

STUDY SESSION

Location:	City Hall	Date:	February 7, 2013
	834 Main Street	Time:	6:00 PM
	Ferndale CA 95536	Posted: 1/31/13	

1. CALL STUDY SESSION TO ORDER – Mayor
 - a. Praj White, City Engineer for Manhard; Engineering Projects 6:00 pm
2. ADJOURN STUDY SESSION

AGENDA

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

Location:	City Hall	Date:	February 7, 2013
	834 Main Street	Time:	7 pm
	Ferndale CA 95536	Posted: 1/31/13	

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. Engineers’ Week Feb 17 – Feb 23, 2013. Paul Gregson, LACO
5. MODIFICATIONS TO THE AGENDA
6. STUDY SESSIONS
7. PUBLIC COMMENT. (This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds 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.).....
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: January 3, 2013.....	Page 18
9.	CALL ITEM	
10.	PRESENTATION / Community Forum	
11.	BUSINESS	
a.	PUBLIC HEARING Unmet Transit Needs	Page 21
b.	Assign Councilmembers to Committees, Boards, JPA's, etc.	Page 25
c.	NOAA Coastal and Marine Habitat Restoration Program Letter	Page 27
d.	Attorney contract renewal.....	Page 29
e.	Approve Resolution 2013-04 To Close Main Street from Brown to Washington on March 21, 2013 from 7-9pm for Fire Training.....	Page 34
f.	Ethics in Public Service Seminar	Page 36
g.	Resolution 2013-05 Request for authorization to approve Change Order #1, in the amount of \$2,150.50 and payment request #1, in the amount of \$23,120.63, to V & C Construction for construction costs associated with the drainage Improvements on 5 th St near Ferndale Housing.	Page 40
h.	Emergency project to open up Francis Creek from the WWTF to Dillon Bridge.....	Page 42
12.	CORRESPONDENCE	Page 45
13.	REPORTS	
a.	City Manager Staff Report and Community Events.....	Page 48
b.	Commissions / Committees and others	
i.	Design Review.....	Page 59
ii.	Library Board Meeting	Page 62
iii.	Planning Commission.....	Page 60
iv.	Sign Committee	Page 63
c.	Council Reports and Comment	
i.	HCAOG Minutes	None
ii.	HMRA Minutes	Page 67
iii.	HWMA Abstract	Page 69
iv.	RCEA Minutes	Page 73
vi.	RREDC Minutes	None
vii.	Salt River Watershed Council Minutes.....	Page 76
14.	ADJOURN.....	Page 78

**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, March 7, 2013 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

Engineers' Week

Paul Gregson, LACO Associates



PROCLAMATION OF ENGINEER'S WEEK FEBRUARY 17th through 23rd, 2013

WHEREAS, America's Engineers transform ideas into reality, solving problems using science and technology to produce services and systems to better serve the needs of society; and,

WHEREAS, Engineers serving the City of Ferndale the State and the Country, work to design and construct the following types of projects:

- Airports
- Roads
- Railroads
- Harbors
- Parks
- Subdivisions
- Surveys
- Bridges
- Buildings
- Water Systems
- Flood Control Facilities
- Wastewater Treatment
- Seismic Safety Projects
- Environmental Enhancements

WHEREAS, Engineers strive for quality, economy and the betterment of life of our community; and,

WHEREAS, throughout the Nation the week of February 17th through the 23rd 2013 is being recognized as National Engineer's Week, coinciding with George Washington's birthday, our nation's first engineer,

NOW, THEREFORE, BE IT RESOLVED that the City of Ferndale in recognition of the contribution of Engineers to society and in an effort to promote the interest of the youth in the community in math, science and engineering, does hereby declare the week of February 17th, 2013 as Engineer's Week in the City of Ferndale.

Stuart Titus, 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 12/23/12 To 01/22/13
 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		
45841	01/08/13	ADSTR	ADAM STRICKER			384.00
	10215048		Training	POLIC	384.00	
Total for ADAM STRICKER						384.00
45796	12/27/12	AESDE	AESTHETIC DESIGN & PHOTOGRAPHY			60.00
	10125012		Office expense	WEB	60.00	
Total for AESTHETIC DESIGN & PHOTOGRAPHY						60.00
45868	01/14/13	AFLAC	AFLAC - REMIT. PROCESSING SERV.			184.34
	10012260		Health insurance payable		184.34	
Total for AFLAC - REMIT. PROCESSING SERV.						184.34
45842	01/08/13	ARNKE	ARNOLD C. KEMP			2,057.57
	10435052		Building regulation/inspectio		2,057.57	
Total for ARNOLD C. KEMP						2,057.57
45869	01/14/13	PHIAY	AYCOCK & EDGMON			4,404.00
	10165054		Audit and accounting		4,404.00	
Total for AYCOCK & EDGMON						4,404.00
45797	12/27/12	BAKTA	BAKER & TAYLOR			495.06
	10615024		Books	LIBRAR	495.06	
45877	01/15/13	BAKTA	BAKER & TAYLOR			62.91
	10615024		Books		62.91	
Total for BAKER & TAYLOR						557.97
45843	01/08/13	BAYWE	BAY WEST SUPPLY, INC.			130.96
	10175024		Supplies - public restroom	PUBLIC	130.96	
Total for BAY WEST SUPPLY, INC.						130.96
45844	01/08/13	BENAD	BENEFICIAL ADMIN COMPANY INC.			208.51
	10012260		Health insurance payable		43.57	
	10105007		Medical insurance		10.00	
	10125007		Medical insurance		27.85	
	10215007		Medical insurance		56.38	
	10315007		Medical insurance		2.62	
	10635007		Medical insurance		1.51	
	22315007		Medical insurance		1.87	
	24315007		Medical insurance		2.62	
	25315007		Medical insurance		4.11	
	26315007		Medical insurance		2.47	
	30515007		Medical insurance		55.51	
Total for BENEFICIAL ADMIN COMPANY INC.						208.51
45798	12/27/12	BLOEN	BLOCK ENVIRONMNETAL SERVICES			300.00
	30515157		Effluent testing	WASTE	300.00	
Total for BLOCK ENVIRONMNETAL SERVICES						300.00

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Acct No.		Type		Override Description		Amount	Amount
45845	01/08/13		BRSMT	BRET SMITH			75.14
	10215012			Office expense	POLIC	47.95	
	10215088			Equipment repair other		27.19	
Total for BRET SMITH							75.14
45799	12/27/12		CALST	CALIFORNIA STATE DISBURSEMENT UNIT			139.38
	10012250			Garnishments payable		139.38	
45846	01/08/13		CALST	CALIFORNIA STATE DISBURSEMENT UNIT			Void
	10012250			Garnishments payable		Void	
45901	01/22/13		CALST	CALIFORNIA STATE DISBURSEMENT UNIT			139.38
	10012250			Garnishments payable		139.38	
45913	01/22/13		CALST	CALIFORNIA STATE DISBURSEMENT UNIT			Void
	10012250			Garnishments payable		Void	
Total for CALIFORNIA STATE DISBURSEMENT UN							278.76
45902	01/22/13		CAMPE	CAMPBELL PET COMPANY			Void
	10225096			Animal control	PRINTING	Void	
45914	01/22/13		CAMPE	CAMPBELL PET COMPANY			Void
	10225096			Animal control		Void	
Total for CAMPBELL PET COMPANY							0.00
45847	01/08/13		CAMEL	CAMPTON ELECTRIC SUPPLY, INC.			15.42
	10635020			Buildings and grounds maintenance	PUBLIC	15.42	
Total for CAMPTON ELECTRIC SUPPLY, INC.							15.42
45903	01/22/13		CCAC	CCAC	DEPUTY CITY CLERK		350.00
	10125044			Meetings and dues	CITY CLERK	350.00	
Total for CCAC							350.00
45878	01/15/13		CENTMC	CENTURY MANUFACTURING CORP.			133.83
	30515121			Sewer plant maintenance	WASTE	133.83	
Total for CENTURY MANUFACTURING CORP.							133.83
45848	01/08/13		CITFO	CITY OF FORTUNA			1,016.66
	10215035			Dispatch service	POLIC	1,016.66	
45879	01/15/13		CITFO	CITY OF FORTUNA			1,575.00
	30515157			Testing and monitoring	WASTE	1,575.00	
Total for CITY OF FORTUNA							2,591.66
45849	01/08/13		COMAS	COMPUTER ASSISTANCE			120.00
	10215012			Office expense	TOWN HALL	120.00	
Total for COMPUTER ASSISTANCE							120.00
45880	01/15/13		CCCSF	CONTRA COSTA COUNTY			211.00
	10215048			Training	POLIC	211.00	
Total for CONTRA COSTA COUNTY							211.00

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Chk No.	Date Acct No.	Pay Type	Ven ID	Vendor Name \ Payee Name Override Description	Distribution Amount	Check Amount
45800	12/27/12		DELOR	DEL ORO WATER CO., FDLE. DIST.		378.58
	10155031			Water	29.62	
	10175031			Water - public restroom	57.83	
	10215029			Water	29.03	
	10615033			Water	24.72	
	10625033			Water	71.37	
	10635031			Water	77.58	
	24315033			Water	33.65	
	30515032			Utilities - electric - plant	54.78	
45904	01/22/13		DELOR	DEL ORO WATER CO., FDLE. DIST.		364.75
	10155031			Water	27.35	
	10175031			Water - public restroom	67.14	
	10215029			Water	27.90	
	10615033			Water	24.89	
	10625033			Water	80.98	
	10635031			Water	55.61	
	24315033			Water	26.14	
	30515032			Utilities - electric - plant	54.74	
Total for DEL ORO WATER CO., FDLE. DIST.						743.33
45870	01/14/13		DELU	DELUXE FOR BUSINESS		425.46
	10125012			Office expense	425.46	
Total for DELUXE FOR BUSINESS						425.46
45801	12/27/12		DEPJU	DEPARTMENT OF JUSTICE		140.00
	10215052			Professional services POLIC	140.00	
Total for DEPARTMENT OF JUSTICE						140.00
45905	01/22/13		DOCST	DOCUSTATION INC. \ DOCUSTATION		77.87
	10165078			Copy machine expense	77.87	
Total for DOCUSTATION						77.87
45850	01/08/13		EDWJO	EDWARD JONES & COMPANY		9,799.20
	10105010			Deferred comp	636.06	
	10125010			Deferred retirement	1,138.48	
	10215010			Deferred retirement	2,593.92	
	10315010			Deferred retirement	297.38	
	10635010			Deferred retirement	3,793.52	
	22315010			Deferred retirement	343.52	
	24315010			Deferred retirement	248.96	
	25315010			Deferred retirement	135.91	
	26315010.1			Deferred compensation	330.42	
	30515010			Deferred retirement	281.03	
Total for EDWARD JONES & COMPANY						9,799.20
45906	01/22/13		EELRI	EEL RIVER DISPOSAL		268.05
	10155030			Trash service	268.05	
Total for EEL RIVER DISPOSAL						268.05

