Legal Counsel confirmed.

Chairman Maxwell Opened the Floor to Public Comment. No one spoke.

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Schapiro asked if Access Humboldt would continue to record each meeting. Mr. Egerer confirmed.

Motion Schapiro/Lovelace to Accept the FY 2012/13 Board Calendar 6/0/0.

11) Executive Director's Report

Interim Executive Director Owen reviewed some of the key points of his report, highlighting attendance by members of staff at a one-day SWANA meeting. Topics focused on the 75% diversion mandate, and the problems with the bill as presented.

Staff has submitted a revision to the Transfer Station operation plan to potentially allow the food waste digester program to come back online.

Mr. Owen intends to bring a presentation before the Board in July to potentially refinance the Authority's bonds, with significant potential savings over the life of each.

Mr. Owen also recounted a trip to Dry Creek Landfill in the previous week to meet with members of the landfill's staff and owners, in a continuing effort to advance work on procuring new landfill contracts in the coming year.

Chairman Maxwell Opened the Floor to Public Comment. No one spoke.

Chairman Maxwell Closed the Floor to Public Comment.

Boardmember Schapiro asked about comments made by Boardmember Thompson at the previous meeting, regarding new law requiring agencies to hold only 5% retention on construction contracts, as opposed to 10%. Legal Counsel confirmed that the 5% retention is in effect for Phase I of the Landfill closure.

12) Closed Session/Report Out

- a) Pursuant to Government Code Section 54956.9(a), ongoing litigation, *ACRC v. HWMA* (Humboldt County Superior Court Case No. DR110811), conference with legal counsel.
- b) Personnel, California Government Code Sec. 54957: Legal Counsel Personnel Evaluation.

Chairman Maxwell Opened the Floor to Public Comment. No one spoke.

Chairman Maxwell Closed the Floor to Public Comment.

Chairman Maxwell Adjourned the Meeting to Closed Session at 9:53 p.m.

Chairman Maxwell Called the Meeting to Order from Closed Session at 10:00 p.m. No report out was made.

13) Adjourn

Chairman Maxwell Adjourned the Meeting at 10:00 p.m.

Next Meeting: July 12, 2012 at 6:30 p.m. at Eureka City Hall Council Chambers.



Redwood Coast Energy Authority

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MEETING MINUTES

Redwood Coast Energy Resource Center
517 5th Street, Eureka, CA 95501

July 16, 2012
Monday, 3:15 p.m.

I. ROLL CALL

Present: Jay Parrish, Lana Manzanita, Jack Thompson, Linda Atkins, Susan Ornelas, Sue Long, Sheri Woo

Absent: Tom Davies, Ryan Sundberg

Staff: Matthew Marshall, Katey Carpenter

Guests: Allison Talbot, PG&E

II. REPORTS FROM MEMBER ENTITIES

Director Ornelas provided an update on the City of Arcata's proposed high energy-use tax.

Director Manzanita reported on Blue Lake's numerous summer events including Annie and Mary Days and the Folklife Festival.

Director Thompson reported that Rio Dell is moving forward with its wastewater treatment plant and that the issue with the State Water Board appears to be resolved.

Director Long reported on Fortuna's fireworks display and Forth of July events, and that Fortuna's new city manager will be starting in a few weeks.

III. ORAL COMMUNICATIONS

IV. CONSENT CALENDAR

A. Approve Minutes of June 18, 2012 Board Meeting

B. Approve attached Warrants

C. Accept attached Financial Reports

M/S/C: Thompson, Atkins: approve the consent calendar items, with Director Woo abstaining on item A.

V. REMOVED FROM CONSENT CALENDAR ITEMS

None.

VI. OLD BUSINESS

A. Bear River Ridge Wind Project Update – Shell Wind Energy withdrawal.

Executive Director Marshall reported that Shell has withdrawn from the project, primarily due to unfavorable market conditions and project economics.

VII. NEW BUSINESS

A. Independent Financial Audit Services Request for Proposals.

Executive Director Marshall reported that RCEA's current contract for three years of audit services is ending, and provided a draft RFP to solicit proposals.

M/S/C: Ornelas, Manzanita: Authorize staff to issue Request for Proposals for Independent Financial Audit Services.

B. USDA Rural Business Opportunity Grant Program

Executive Director Marshall provided information on this grant program, which in the past has funded several community-level energy programs.

M/S/C: Thompson, Woo: Authorize staff to submit a proposal to the USDA Rural Business Opportunity Grant Program for up to \$50,000.

VIII. STAFF REPORT

A. Matthew Marshall, Executive Director

- Executive Director Marshall reported that PG&E's 2013-14 proposed efficiency program plan has been submitted to the CPUC and is in the first phase of CPUC review. PG&E's plan includes a proposed budget increase for the Redwood Coast Energy Watch program, but final program design and budget details are still pending CPUC feedback and negotiations with PG&E.
- Executive Director Marshall reported on the kick-off meeting of the North Coast Plug-In Electric Vehicle Coordinating Council that has been set up to provide input and support on RCEA's plug-in vehicle regional planning grant from the CA Energy Commission.

IX. ADJOURNMENT

Meeting adjourned at 4:00pm

*The next regular RCEA Board of Directors Business Meeting
Is scheduled for 3:15PM on Monday, August 20, 2012.*

REDWOOD REGION ECONOMIC DEVELOPMENT COMMISSION

Minutes Meeting of the Board of Directors August 27, 2012

I. Call to Order

Chair Mike Wilson called the meeting to order at 6:31 p.m.