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Acct No.	Type	Override Description	Amount	Amount		
100	12/27/12	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		748.13
	10012302			State P/R Tax Deposits	748.13	
100	01/08/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		5,024.17
	10012302			State P/R Tax Deposits	5,024.17	
100	01/22/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		692.57
	10012302			State P/R Tax Deposits	692.57	
45907	01/22/13		EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		554.43
	10012302			State P/R Tax Deposits	554.43	
Total for EMPLOYMENT DEVELOPMENT DEPART						7,019.30
45802	12/27/12		FORAP	FORTUNA AUTO & TRUCK PARTS INC		53.90
	30515014			Vehicle expense	PUBLIC 53.90	
Total for FORTUNA AUTO & TRUCK PARTS INC						53.90
45803	12/27/12		FRONT	FRONTIER		923.95
	10155034			Telephone	172.87	
	10215034			Telephone	245.37	
	10615034			Telephone	112.65	
	24315034			Telephone	50.31	
	30515034			Telephone	342.75	
Total for FRONTIER						923.95
45908	01/22/13		GECAP	GE CAPITAL		220.83
	10165078			Copy machine expense	220.83	
Total for GE CAPITAL						220.83
45851	01/08/13		HORBU	HORIZON BUSINESS SERVICES		14.47
	10215012			Office expense	POLIC 14.47	
Total for HORIZON BUSINESS SERVICES						14.47
45881	01/15/13		HUMCV	HUM CO CONVENTION & VISITORS BUREAU		718.13
	10175072.1			Donation - Visitors & Conv.	TOT 718.13	
Total for HUM CO CONVENTION & VISITORS BURE						718.13
45852	01/08/13		HUMTE	HUMBOLDT TERMITE & PEST		114.00
	10215020			Building and grounds maint.	49.00	
	10635020			Buildings and grounds maintenance	65.00	
Total for HUMBOLDT TERMITE & PEST						114.00
45853	01/08/13		JAYPA	JAY PARRISH		400.00
	10165096			Car Allowance	400.00	
Total for JAY PARRISH						400.00
45804	12/27/12		JDGNS	JOHN DEERE GOVERNMENT & NATIONAL SAL		238.29
	30515014			Vehicle expense	WASTE 238.29	
Total for JOHN DEERE GOVERNMENT & NATIONA						238.29
45805	12/27/12		KIWCL	KIWANIS CLUB OF FERNDALE		120.00
	10125044			Meetings and dues	120.00	
Total for KIWANIS CLUB OF FERNDALE						120.00

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Acct No.	Type		Override Description			Amount	Amount
45871	01/14/13		LMREN	L & M RENNER, INC.			2,401.15
	10215016			Fuel	PUBLIC	1,272.61	
	24315016			Vehicle Fuel	POLIC	840.40	
	30515016			Vehicle gas	WASTE	288.14	
Total for L & M RENNER, INC.							2,401.15
45854	01/08/13		LEWIS	LEWIS REDWOOD PRODUCTS			171.60
	10215024			Special department supply	WASTE	171.60	
Total for LEWIS REDWOOD PRODUCTS							171.60
45855	01/08/13		MERFR	MERCER FRASER COMPANY			157.67
	24315021			Street maintenance		157.67	
45909	01/22/13		MERFR	MERCER FRASER COMPANY			347.43
	24315021			Street maintenance		347.43	
Total for MERCER FRASER COMPANY							505.10
45856	01/08/13		MIRRE	MIRANDA'S RESCUE	JANUAR		450.00
	10225096			Animal control		450.00	
45872	01/14/13		MIRRE	MIRANDA'S RESCUE	FEBRUAR		450.00
	10225096			Animal control		450.00	
Total for MIRANDA'S RESCUE							900.00
45857	01/08/13		MISSN	MISSION UNIFORM & LINEN			61.74
	10175024			Supplies - public restroom		9.58	
	10635020			Buildings & grounds maintenance - Comm		52.16	
Total for MISSION UNIFORM & LINEN							61.74
45858	01/08/13		MBDVZ	MITCHELL, BRISSO. DELANEY & VRIEZE			1,450.00
	10145052			Professional services		1,450.00	
Total for MITCHELL, BRISSO. DELANEY & VRIEZE							1,450.00
100	12/27/12	EFT	NORVA	NORTH VALLEY BANK			4,662.10
	10012301			Federal P/R Tax Deposits		4,662.10	
100	01/08/13	EFT	NORVA	NORTH VALLEY BANK			816.90
	10012301			Federal P/R Tax Deposits		816.90	
100	01/22/13	EFT	NORVA	NORTH VALLEY BANK			4,326.35
	10012301			Federal P/R Tax Deposits		4,326.35	
45859	01/08/13		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK			1,948.36
	26315194			Interest-Six Rivers loan		1,948.36	
Total for NORTH VALLEY BANK							11,753.71

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Acct No.	Type		Override Description		Amount	Amount
45873	01/14/13		PACGA	PACIFIC GAS & ELECTRIC		6,387.46
	10155032			Utilities electric	158.84	
	10175032			Electric - public restroom	18.03	
	10215032			Utilities electric	116.59	
	10615032			Utilities	137.67	
	10625032			Utilities - electric	31.27	
	10635032			Utilities	254.24	
	22315058			Street lighting	26.10	
	24315032			Utilities	248.29	
	30515032			Utilities - electric - plant	5,396.43	
45910	01/22/13		PACGA	PACIFIC GAS & ELECTRIC		1,175.68
	22315058			Street lighting	1,175.68	
Total for PACIFIC GAS & ELECTRIC						7,563.14
45874	01/14/13		PAUDI	PAUL DIAZ		17.83
	10215088			Equipment repair other	17.83	
Total for PAUL DIAZ						17.83
45806	12/27/12		POREN	PORTLAND ENGINEERING		717.00
	30515055			Contractual services	717.00	
45882	01/15/13		POREN	PORTLAND ENGINEERING		1,080.00
	30515121			Sewer plant maintenance	1,080.00	
Total for PORTLAND ENGINEERING						1,797.00
45883	01/15/13		QUILL	QUILL		93.06
	10615012			Office expense	93.06	
Total for QUILL						93.06
45860	01/08/13		REDFR	RED FRONT STORE		18.11
	10165085			Audio/video tapes	18.11	
Total for RED FRONT STORE						18.11
45911	01/22/13		RESTIF	RESTIF CLEANING SERVICES		550.00
	10635020			Buildings and grounds maintenance	550.00	
Total for RESTIF CLEANING SERVICES						550.00
45861	01/08/13		ROBSM	ROBIN SMITH		153.47
	10245052			Professional services	153.47	
Total for ROBIN SMITH						153.47
45884	01/15/13		SCOUTS	SCOUTS		450.00
	10165099			Miscellaneous	450.00	
Total for SCOUTS						450.00
45862	01/08/13		SEQGA	SEQUOIA GAS COMPANY		1,191.57
	10155033			Utilities gas	503.12	
	10615031			Gas	364.26	
	10635033			Gas	324.19	
Total for SEQUOIA GAS COMPANY						1,191.57

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Acct No.	Type		Override Description			Amount	Amount
45885	01/15/13		SIXRC	SIX RIVERS COMMUNICATIONS	POLIC		540.00
	10215024			Special department supply		540.00	
Total for SIX RIVERS COMMUNICATIONS							540.00
45912	01/22/13		SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT			11,661.50
	10012260			Health insurance payable		931.00	
	10105007			Medical insurance		585.05	
	10125007			Medical insurance		1,332.41	
	10215007			Medical insurance		3,396.85	
	10315007			Medical insurance		174.74	
	10635007			Medical insurance		166.74	
	22315007			Medical insurance		194.16	
	24315007			Medical insurance		230.30	
	25315007			Medical insurance		220.30	
	26315007			Medical insurance		214.37	
	30515007			Medical insurance		4,215.58	
Total for SPECIAL DISTRICT RISK MANAGEMENT A							11,661.50
45875	01/14/13		STACC	STAPLES CONTRACT AND COMMERCIAL			365.77
	10115012			Office expense - Council		15.50	
	10125012			Office expense		350.27	
Total for STAPLES CONTRACT AND COMMERCIAL							365.77
45807	12/27/12		SUPIN	SUPERIOR INSTALLS	POLIC		4,099.00
	10215024			Special department supply		4,099.00	
Total for SUPERIOR INSTALLS							4,099.00
45863	01/08/13		FARSH	THE FARM SHOP			15.00
	24315014			Vehicle expense	WASTE	15.00	
Total for THE FARM SHOP							15.00
45864	01/08/13		FEREN	THE FERNDALE ENTERPRISE			47.60
	10165099			Miscellaneous	DESIGN REVIEW	47.60	
Total for THE FERNDALE ENTERPRISE							47.60
45865	01/08/13		THOGZ	THOMAS W. GONZALEZ, SR			310.00
	10635020			Buildings and grounds maintenance		310.00	
Total for THOMAS W. GONZALEZ, SR							310.00
45866	01/08/13		USBNK	U.S. BANK CORPORATE PAYMENT SYSTEM			780.67
	10175072.2			Employee appreciation		150.00	
	30515044			Meetings and dues		127.00	
	30515048			Training		152.00	
	30515094			Safety equipment		159.70	
	30515121			Sewer plant maintenance		79.00	
	30515158			Postage and shipping		112.97	
Total for U.S. BANK CORPORATE PAYMENT SYSTE							780.67