Present: Julie Fulkerson, Tyler Holmes, Nancy Koke, Mark Lovelace, Ken Mierzwa, Mike Newman, John Rogers, Bruce Rupp, Sherman Schapiro, Frank Scolari, Alex Stillman, Bill Wennerholm, Mike Wilson

Absent: Dendra Dengler, Richard Dorn, Bud Leonard, Mike Losey

Guests: Nick Angeloff, Jan Kraepelien, Pete Oringer

Staff Present: Don Ehnebuske, Virginia Fisher, Bonnie Smoller

II. Approval of Agenda and Minutes

M/S/P: Rupp/Holmes to approve the August 27, 2012 board agenda.

M/S/P: Lovelace/Newman to approve the July 23, 2012 board minutes.

Both motions passed unanimously.

III. Public Input – for non-agenda items

None

IV. Program: Nick Angeloff, East-West Rail Line

Mr. Angeloff talked about the proposed rail line between Humboldt County and the Sacramento valley, where it would connect to the national rail system. Supporters of the project state the advantages of having an east-west connection to spur economic development through rail-to-port activity.

Supporters of the project are looking for funds to conduct a feasibility study to identify potential routes and siting issues as well as market potential.

V. Financial Reports

A. Acceptance of Agency-wide Financial Reports: July 31, 2012

M/S/P: Rupp/Schapiro to accept reports as presented. Motion passed unanimously.

VI. Reports – no action required

A. **Loan Portfolio Report, July 31, 2012:** information only.

B. **Executive Director Report:** the report was given in writing.

C. **Executive Committee minutes of May 21, 2012:** information only.

VII. Old Business

A. Consideration of Introducing Changes to the By-Laws of the Commission to Increase Membership of the Executive Committee from Six to Seven Members

These are the suggested changes to Section 1, Article IV of the By-Laws.

ARTICLE IV – COMMITTEES

Section 1. Executive Committee The Executive Committee will consist of ~~six~~ *seven* (6) (7) voting members. The Chair, Vice-Chair, and Immediate Past-Chair, of the Commission will also act in that capacity on this committee; ~~three~~ *four* at-large

members will be elected from the Board of Directors. Terms of the office of the ~~three~~ *four* at-large members shall be three (3) years and should be staggered for continuity. Selection of the at-large members will be held at a regularly scheduled Commission meeting and subject to established quorum and voting procedures. Alternate Members of the Board of Directors shall not serve on the Executive Committee. Alternate Members cannot serve on the Executive Committee in the absence of the appointed Executive Committee member.

In the case of the resignation, removal, or death of member of the Executive Committee, the Board of Directors may appoint a replacement from the Board of Directors for the unexpired term of that member.

The Executive Committee is empowered by the Commission to act in its behalf on necessary business matters between Commission meetings; however, it is not to supersede the Commission on any previously approved and/or rejected actions.

The Executive Committee will: (1) undertake the hiring, review, replacement and/or other actions with respect to the Executive Director, subject to consultation with and confirmation of the Board of Directors; (2) act as the final screening group of all business loan applications; (3) undertake other authority as delegated by the Board of Directors.

A quorum of Executive Committee shall be four (4) members. All matters before the Executive Committee, except approval of loans recommended for denial by the Loan Committee, shall require a majority vote of the members present. Approval of loan requests that have been recommended for denial by the Loan Committee shall require four (4) affirmative votes of the Executive Committee

Here are the requirements for amending the By-Laws.

ARTICLE V – AMENDMENTS

Section 1. Amendments to By-Laws The By-Laws of the Board of Directors of the commission shall be amended only with the approval of at least ten (10) members of the Board of Directors of the Commission at a regular or special meeting.

Amendments to By-Laws shall be introduced at a regular meeting of the Board of Directors. Proposed amendments to the By-Laws shall be circulated to all members of the Board of Directors for review. Action on the proposed amendment may be made at the first regular meeting of the Board of Directors following its introduction.

Recommended Action: Approve Introduction of Changes to Section 1, Article IV of the Commission By-Laws as stated above.

M/S/P: Rupp/Stillman to approve introduction of the proposed change to the by-laws.

Motion passed unanimously. This item will be brought to the board at the September meeting for adoption.

B. Air Service Update

RREDC was successful in obtaining the \$750,000 Dept. of Transportation (DOT) Small Community Air Service Program grant to be used to attract additional air service. These funds can be combined with the \$250,000 Headwaters Fund (HWF) Community Challenge grant to create a Minimum Revenue Guarantee (MRG) of \$1,000,000 when additional community funds are raised to match the HWF grant.

The HWF grant and the DOT grant must be approved by the Board of Supervisors before August 31, 2012.

- VIII. New Business**
- A. November/December Meeting Schedule**
November and December board meetings are often cancelled because the fourth Monday conflicts with a holiday. **M/S/P: Stillman/Rupp moved to schedule board of director meetings for November 19 and December 17, 2012.** Motion passed unanimously.
- B. Nomination for Board Position on Loan Committee**
Sherman Schapiro recently asked to resign from the loan committee due to conflicts with his work schedule. The group was asked to nominate someone from the board to serve as one of the three board representatives on the loan committee. **M/S/P: Schapiro/Fulkerson to nominate Alex Stillman to serve the remainder of Mr. Schapiro's term on the committee.** Motion passed unanimously.
- IX. Member Reports: Humboldt Bay Harbor District, City of Arcata**
- X. Agenda item requests for September 24, 2012 meeting:** 1. A request to invite local small business owners to give first hand accounts of their successes and challenges. 2. Adoption of the change to the by-laws increasing number of Executive Committee members.
- XI. Adjourn:** the meeting adjourned at 8:28 p.m.

Respectfully submitted:

Bonnie Smoller, Recorder

Mike Wilson, Chair

Section 14: Adjourn