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/23/12 To 01/22/13

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
45876	01/14/13		VALLU	VALLEY LUMBER		1,910.90
	10155020			Building and ground maint.	TOWN 125.21	
	26315024			Supplies	SAND 1,785.69	
Total for VALLEY LUMBER					\$1,771.7	1,910.90
45867	01/08/13		VERZN	VERIZON		274.42
	10155034			Telephone	32.83	
	10215034			Telephone	131.32	
	24315034			Telephone	11.78	
	30515034			Telephone	98.49	
Total for VERIZON						274.42
45808	12/27/12		XYLEM	XYLEM WATER SOLUTIONS U.S.A., INC.		4,858.68
	30515121			Sewer plant maintenance	4,858.68	
Total for XYLEM WATER SOLUTIONS U.S.A., INC.						4,858.68
Total for the 78 checks					87,280.96	87,280.96

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/23/12 To 01/22/13
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Account Distributions

Account No.	Account Description	Amount
10012250	Garnishments payable	278.76
10012260	Health insurance payable	1,158.91
10012301	Federal P/R Tax Deposits	9,805.35
10012302	State P/R Tax Deposits	7,019.30
10105007	Medical insurance	595.05
10105010	Deferred comp	636.06
10115012	Office expense - Council	15.50
10125007	Insurance Med/Den/Vis	1,360.26
10125010	Deferred retirement	1,138.48
10125012	Office expense	835.73
10125044	Meetings and dues	470.00
10145052	Professional services	1,450.00
10155020	Building and ground maint.	125.21
10155030	Trash service	268.05
10155031	Water	56.97
10155032	Utilities electric	158.84
10155033	Utilities gas	503.12
10155034	Telephone	205.70
10165054	Audit and accounting	4,404.00
10165078	Copy machine expense	298.70
10165085	Audio/video tapes	18.11
10165096	Car Allowance	400.00
10165099	Miscellaneous	497.60
10175024	Supplies - public restroom	140.54
10175031	Water - public restroom	124.97
10175032	Electric - public restroom	18.03
10175072.1	Donation - Visitors & Conv.	718.13
10175072.2	Employee appreciation	150.00
10215007	Medical insurance	3,453.23
10215010	Deferred retirement	2,593.92
10215012	Office expense	182.42
10215016	Fuel	1,272.61
10215020	Building and grounds maint.	49.00

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/23/12 To 01/22/13
 Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

10215024	Special department supply	4,810.60
10215029	Water	56.93
10215032	Utilities electric	116.59
10215034	Telephone	376.69
10215035	Dispatch service	1,016.66
10215048	Training	595.00
10215052	Professional services	140.00
10215088	Equipment repair other	45.02
10225096	Animal control	900.00
10245052	Professional services	153.47
10315007	Medical insurance	177.36
10315010	Deferred retirement	297.38
10435052	Building regulation/inspectio	2,057.57
10615012	Office expense	93.06
10615024	Books	557.97
10615031	Gas	364.26
10615032	Utilities	137.67
10615033	Water	49.61
10615034	Telephone	112.65
10625032	Utilities - electric	31.27
10625033	Water	152.35
10635007	Medical insurance	168.25
10635010	Deferred retirement	3,793.52
10635020	Buildings and grounds maintenance	992.58
10635031	Water	133.19
10635032	Utilities	254.24
10635033	Gas	324.19
22315007	Medical insurance	196.03
22315010	Deferred retirement	343.52
22315058	Street lighting	1,201.78
24315007	Medical insurance	232.92
24315010	Deferred retirement	248.96
24315014	Vehicle expense	15.00
24315016	Fuel	840.40
24315021	Street maintenance	505.10
24315032	Utilities	248.29

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/23/12 To 01/22/13
Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

24315033	Water	59.79
24315034	Telephone	62.09
25315007	Medical insurance	224.41
25315010	Deferred retirement	135.91
26315007	Medical insurance	216.84
26315010.1	Deferred compensation	330.42
26315024	Supplies	1,785.69
26315194	Interest-Six Rivers loan	1,948.36
30515007	Medical insurance	4,271.09
30515010	Deferred retirement	281.03
30515014	Vehicle expense	292.19
30515016	Vehicle gas	288.14
30515032	Utilities - electric - plant	5,505.95
30515034	Telephone	441.24
30515044	Meetings and dues	127.00
30515048	Training	152.00
30515055	Contractual services	717.00
30515094	Safety equipment	159.70
30515121	Sewer plant maintenance	6,151.51
30515157	Testing and monitoring	1,875.00
30515158	Postage and shipping	112.97
		<hr/> 87,280.96 <hr/>

City of Ferndale

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

Printed PayCheck Checks

General Checking - Date Range: From 12/23/12 To 01/22/13 - Check #: All - Dept: All

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

<u>Check #</u>	<u>Date</u>	<u>Emp. #</u>	<u>Employee Name</u>	<u>Amount</u>
45781	12/24/12	2,190	HEATH A. BOHACIK	989.43
45782	12/24/12	6,115	MARY ELLEN BOYNTON	85.02
45783	12/24/12	5,220	STEVE L. COPPINI	1,463.03
45784	12/24/12	5,221	DOUGLAS E. CULBERT	1,994.36
45785	12/24/12	2,178	PAUL A. DIAZ JR.	1,004.19
45786	12/24/12	2,185	LINDSEY D. FRANK	1,008.86
45787	12/24/12	5,222	IAN E. IVEY	352.12
45788	12/24/12	1,214	NANCY S. KAYTIS-SLOCUM	1,614.90
45789	12/24/12	5,235	TIMOTHY W. MIRANDA	1,097.64
45790	12/24/12	1,012	JAY D. PARRISH	2,552.75
45791	12/24/12	1,217	LACY L. PEDROTTI	685.67
45792	12/24/12	6,142	DIANNA L. RICHARDSON	66.12
45793	12/24/12	2,200	BRET A. SMITH	1,417.82
45794	12/24/12	2,186	ADAM D. STRICKER	983.12
45795	12/24/12	5,280	DANIEL V. SUTTON	1,049.91
45825	01/08/13	2,190	HEATH A. BOHACIK	1,354.08
45826	01/08/13	6,115	MARY ELLEN BOYNTON	85.02
45827	01/08/13	5,220	STEVE L. COPPINI	1,406.02
45828	01/08/13	5,221	DOUGLAS E. CULBERT	1,519.24
45829	01/08/13	2,178	PAUL A. DIAZ JR.	1,004.20
45830	01/08/13	2,185	LINDSEY D. FRANK	1,416.60
45831	01/08/13	5,222	IAN E. IVEY	177.36
45832	01/08/13	1,214	NANCY S. KAYTIS-SLOCUM	1,614.89
45833	01/08/13	5,235	TIMOTHY W. MIRANDA	1,207.22
45834	01/08/13	1,012	JAY D. PARRISH	2,552.76
45835	01/08/13	1,217	LACY L. PEDROTTI	587.93
45836	01/08/13	6,142	DIANNA L. RICHARDSON	47.23
45837	01/01/13	1,510	MARIA A. ROSA	218.57
45838	01/08/13	2,200	BRET A. SMITH	1,417.82
45839	01/08/13	2,186	ADAM D. STRICKER	1,246.94
45840	01/08/13	5,280	DANIEL V. SUTTON	963.11
45886	01/22/13	2,190	HEATH A. BOHACIK	1,032.07
45887	01/22/13	6,115	MARY ELLEN BOYNTON	85.03
45888	01/22/13	5,220	STEVE L. COPPINI	1,463.03
45889	01/22/13	2,178	PAUL A. DIAZ JR.	837.02
45890	01/22/13	2,185	LINDSEY D. FRANK	1,051.95
45891	01/22/13	2,179	JASON R. HYNES	88.78
45892	01/22/13	5,222	IAN E. IVEY	514.24
45893	01/22/13	1,214	NANCY S. KAYTIS-SLOCUM	1,614.90
45894	01/22/13	5,235	TIMOTHY W. MIRANDA	1,097.63
45895	01/22/13	1,012	JAY D. PARRISH	2,552.76
45896	01/22/13	1,217	LACY L. PEDROTTI	798.28
45897	01/22/13	6,142	DIANNA L. RICHARDSON	85.02
45898	01/22/13	2,200	BRET A. SMITH	1,417.83
45899	01/22/13	2,186	ADAM D. STRICKER	983.12
45900	01/22/13	5,280	DANIEL V. SUTTON	1,049.91
Total				47,855.50

City of Ferndale, Humboldt County, California USA
City Council Minutes for January 3, 2013

Mayor Stuart Titus called the study session to order at 6:35pm. Present were Councilmen John Maxwell, Michael Sweeney, Ken Mierzwa and Daniel Brown along with staff City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum and City Accountant Phil Aycock. Mr. Aycock reviewed the annual audit and explained that unusual this year is the inclusion of the Ferndale Housing. We used the insurance value for a value to place on the property. In conclusion, the city's records are in good condition and internal controls are functioning properly. The study session was concluded at 6:55pm.

Mayor Stuart Titus called the Regular City Council Meeting to order at 7:00PM. Present were the same as were present for the study session, along with City Engineer David Cassie, and Police Chief Brett Smith. Those present pledged allegiance to the flag. The City Clerk called roll call. All present.

Under Public Comment: Lawrence Hindley was asked to wait for the item on the agenda.

Mayor Titus related that the Study Session concerned the Annual Audit for 2011-12, and that there would be an agenda item on this in the business part of the meeting.

Under Public Comment Jeff Farley asked a question regarding Roto-roter and the sewer plant. Mr. Lawrence Hindley objected to the wording of agenda item 11B. Duane Martin asked that revenues be shown at least once a quarter, in addition to the monthly expenditures. Jerry Bruga distributed a document to the council without giving a copy to staff for the record.

Consent Calendar: MOTION: (Mierzwa/Sweeney) Accept Accounts Payable and approve the minutes from the December 6, 2012 meeting. Unanimous.

Acquisition process for 2010 Dump Truck and 2012 John Deer Tractor. City Manager Jay Parrish gave a synopsis of this item, then introduced City Attorney Russ Gans who discussed adding a local preference provision as well as the ability to use state and federal programs to the Purchasing Ordinance. There followed discussion by the public and council that included comments by Lawrence Hindley, Duane Martin and Jerry Bruga. Mayor Titus said the council would consider the comments. There was no action.

Purchase Ordinance. Discussion dwelt on the ordinance and whether it needed to be changed or not and included comments from the public as well as the council. The Mayor asked that this item be reviewed by the attorney and staff and to bring back to the council suggested changes to include local preference, local public notice, and the ability to use state and federal agencies. MOTION: (Maxwell/Sweeney) Have our City Attorney review and suggest revisions to Ferndale's Purchasing Ordinance. All in favor.

Personnel Policy Manual: City Manager Parrish relayed that he'd applied to PARSAC for a grant to update the Personnel Policy Manual (PPM), and he should hear within a couple of weeks whether we got the grant. MOTION: (Maxwell/Mierzwa) Have the City Attorney review and update our Personnel Policy Manual, not to exceed \$3500. All in favor.

Annual Audit: Duane Martin questions whether our auditor is compliant with all the rules that regulate his relationship with the city. MOTION: (Maxwell/Sweeney) Approve the City of Ferndale Annual Audit for 2011-2012. All in favor.

Appointments to Boards, etc. Mayor Titus appointed Ken Mierzwa as vice-mayor; Titus will remain Appointee for Emergency Services, with the Alternate seat open; HWMA: Maxwell will remain Appointee, with Michael Sweeney as Alternate; RREDC: remains Mierzwa and Maxwell; HCAOG, Titus is the appointee with Michael Sweeney as alternate (Note, meeting time change from 7pm to 4:30 pm); RCEWA remains Parrish, with Alternate seat open; HMRA remains Parrish and Maxwell; Library Board is open; Drainage Committee remains Titus and Mierzwa; Street Priority Committee, Titus is the appointee, with Maxwell as alternate (the rest of the committee consists of the City Manager, Public Works Crew Leader, and the City Engineer). LAFCo: City Manager Jay Parrish explained that all the cities vote on a representative for LAFCo. MOTION: (Mierzwa/Brown) Approve all appointments made tonight and return with openings to the next meeting. All in favor.

In-House hiring: City Manager Jay Parrish explained that we have an employee who has been working with our Chief Plant Operator, and is ready to be promoted to that position; he has a Grade III License, which is necessary for this position. MOTION: (Sweeney/Maxwell) Approving hiring Chief Plant Operator using the closed recruitment procedure. All in favor.

Transportation Development Act Funds Report: MOTION: (Maxwell/Mierzwa) Approve the Transportation Development Act Funds Report. All in favor.

MOTION: (Mierzwa/Sweeney) Approve Resolution No. 2013-02 Establishing City Council Meeting Schedule from February 2013 through January 2014. All in favor

MOTION: (Maxwell/Mierzwa) Approve Resolution No. 2013-03 Annual Events and Parades Street Closures. All in favor.

Airport Name Change: MOTION: (Sweeney/Mierzwa) Approve Mayor Titus signing attached letter to the Humboldt County Board of Supervisors. All in favor.

To the City Manager's Staff Report, Jay Parrish added that the Department of Fish & Game and volunteers pulled blockages out of the creek. Property owners own the creek, not the city. It is not the city's responsibility to remedy slides but want to help citizens by liaisoning with the Department of Fish and Game. The applicant requested Manhard look at it and Manhard and DF&G agreed to use emergency streambed alteration. DF&G condoned cutting a keyway and rocking the slope up at the end of Francis Street. There followed discussion on flooding. If we can prove with cross sections that the creek has filled in one to two feet in some places we may be able to remove silt with permission from DF&G.

The meeting adjourned at 9:25pm. The next regular Council Meeting is scheduled for February 7, 2013 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

Section 11

BUSINESS

Meeting Date:	February 7, 2013	Agenda Item Number	11A
Agenda Item Title:	Unmet Transit Needs		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Consider unmet needs and direct staff to forward the unmet needs to the RTA worded as one of the four choices: (1) There are no unmet transit needs. (2) There are no unmet transit needs, which are reasonable to meet. (3) There are unmet transit needs, including those that are reasonable to meet. (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.		

CONDUCTING A PUBLIC HEARING

1. OPEN PUBLIC HEARING

- a. Announce agenda item number and state the subject
- b. Invite staff to report on the item, including any recommendation
- c. Ask members of the Council or Commission if they need clarification. If so, the questions should be asked of the person reporting on the item.
- d. Invite Public Comment. Mayor or Chair may limit the time for speakers to 3 minutes

2. CLOSE PUBLIC HEARING

- a. Invite a motion from the governing body and announce the name of the person making the motion
- b. Invite a second from the governing body and announce the name of the person seconding the motion
- c. Make sure everyone understands the motion by having it repeated by
 - i. The maker of motion
 - ii. The Chair
 - iii. The Secretary
- d. Invite discussion by members of the governing body
- e. Take a vote; ayes and then nays are normally sufficient
- f. Announce the result of the vote and announce what action (if any) the body has taken.
- g. Indicate names of members who voted in the minority of the motion

RECOMMENDATION:

Provide the public with the opportunity to give input on unmet needs. Consider unmet needs and direct staff to forward the unmet needs to the RTA worded as one of the four choices: (1) There are no unmet transit needs. (2) There are no unmet transit needs, which are reasonable to meet. (3) There are unmet transit needs, including those that are reasonable to meet. (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.

BACKGROUND:

Please see the definitions of “Unmet Transit Needs” and “Reasonable to Meet” provided on the following pages from HCAOG.

State law requires the Regional Transportation Agencies and their composite communities address unmet transit needs on a yearly basis. This item provides the opportunity for the public to identify unmet needs and the Council to forward such needs to the RTA for consideration.

During the spring of each year the Humboldt County Association of Governments (HCAOG) conducts an unmet transit needs public hearing process within the jurisdictional area of Humboldt County. As part of the annual process each jurisdictional area within the county must conduct its own public hearing.

The decision of the public hearing must use specific terms during the decision to be able to receive the money from HCAOG. The four choices are:

- (1) There are no unmet transit needs.
- (2) There are no unmet transit needs, which are reasonable to meet.
- (3) There are unmet transit needs, including those that are reasonable to meet.
- (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.

In the event of finding that there are no unmet transit needs or that there are no unmet transit needs which are reasonable to meet, entities may expend TDA resources for non-transit purposes if excess funds remain. Finding that there are unmet transit needs, including those that are reasonable to meet, delivers a mandate to the respective entity to set aside funds, given that they are available, to implement a program to meet those needs deemed “reasonable to meet.”

FINANCIAL IMPACT: Unknown.

HCAOG

Attachment "B"

Humboldt County Association of Governments

SYNOPSIS:

Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act

California's Transportation Development Act (TDA) legislates funding for transit purposes primarily, and for non-transit purposes under certain conditions. TDA funds are distributed through the Regional Transportation Planning Agencies (RTPA) throughout the state. An RTPA must assess its jurisdiction's "unmet transit needs" prior to allocating any TDA funds for purposes *not* directly related to public transit or facilities used exclusively by pedestrian and bicyclists.

Public Process to Make a Finding

Each year, HCAOG conducts a citizen participation process to receive public comment concerning transit needs within the RTPA jurisdiction. The HCAOG Social Services Transportation Advisory Council (SSTAC) leads the process to solicit broad input from transportation-dependent and transportation-disadvantaged persons. With recommendations from the SSTAC, at the end of the process the Board shall find that:

- (a) there are no unmet transit needs; or
- (b) there are no unmet transit needs which are reasonable to meet; or
- (c) there are unmet transit needs, including those that are reasonable to meet. (Section 99401.5)

The Board shall make this finding as a result of testimony received, and based on HCAOG's adopted definitions (see box).

If the HCAOG Board finds that there are no unmet transit needs, or that there are no unmet transit needs which are reasonable to meet, entities may expend excess (unexpended) TDA funds for non-transit purposes. A finding that there are unmet transit needs, including those that are reasonable to meet, delivers a mandate to the respective entity to set aside funds, given that they are available, to implement a program to meet those needs deemed "reasonable to meet."

(over)

DEFINITIONS

"Unmet transit needs" are, at a minimum:

- (1) Trips requested from residents who do not have access to public transportation, specialized transportation, or private transport services or resources for the purpose of traveling to medical care, shopping, social/recreational activities, education/training, and employment; or
- (2) Proposed public transportation, specialized transportation, or private transport services that are identified in the following (but is not limited to): a Transportation Development Plan, Regional Transportation Plan, Coordinated Public Transit-Human Services Transportation Plan.

"Reasonable to meet" criteria:

- (1) Whether a need is "reasonable to meet" shall **not** be determined by comparing unmet transit needs with the need for streets and roads, or for the sole reason that there is a lack of available resources to fully meet the identified need.
- (2) New, expanded, or revised transit service that has not met performance standards in the first two full years of operation can be subject to termination as being unreasonable to meet.
- (3) The transit operator (TDA claimant) that is expected to provide a new, expanded, or revised transit service indicates that it is operationally feasible.
- (4) One and one time only, an unmet transit need may be found to be unreasonable to meet if time constraints make it infeasible to begin service within the coming fiscal year, or if more information is needed to determine whether or not the unmet transit need is reasonable to meet.

HCAOG

Attachment "B"

Humboldt County Association of Governments

The TDA directs HCAOG, as the RTPA, to make the finding that there are no unmet transit needs which are reasonable to meet prior to approving fund claims for street and road purposes.

Public Hearings on "Unmet Transit Needs"

HCAOG holds the single statutorily-required public hearing. In addition, HCAOG encourages all member entities to conduct hearings to receive constituent comments. HCAOG encourage entities to notify stakeholders of the public hearings with as much advance notice as is possible. We also encourage entities, to the fullest extent possible, to hold meetings during times that available transit is in service. The public is also welcome to provide written comments and comments by phone.

After conducting an "Unmet Transit Needs" hearing, the member entity forwards to HCAOG the public hearing's record of comments or transcript.

Report of Findings

HCAOG compiles public testimony and other comments from all entities, and includes it in the *Unmet Transit Needs Report of Findings* for the upcoming fiscal year. The report also covers demographic information of the transportation-dependent public, existing programs, and includes recommendations for meeting transit demands.

Timely conduct of the hearing process and submittal of the requested documentation allows HCAOG staff to prepare the *Report of Findings* for the Board to consider and adopt in May, and thereby avoid delays in processing TDA claims for the upcoming fiscal year.

For questions or assistance regarding this Public Participation Process, contact HCAOG at (707) 444-8208 or info@hcaog.net.

Meeting Date:	February 7, 2013	Agenda Item Number	11B
Agenda Item Title:	Appointments to Boards, Committees, Commissions, JPAs		
Presented By:	Mayor Stuart Titus		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Mayor Titus to appoint councilmen to open positions		

RECOMMENDATION

Consider which openings listed in parenthesis in the attached list each councilmember may be able to fill.

DISCUSSION:

During the January 3, 2013 City Council Meeting the Council accepted the Mayor's appointments as shown on the attached sheet and directed staff to place the remainder of the openings on this month's agenda.

FINANCIAL IMPACT:

None

Organization / Title	AKA	2011 Appointee	2011 Alternate	Contact
Vice Mayor, City Council 1 st Thursday, 7pm City Hall, Ferndale	CC	Mierzwa		
Emergency Services 1 st Thursday, even number months, 1:30pm Jail Administration Bldg 5 th & J (Up Blue Stairs) Eureka	OES	Titus	()	826 4 th Street Eureka 95501 268.2502 NO FORM 700 REQ'D
Humboldt Waste Management Authority 2 nd Thursday, 7pm Eureka City Hall Council Chambers Eureka	HWMA	Maxwell	Sweeney	1059 W. Hawthorn Eureka 95501 268.8680 Susan YES FOR BOTH Form 700
Redwood Regional Economic Development Commission Last Mon of month; 6:30pm; except Nov. and Dec. Prosperity Center 520 E Street, Eureka	RREDC	Mierzwa	Maxwell	520 E Street Eureka 95501 445.9651 YES FOR BOTH Form 700
Humboldt County Association of Governments 4 th Thursday, 4:30pm Eureka City Hall Conference Room 207; Eureka	HCAOG	Titus	Sweeney	427 F Street Ste 220 Eureka 95501 444.8208
Redwood Coast Energy Authority 3 rd Monday, 3pm 517 5 th St. Eureka	RCEA	Parrish	()	517 5 th Street Eureka 95501 269-1700 YES FOR BOTH Form 700
Hazard Materials Response Quarterly Eureka Fire Dept.	HMRA	Parrish	Maxwell	HCDEH (Attn Melissa Martel) 100 H St, Ste 100, Eureka 95501 268.2203 YES FOR BOTH Form 700
Library Board 4 th Wednesday, Jan, Apr, Jul, Oct 7pm Ferndale Library		()		
Drainage Committee Quarterly in March, June, Sept. and Dec. 2 nd Thursday of the Month City Hall, Ferndale	DC	Titus	Mierzwa	
Street Priority Committee		Titus	Maxwell	
Local Agency Formation Commission 3 rd Wednesday of the Month, 9am County Board of Supervisors Chambers, Eureka	LAFCo	() All cities vote on one representative of the cities to attend.		Jennifer Longman Humboldt LAFCo Administrator 1125 16 th St, Ste 202 Arcata CA 95521 445-7508 Ph 825-9181 Fax administrator@humboldtlafo.org

Meeting Date:	February 7, 2013	Agenda Item Number	11c
Agenda Item Title:	NOAA Coastal and Marine Habitat Restoration Program Letter of Support		
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 letter of Support and direct City Manager to sign and send		

RECOMMENDATION:

Approve letter of Support and direct City Manager to sign and send

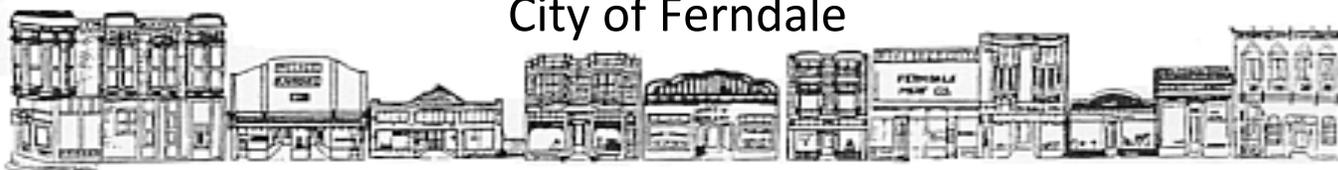
DISCUSSION:

As part of the Salt River Restoration Project, the Humboldt County Resource Conservation District proposes a program: "Species Recovery in the Coastal Salt River Watershed." The attached is a letter of support of that program to NOAA Habitat Restoration Division.

FINANCIAL IMPACT:

None

City of Ferndale



February 11th, 2013

To: Melanie Gange
NOAA – Habitat Restoration Division
NOAA Coastal and Marine Habitat Restoration Program
1315 East West Highway, Rm 14873
Silver Spring, MD 20910

Re: Support Letter for Species Recovery in the Coastal Salt River Watershed, Humboldt County

Dear Ms. Gange,

The City of Ferndale is very supportive of the Humboldt County Resource Conservation District's proposed Salt River Ecosystem Restoration Project. We recognize the tremendous potential to enhance fish and wildlife habitat by restoring the historic Salt River channel and estuary, while at the same time greatly reducing the duration of flooding in the project area. The loss of the Salt River channel has led to significant flooding problems which impose severe economic burdens on farmers and residents in the project area. The routine flooding also imperils the safe operation of the City of Ferndale's wastewater treatment plant. This facility depends upon the success of the Salt River Ecosystem Restoration Project. In this sense, the Salt River Ecosystem Restoration Project will be a win-win for the environment and agriculture, and for Ferndale area residents.

We respectfully encourage you to support The Humboldt County Resource Conservation District's "Species Recovery in the Coastal Salt River Watershed" for its habitat restoration, flood damage reduction, and economic revitalization potentials.

Sincerely,

Jay Parrish
City Manager

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

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

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

Meeting Date:	February 7, 2013	Agenda Item Number	11D
Agenda Item Title:	Attorney Contract Renewal		
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 renewal of contract with City Attorney and direct City Manager to sign the contract extension		

RECOMMENDATION

Approve contract renewal for City Attorney and direct City Manager to sign the contract extension.

DISCUSSION:

On February 2, 2012 the City Council unanimously approved the contract for the City Attorney, Russell Gans, from Mitchell, Brisso, Delaney & Vriese Law Firm. The term of contract was February 2, 2012 through February 1, 2013.

FINANCIAL IMPACT:

General Fund, Professional services (10145052)

LEGAL SERVICES AGREEMENT

MITCHELL, BRISSO, DELANEY & VRIEZE ('Law Firm') and **CITY OF FERNDALE** ('City') hereby agree that Law Firm will provide legal services to the City on the terms set forth below.

1. **CONDITIONS.** This Agreement will not take effect, and the Law Firm will have no obligation to provide legal services, until City returns a signed copy of this Agreement.
2. **TERM.** The term of this Agreement shall commence on February 2, 2013, and shall terminate on February 1, 2014, unless terminated earlier at either party's discretion in the event of a Declaration of Termination.
3. **SCOPE OF SERVICES.** Law Firm will provide those legal services reasonably required to represent and advise the City, upon authorization by the City Manager or Mayor, acting on behalf of the City Council. For purposes of providing services under this Agreement, Russell Gans shall be designated as the City Attorney and Paul Brisso shall be designated as Assistant City Attorney. If other attorneys with the Law Firm provide legal services it shall be deemed as in the capacity of Deputy City Attorney. Law Firm will take reasonable steps to keep the City informed of progress and to respond to the City's inquiries. This is a non-exclusive agreement, and the City has the right to retain other counsel for specific legal issues or to resolve potential conflicts.
4. **INDEPENDENT CONTRACTOR.** Law Firm hereby declares it is engaged in an independent business and agrees to perform services provided for in this Agreement as an independent contractor and not as the agent, servant or employee of the City. The Law Firm shall be solely responsible for its own matters relating to payment of employees, including compliance with social security, withholding and all other regulations governing such matter.
5. **DEPOSIT.** There will be no deposit requirement.
6. **LEGAL FEES AND BILLING PRACTICES.** City agrees to pay by the hour at Law Firm's prevailing rates for all time spent on City's matter by Law Firm's legal personnel. Current hourly rates for legal personnel are as follows:

Partners \$155/hour

Associates \$130/hour

Paralegals \$70/hour

The rates on this schedule are subject to change on 30 days written notice to City. If City declines to pay any increased rates, Law Firm will have the right to withdraw as Law Firm for City.

Time is charged in minimum units of one tenth (.1) of an hour.

7. COSTS AND OTHER CHARGES.

(a) Law Firm may incur various costs and expenses in performing legal services under this Agreement. City agrees to pay for all costs, disbursements and expenses in addition to the hourly fees. The costs and expenses commonly include, service of process charges, filing fees, court and deposition reporters' fees, jury fees, notary fees, deposition costs, long distance telephone charges, messenger and other delivery fees, postage, photocopying and other reproduction costs, travel costs including parking, mileage, transportation, meals and hotel costs, investigation expenses, consultants' fees, expert witness, professional, mediator, arbitrator and/or special master fees and other similar items. Except for the items listed below, all costs and expenses will be charged at Law Firm's cost.

Mileage \$0.58/mile

(b) Out of town travel. City agrees to pay transportation, meals, lodging and all other costs of any necessary out-of-town travel by Law Firm's personnel. City will also be charged the hourly rates for the time legal personnel spend traveling.

(c) Experts, Consultants and Investigators. To aid in the preparation or presentation of City's case, it may become necessary to hire expert witnesses, consultants or investigators. City agrees to pay such fees and charges. Law Firm will select any expert witnesses, consultants or investigators to be hired, and City will be informed of persons chosen and their charges.

Additionally, City understands that if the matter proceeds to court action or arbitration, City may be required to pay fees and/or costs to other parties in the action. Any such payment will be entirely the responsibility of City.

8. BILLING STATEMENTS. Law Firm will send City periodic statements for fees and costs incurred. Each statement will be payable within 30 days of its mailing date. City may request a statement at intervals of no less than 30 days. If City so requests, Law Firm will provide one within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

9. INSURANCE. During the term of this Agreement, Law Firm shall maintain the following insurance:

A. General liability and property damage insurance in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate;

B. Professional errors and omissions insurance in the minimum amount of \$2,000,000 per occurrence and \$4,000,000 aggregate; and

C. Workers compensation and employer's liability insurance in the amount of \$1,000,000 per accident.

Proof of coverage shall be provided to the City.

10. INDEMNIFICATION. Law Firm agrees to indemnify, defend and hold harmless the City, its Council, officers, agents and employees from any and all claims or losses to the extent caused by and arising out of the wrongful or negligent acts or omissions of Law Firm or any person employed by Law Firm in the performance of this Agreement.

11. NONDISCRIMINATION. Law Firm shall not discriminate on the basis of race, religion, color, creed, national origin, gender, sexual orientation, marital status, age, physical or mental disability, legally protected medical condition, veteran status, or any other basis protected by law.

12. CONFLICT OF INTEREST. Law Firm agrees that neither it, nor any member of Law Firm who may work on City matters, has any current conflict of interest with the City's interests. Law Firm agrees that neither it nor any member of Law Firm who may work on City matters, will acquire any interest, direct or indirect, which would conflict in any matter or degree with the performance of Law Firm's performance of its services to the City under this Agreement. Law Firm acknowledges that it and its attorneys are subject to various conflict of interest requirements under California law, local ordinances, policies and regulations.

13. ARBITRATION REGARDING FEES. If a dispute arises between the City and the Law Firm over fees charged for services, the dispute will be submitted to binding arbitration in accordance with the rules of the California State Bar Fee Arbitration Program. Each side will bear its own attorneys fees and costs.

14. DISCHARGE AND WITHDRAWAL. City may discharge Law Firm at any time. Law Firm may withdraw with City's consent or for good cause. Good cause includes City's breach of this Agreement, refusal to cooperate or to follow Law Firm's advice on a material matter or any fact or circumstance that would render Law Firm's continuing representation unlawful or unethical. When Law Firm's services conclude, all unpaid charges will immediately become due and payable. After services conclude, Law Firm will, upon City's request, deliver City's file and property in Law Firm's possession, whether or not City has paid for all services.

15. DISCLAIMER OF GUARANTEE AND ESTIMATES. Nothing in this Agreement and nothing in Law Firm's statements to City will be construed as a promise or guarantee about the outcome of the matter. Law Firm makes no such promises or guarantees. Law Firm's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Law Firm shall not be a guarantee. Actual fees may vary from estimates given.

16. ENTIRE AGREEMENT AND MODIFICATION BY SUBSEQUENT AGREEMENT. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding of the parties. This Agreement may be modified by subsequent Agreement of the parties only by an instrument in writing signed by both of them or an oral agreement only to the extent that the parties carry it out.

17. SEVERABILITY IN EVENT OF PARTIAL INVALIDITY. If any provision of this

Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

18. EFFECTIVE DATE AND EXECUTION. This Agreement will govern all legal services performed by Law Firm on behalf of City commencing with the date Law Firm first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, City will be obligated to pay Law Firm the reasonable value of any services Law Firm may have performed for City. This Agreement may be executed in counterparts, the parts of which shall be taken to constitute one whole. Electronic scan signatures and/or facsimile signatures shall be deemed to constitute originals.

THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE LAW FIRM FIRST PROVIDED SERVICES. IF MORE THAN ONE CITY SIGNS BELOW, EACH AGREES TO BE LIABLE, JOINTLY AND SEVERALLY, FOR ALL OBLGATIONS UNDER THIS AGREEMENT. CITY SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.

DATED: _____

Mitchell, Brisso, Delaney & Vrieze, LLP

Russell S. Gans

Paul A. Brisso

DATED: _____

City of Ferndale

By: _____

Name: _____

Its: _____

Meeting Date:	February 7, 2013	Agenda Item Number	11E
Agenda Item Title:	Resolution 2013-04 To Close Main Street from Brown to Washington on March 21, 2013 from 7-9pm for Fire Training		
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 2013-04 To Close Main Street from Brown to Washington on March 21, 2013 from 7-9pm for Fire Training		

RECOMMENDATION

Approve Resolution 2013-04 To Close Main Street from Brown to Washington on March 21, 2013 from 7-9pm for Fire Training

DISCUSSION:

Tom Grinsell, Ferndale Volunteer Fire Department Chief, has requested permission to close Main Street from Brown to Washington on March 21, 2013 from 7-9 pm for Fire Training. This exercise will include other emergency agencies. CalTrans (in charge of Highway 211, Main Street) requires a resolution from the City in order to approve closure.

FINANCIAL IMPACT:

None

RESOLUTION NO. 2013-04

**RESOLUTION TO CLOSE MAIN STREET FROM BROWN TO WASHINGTON STREETS ON MARCH 21, 2013
BETWEEN THE HOURS OF 7 TO 9 PM FOR FIRE TRAINING**

WHEREAS, the Ferndale Fire Department endeavors to provide training for the Ferndale Volunteer Fire Department in a variety of situations; and

WHEREAS, the Ferndale Fire Department desires to train on Main Street in Ferndale’s Historic District; and

WHEREAS, the Ferndale Fire Department wants to close Main Street from Brown to Washington on March 21, 2013 between the hours of 7 to 9pm; and

WHEREAS, this training will allow other local agencies to assist and train at the same time; and

WHEREAS, the above closure shall be exempt from the City of Ferndale Use Permit Application as currently required in the Zoning Ordinance; and

WHEREAS, the City of Ferndale wishes to support the Fire Department to train in the event of a possible fire in Main Street’s Historic District.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Ferndale that Main Street, from Brown to Washington Street will be closed on March 21, 2013 between the hours of 7 to 9 pm; and

BE IT FURTHER RESOLVED, That the Chief of Police is hereby empowered and instructed to enforce this Resolution, and that this Resolution shall not be effective, with respect to the State of California, Department of Transportation, without prior approval, in writing, from the Department of Transportation when and to the extent required by the vehicle code of the State of California.

PASSED AND ADOPTED by the City Council of the City of Ferndale on February 7, 2013 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Stuart Titus, Mayor

Attest:

City Clerk / Deputy City Clerk

Meeting Date:	February 7, 2013	Agenda Item Number	11F
Agenda Item Title:	Ethics in Public Service Seminar		
Presented By:	Jay Parrish, City Manager		
Type of Item:	x	Action	Discussion Information
Action Required:	Discuss how many Council members will be able to attend and approve expenditure for Planning Commission members to attend.		

RECOMMENDATION

Discuss how many members of the City Council will be able to attend and approve expenditure for the Planning Commission members to attend.

DISCUSSION:

The County of Humboldt, Arcata Fire District and cities of Arcata, Eureka and Fortuna currently belong to an employment law consortium through Liebert, Cassidy, Whitmore (LCW).

Their consortium membership provides the opportunity to have trainers come to Humboldt County a few times a year and provide training sessions on a variety of topics that are selected by the consortium membership each year.

As a non-consortium member the cost is \$100 per 3 hour session.

WHEN:	Tuesday, February 26, 2013	6:00 PM-8:00 PM
WHERE:	Eureka	
SESSION:	<u>"Ethics in Public Service"</u>	
FOR:	Members of the Legislative Body	

FINANCIAL IMPACT:

The cost will depend on which members want to attend out of the Council and Commission. The cost is \$100 per person and we are offering this to the Council and Commission. Since we have no line item for the Planning Commission for this type of situation, the cost would come from the General Fund (miscellaneous).

Mayor and City Council Meetings and Dues (10115044) and Miscellaneous (10094307)

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Meeting Date:	February 7, 2013	Agenda Item Number	11G
Agenda Item Title:	Resolution 2013-05 Request for authorization to approve Change Order #1, in the amount of \$2,150.50 and payment request #1, in the amount of \$23,120.63, to V & C Construction for construction costs associated with the drainage Improvements on 5 th St near Ferndale Housing.		
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 2013-05 authorization for Change Order #1, in the amount of \$2,150.50 and payment request #1, in the amount of \$23,120.63, to V & C Construction for construction costs associated with the drainage Improvements on 5 th St near Ferndale housing.		

RECOMMENDATION:

Approve Resolution 2013-05 authorization for Change Order #1, in the amount of \$2,150.50 and payment request #1, in the amount of \$23,120.63, to V & C Construction for construction costs associated with the drainage Improvements on 5th St near Ferndale housing.

BACKGROUND

On October 4th, 2012, City Council authorized \$60,000 for construction plus an additional \$10,000 in contingency for the Drainage improvements proposed on 5th St near the Ferndale housing. The project was bid and awarded to V & C Construction in the amount of \$37,444.50. Due to the rainy season, only the roadway portion of the work could be completed to date. As a result, the drainage capacity of the new pipes far exceeded the capacity of the west ditch. In an effort to alleviate some of the flooding, the west ditch was partially excavated to allow the discharge to continue downstream. The additional cost for this work was included to the contract as Change Order #1. The remaining portion of work (west ditch widening) is expected to occur this summer.

Original Contract amount	\$37,444.50
Change Order #1	\$2,150.50
New Contract amount	\$39,595.00 (57% of amount authorized in October)
Payment Request #1	\$23,120.63 (approximately 58% complete)
Unpaid Contract balance	\$16,474.37

FINANCIAL IMPACT:

Drainage Project (26315022)

RESOLUTION 2013-05**THE CITY COUNCIL OF THE CITY OF FERNDALE**

AUTHORIZES CHANGE ORDER #1, IN THE AMOUNT OF \$2,150.50 AND PAYMENT REQUEST #1, IN THE AMOUNT OF \$23,120.63, TO V&C CONSTRUCTION FOR CONSTRUCTION COSTS ASSOCIATED WITH THE DRAINAGE IMPROVEMENTS ON 5TH STREET NEAR FERNDALE HOUSING

WHEREAS, The City of Ferndale authorized \$60,000 for construction plus an additional \$10,000 in contingency for Drainage improvements proposed on 5th Street near Ferndale Housing; and

WHEREAS, The project was bid and awarded to V&C Construction in the amount of \$37,444.50; and

WHEREAS Due to the rainy season, only the roadway portion of the work could be completed to date; and

WHEREAS, As a result, the drainage capacity of the new pipes far exceeded the capacity of the west ditch. In an effort to alleviate some of the flooding, the west ditch was partially excavated to allow the discharge to continue downstream. The additional cost for this work was included to the contract as Change Order #1; and

WHEREAS, The remaining portion of work (west ditch widening) is expected to occur this summer; and

WHEREAS, The Original Contract amount: \$37,444.50, plus Change Order #1 for \$2,150.50 equals New Contract amount of \$39,595.00 (*57% of amount authorized in October*), and

WHEREAS, Payment Request #1 is for \$23,120.63 (approximately 58% complete), leaving an Unpaid Contract balance of \$16,474.37.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Ferndale hereby approves Change Order #1 in the amount of \$2,150.50 as well as payment of the First partial payment request in the amount of \$23,120.63 to V&C Construction.

PASSED AND ADOPTED on this 7th day of February 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stuart Titus, Mayor

ATTEST:

City Clerk / Deputy City Clerk

Meeting Date:	February 7, 2013	Agenda Item Number	11H
Agenda Item Title:	Emergency project to open up Francis Creek from the WWTF to Dillon Bridge		
Presented By:	Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approval to send attached letter to Humboldt County Public Works regarding emergency project.		

RECOMMENDATION:

Approve the attached letter and direct the City Manager to sign and send.

DISCUSSION:

The Port Kenyon area which includes our Wastewater Treatment Facility (WWTF) has experienced flooding for a number of years and it has gotten progressively worse to a point that now flooding of the street and around the WWTF occurs during a minimal rain event. The city is requesting an emergency project to open Francis Creek from the WWTF to the Dillon Road Bridge. It is hoped that the emergency dredging project will exist within the design parameters of the Salt River Project.

FINANCIAL IMPACT:

None



Attn: Thomas Mattson, Director
1106 2nd Street
Eureka, CA 95501

Subject: Sedimentation in Francis Creek and the Salt River in vicinity of the Ferndale Wastewater Treatment Facility (WWTF)

Dear Tom,

The purpose of this letter is to notify the County regarding concerns of flooding on Francis Creek and the Salt River. As observed during the site visit we attended on Wednesday, January 9, 2013, the Creek has silted in from upstream of the WWTF to the bridge on Dillon Road. A direct result of this is flooding on Port Kenyon Road, which blocks access to the City's WWTF. This could pose a serious problem if WWTF staff cannot access the WWTF during storm events; especially during an emergency. This happened during the heavy rains that occurred in November 2012. A pump malfunction, not caused by the rain, occurred during the storm. Flooding restricted access and made it difficult for staff to work on the equipment necessary to prevent untreated sewage from being discharged into Francis Creek.

The City is concerned that if the accumulated sediment is not removed, the potential for flooding will get worse. This could not only limit our staff's ability to run the WWTF but may pose a threat to WWTF's ability to meet the Waste Discharge Requirements set forth in the current WWTF NPDES permit. This threatens the City's recent large infrastructure investment of \$10 million to replace the WWTF.

I understand that this portion of the Salt River Ecosystem Restoration Project is scheduled to begin work in 2014, and upon completion should eliminate the sedimentation problems in the vicinity of the WWTF. However, the City feels that emergency measures are necessary to protect the health and welfare to residents in the City and in the vicinity of the WWTF.

Thank you for taking the time to consider these issues. If you have any questions, please do not hesitate to contact me.

Sincerely,

Jay Parrish
City Manager

Section 12
CORRESPONDENCE

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

Trevor Harper
P.O. Box 491
Ferndale, CA 95536

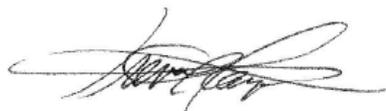
January 16, 2013

Stuart Titus
Mayor
City of Ferndale
834 Main Street
P.O. Box 1095
Ferndale, CA 95536

Dear Mayor Titus,

This letter serves as notice of my resignation from the Planning Commission of the City of Ferndale. I have a home outside the city in which I am now spending most of my time. Although I do and am planning on continuing to own and use my home in Ferndale, I cannot consider it my primary place of residence. I feel that it would better suit the City of Ferndale to have a planning commissioner in my place that resides within the city full-time. At the will of the City Council I would be happy to continue to serve on the commission until such time as you are able to get a commissioner in my place. I have greatly enjoyed my time on the commission. Thank you for allowing me to serve the City of Ferndale.

Respectfully,



Trevor Harper

CC: Jorgen Von Frausing Borch, Jay Parrish

523 Main Street
P.O. Box 637
Ferndale, CA 95536
(707) 786-9798
Fax: (707) 786-9799

AYCOCK AND EDGMON
CERTIFIED PUBLIC ACCOUNTANTS



January 7, 2013

City Manager
City of Ferndale
P.O. Box 1095
Ferndale, California 95536

Dear Jay,

You have asked that we provide you with information regarding our independence to perform audit services for the City of Ferndale. Auditor independence is a broad issue, so I am going to try to address the specific concerns.

As I understand it, there is a concern that by performing other services for the City our independence is impaired and, therefore my firm would be prohibited from performing audit services for the City.

Our firm prepares monthly financial statement, prepares quarterly and annual payroll tax reports, and prepares annual reports of transactions to the State of California for the City of Ferndale. These professional services are called nonaudit services.

Independence is a general standard described in *Government Auditing Standards* issued by the Comptroller General of the United States. These standards describe what nonaudit services impair independence and those that do not impair independence.

The following excerpts from the *Government Auditing Standards* are provided as examples of services the would or would not impair independence:

3.35 If an auditor were to assume management responsibilities for an audited entity, the management participation threats created would be so significant that no safeguards could reduce them to an acceptable level. Management responsibilities involve leading and directing an entity, including making decisions regarding the acquisition, deployment and control of human, financial, physical, and intangible resources.

3.36 Whether an activity is a management responsibility depends on the facts and circumstances and auditors exercise professional judgment in identifying these activities. Examples of activities that are considered management responsibilities and would therefore impair independence include:

- setting policies and strategic direction for the audited entity;*
- directing and accepting responsibility for the actions of the audited entity's employees in the performance of their routine, recurring activities;*
- having custody of an audited entity's assets;*
- reporting to those charged with governance on behalf of management;*
- deciding which of the auditor's or outside third party's recommendations to implement;*

City of Ferndale
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3.36 - Continued

- accepting responsibility for the management of an audited entity's project;
- accepting responsibility for designing, implementing, or maintaining internal control;
- providing services that are intended to be used as management's primary basis for making decisions that are significant to the subject matter of the audit;
- developing an audited entity's performance measurement system when that system is material or significant to the subject matter of the audit; and
- serving as a voting member of an audited entity's management committee or board of directors.

3.52 Services related to preparing accounting records and financial statements that an auditor may be able to provide to an audited entity may include:

- recording transactions for which management has determined or approved the appropriate account classification, or posting coded transactions to an audited entity's general ledger;
- preparing financial statements based on information in the trial balance;
- posting entries that have been approved by an audited entity's management to the entity's trial balance;
- preparing account reconciliations that identify reconciling items for the audited entity management's evaluation; and
- proposing standard, adjusting, or correcting journal entries or other changes affecting the financial statements to an audited entity's management provided management reviews and accepts the entries and the auditor is satisfied that management understands the nature of the proposed entries and the impact the entries have on the financial statements.

The nonaudit services we provide the City of Ferndale fall in those services described in paragraph 3.52. In no way does our firm perform services that would assume management responsibilities.

We are enrolled in the Quality Review Program of the California Society of CPA's and have undergone peer reviews of our internal controls which includes controls to ensure that we are independent in regard to all our audit clients and have passed those reviews. We review our independence and document our conclusion before we accept any audit engagement. Whenever there is a question regarding our independence, we seek guidance from our professional societies.

If you have any additional questions, please feel free to call.

Cordially

Philip Aycock, CPA

Section 13

REPORTS

Section 13a: City Manager Staff Report

CITY MANAGER:

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
 - City Council- January 3rd – 7:00-8:30 pm
 - SRWC – January 8th- 2:00-5:00 pm
 - Design Review- January 17th- 8:30 am
 - RCEA Board meeting – January 28th - 3:15-5:00 pm
 - HMRA meeting January 14th- 4:30-5:30 pm
 - City Manager meeting January 17th - 3:00-5:00 pm.
 - Met with Betty Ann Koch and Sara Turner regarding a park bench at the end of Francis Street. The Garden Club wants to donate a bench to be placed in the memory of Shirley Walker.
 - Met with Stephanie Koch about painting the kitchen ceiling in the Community Center and to talk about reestablishing a volunteer group to help maintain the building. The City paid for some materials and the paint and they were able to accomplish this project, and did a very nice job. In further discussions and another meeting we were able to consider other projects using volunteer help. The next project they want to tackle is to repaint the hall in a more neutral color. We have set April as a date to try and accomplish this. We also discussed evaluating the tables and chairs and putting together a plan and a budget to repair as many as we can every year.
 - Met with Annje Dodd and Tom Stevens to discuss a student engineering project that will address flooding and settling basins on Francis Creek. This will be a HSU project and we are very excited about the possibilities these projects may have in helping us reduce sedimentation and flooding in the creek.
 - Met with PW regarding daily routine. Focus this month was on Francis Creek maintenance and drainage projects as well as 5th Street drainage improvements. Most conversations directed at drainage systems and making sure we are as ready as possible when we do have a weather event that taxes our system.
 - The library is in need of a new flag pole and I am in the process of trying to achieve that.
 - Met with John Vernon of the Russ Park committee to give him an update on the possible Lot Line Adjustment with neighbor of Russ Park. Staff has put together a timeline of interaction with City and Silva's after their property is removed from the Williamson Act next year. Russ Park committee is interested in the project.
 - Met with Cal-trans to go over the paving and sidewalk projects they will be conducting on 211 from Fernbridge and through town. Karen Pingitore was also in attendance and we were given the opportunity to express concerns as well as get assurance from Cal-Trans that we will have many opportunities to interact with them before project begins.
 - Met with Supervisor Bohn and Watershed Council down at Port Kenyon to discuss the flooding situation and if there was a way to dredge from the WWTF to Dillon Bridge to relieve flooding in an emergency manner. We are hoping that a letter to the county requesting an emergency dredging
-

project based on health and safety might be successful. A problem we might experience involves the lagoon to WWTF valve. The valve is in the middle of the road under a manhole cover. The cover has been covered by flooding already this year. If we have problems with this valve we could have overflow problems with our lagoon. The flooding around our plant also makes it difficult for our operators to get to the plant.

- The Drainage committee also met to discuss development of master drainage plan and a process for emergency creek maintenance during and after severe weather events. There were a number of bank stabilization failures that occurred through town as a result of high water in Francis Creek during late November and early January event. The City engineer and City staff developed an application process for property owners who have experienced problems due to this type of event to be able to propose projects for bank stabilization to preserve properties. This application process will help property owners through a process and government agencies to make sure they are compliant with their projects. We were able to help guide a property owner up Francis Street in a bank stabilization project using this application process.
 - Met with HSU Art director a number of times regarding the student contest to place a sculpture in the city green. There were two students who participated in the contest and I am working with Joe Koches and Jack Mays to evaluate the sculptures.
 - ERD contract negotiations: I have had discussions with Harry Hardin and Karen Smith about a reasonable recycling rebate policy associated with our franchise agreement.
 - Daily meetings with chief regarding police activities and community safety issues.
 - Numerous conversations with Garden Club and landscaping firms to design and fund and care for landscaping in City Green.
 - Numerous conversations with other CM's regarding common issues. Most of those conversations have revolved around solid waste issues and animal control issues.
 - Several conversations with John Driscoll (Mike Thompson's local representative and soon to be Jared Huffman's representative) regarding Ferndale issues.
 - Number of meetings with RCD, CCC, and DF&G regarding future activities on Francis Creek, in town, and upstream. Most of these conversations recognize the need for projects to reduce sedimentation up stream.
 - Daily interaction with Staff regarding workload. Finance Supervisor is still out recovering from surgery and we are covering this position by having everyone else take over tasks associated with that position. Staff is doing a commendable job trying to fill the void.
 - Numerous conversations regarding Salt River Project with Watershed Council members, RCD representatives, council members and citizens.
 - The Fresnel lens is now resting comfortably at the climate controlled room at the Fairgrounds. The Shining Light Foundation with help from retired Fortuna City manager is going through a list of agencies in an effort to find funding opportunities. The county fair is storing the lens and we have a four year possible relationship with them as we try to find funding to move the lens to the museum. Because of changes in fair personnel we will need to reaffirm that the climate control environment is and will be continued.
 - Discussions with Karen Clower related to training seminars available because of my inclusion in the County Academy. The City is invited to participate in a seminar designed for elected officials regarding the Brown Act and other related responsibilities associated with the position. I am hoping that the Council and PC will be able to take advantage of this invitation. The seminar will be offered on February 26 between 6:00 and 8:00 pm. This seminar will take the place of an orientation study session we were going to have here at city hall.
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- Separate meetings in with Gerald Silva, David Yarrington, and County planning staff regarding alternative route to Russ Park off Eugene Street. We have developed a timeline for the possible lot line adjustment. David Yarrington and Planwest have put 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. We have developed a timeline for the possible lot line adjustment. We will not begin the technical work on this until the fall of 2013. I will continue to work with Russ Park Committee to inform them of the particulars.
 - Numerous meetings with individual councilmen and the mayor regarding City issues, and updates about representation on the various joint power authorities.
 - The Sign Ordinance Committee is making good progress. Still looking at maybe six months before we bring something to council.
 - Coordinated with City Planner regarding Design Review and planning issues. Planning Commission continues to have presentations related to the Safety Element.
 - Number of conversations with Cybelle Immitt from county planning to go over the first kick off meeting of the Hazard Mitigation Plan (HMP) committee. The first meeting will be February 6th. 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 mitigation 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 scheduled the first kick-off meeting for February 6th, and I will once again represent the City on the Steering committee. Since we are going through our Safety Element I have already been coordinating the two projects through our planning consultant to take advantage of over lapping information.
 - Sent an application in to PG&E for a possible grant on changing our street lighting to a diode system which would give better lighting but lower our costs.
 - 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 debris torrent 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 debris torrent 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. I met with CCC, DF&G, and RCD representatives to go over a project they are doing that involves planting willow to stabilize the debris torrent area.
 - Numerous discussions with City Planner regarding design review and planning issues. The council approved the Design Review Process and the Final Review for Design Review Applications a couple of months ago and staff is now using the new process and applications.
 - Many discussions and conversations with our Planner and City Inspector and staff about the Kinetic building downtown that had the stucco taken off. The City Inspector approved an emergency demolition permit to remove the stucco at the request of their structural engineer. The structural improvements have been completed on the front of the building and we are waiting for the design
-

review application to be complete. We have informed the applicant all through the process of our requirements. The applicant has completed her application and is moving through the procedure, and the DR approved sending the project forward to the PC at their last meeting. It still is going through the state CEQA process and that should only take a few more weeks and then the PC conduct a public hearing to hear the CEQA related issues. If the PC approves of project at that point they will be able to apply siding. The PC approved this project.

- The City was notified that parts of a grant request were approved and that the city will in conjunction with the Village Club will be renovating our city hall kitchen.
- Met with Michael Sweeney to go over any questions he might have regarding his new position as a Councilman and to supply him with our councilmen handbook, and to bring him up to speed on as many subjects as possible.
- 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.
- Several discussions with Jo Ann Rennie, executive director of Parsac, our risk management authority related to my membership on its board.
- Many conversations with Don Hindley regarding a grant that the city has received since 1997 in connection with a drainage assessment fee. City staff is preparing information related to the grant and assessment so that the Council will be able to decide how to proceed. I have also included the drainage committee, our engineering firm, and our attorney as we look into the situation. Our attorney has reviewed the item and believes that we are able to institute the drainage assessment. We are in the process of determining how to have these included on annual property taxes. The county has said that we should start the process around June or July, so we have some time to discuss the alternatives.
- Number of conversations with Cal-trans in reference to the road improvement and sidewalk improvement projects that are scheduled for next year and the year after. I also asked that we have a meeting in the near future so that we can be given a presentation on the project. Remember that they will be paving from Fernbridge to City limits next year and from the city limits through town the next year. The Chamber and some other citizens have mentioned that they would like to be able to take advantage of these projects to possibly change some streetscape, such as streetlights. I have setup a meeting on January 9th to go over the two phases of the project with the Cal-trans engineer here at city hall.
- Conversations with RCEA requesting information on grants related to replacing energy efficient streetlights. I am hopeful that we may be able to garner a loan or grant to replace the current lamps with ones that are not only more efficient, but more aesthetic.

CITY CLERK ACTIVITY:

Meetings

- Daily meetings with City Manager regarding work schedule.
- City Council meeting 1/3/13.
- Drainage Meeting 1/10/13.

Projects

- Counter and phones.
 - Pick up mail, copy, distribute and file.
-

- Filed October report of Building or Zoning Permits issued for new privately-owned housing units.
- Prepared City Council Agenda packet for 1/3/13
- City Council Meeting Follow-up
 - Reviewed Deputy Clerk's minutes
 - Updated Committees and Commissions lists; placed openings on February agenda
 - Personnel Policy Manual update approval, copy to Finance.
 - In-House hire of Chief Plant Operator; filed copy in Steve Coppini's personnel file.
 - Transportation Development Act Funds; filed copy of audit and minutes.
 - Filed Resolution No. 2013-02 Establishing City Council Meeting Schedule from February 2013 through January 2014
 - Filed Resolution No. 2013-03 Annual Events and Parades Street Closures, copy in Parade book. Will contact parade organizers to submit parade permit applications to forward to CalTrans.
 - Mailed letter to the Humboldt County Board of Supervisors regarding airport name change.
- Cleaned and tidied room behind stage so that boxes of old files could be destroyed, and boxes of files to be saved could be stored on shelves.
- Ordered locked shred box from Eel River Disposal for shredding of old files.
- Wrote PW Staff report using notes on calendar.
- City Council Meeting follow-up
 - Updated Appointments to Board and Committees list, transferred to February
 - Filed Resolution No. 2013-02 Establishing City Council Meeting Schedule from February 2013 through January 2014
 - Filed Resolution No. 2013-03 Annual Events and Parades Street Closures
 - Mailed letter to Board of Supervisors regarding airport name change.

Building Permits		
504	Fern	Reroof
515	Fifth Street	Propane Tank and lines
450	Berding	Gas Furnaces
989	Milton Shop	Electric Meter
515	5th Street	new heater
535	Main	Hardiboard on East Side
124	5th Street	replace furnace
375A	Main	Shelter for doll house
989	Milton	Towers, ATT
	5th Street	Fifth Street Drainage Project
1141	Main	Rot repair exterior walls
724	Main	Garage/Shop
151	Francis	Grading for creek emergency work
291	Shaw	Reroof
1168	Main	Replace Gas Furnace
1182	Rose	SDU
553	Main #1	Replace Gas Furnace

Land Use Permits		
724	Main	2 story attached gar. New wrap around covered porch
400	McKinley	LLA

484	Main	Sign
375A	Main	Cover for Dollhouse
1141	Main	replace redwood siding w/ cement

ADMINISTRATIVE ASSISTANT/DEPUTY CITY CLERK:

Meetings

- Meeting with City Manager on Office Issues
- Attended Design Review Meetings
- Attended Planning Commission Meeting
- Meeting with Phil Aycock and Stacey Edgmon

Projects

- Payroll
- Accounts Payable
- Accounts Receivable
- Processed Deposit
- Answer Phones
- Purchase Various Supplies
- Receive and File December Financial Reports
- Assisted at front counter
- Reconcile Bank Account
- Put Design Review Packets together
- Put Sign Ordinance Packets together
- Revised Management's Discussion and Analysis
- Mailed End of Year Tax Paperwork
- Mailed W2 for 2012
- Wrote Minutes for Design Review and Planning Commission Meetings

CITY PLANNER:

Meetings, Planning & Coordination

- Coordinated with City Manager and City Clerk on planning and development projects.
- Continued review of Sign Ordinance Update materials and progress.
- Continued coordination with City Manager and HCAOG on Regional Housing Needs Allocation Process. Conducted analysis of proposed alternatives.
- Continued coordination on the Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan (HMP) Update. Continued integration of the HMP with the City of Ferndale General Plan Safety Element Update. Initiated cost estimate for City involvement in HMP update process.
- Continued coordination with City Clerk on Design Review Use Permit application and associated CEQA process for stucco replacement at 580 Main Street.
- Attended 1/16 Planning Commission meeting and study session. Arranged for and introduced study session speaker on tsunami and seismic hazards. Prepared and presented project report, Negative Declaration/Initial Study, and resolution for DR Use Permit application for replacing stucco with redwood material at 580 Main Street. Presented Safety Element Update Draft

Chapter 8.0 Acceptable Risk and staff report as well as staff report regarding Safety Element Update sample goals, policies, and implementation programs.

- Continued coordination with City Clerk and City Engineer on Lot Line Adjustment at 400 McKinley Ave.
- Coordinated with City Clerk to determine the possibility of installing a trailer as a Secondary Dwelling Unit in an R1B2 Zone at 300 Lincoln Ave.

Projects

- General Plan Update – Prepared Draft General Plan Safety Element Acceptable Risk chapter and presented at 1/16 Planning Commission meeting. Arranged study session presentation by Troy Nicolini, Warning Coordination Meteorologist for the National Weather Service in Eureka California and the tsunami program manager for northwestern California. Continued coordination for presentation at February 20 study session. Prepared and presented Safety Element Update goals, policies, and implementation program samples and staff report at 1/16 PC meeting.

CITY ENGINEER:

Sewer Projects –

- Working on a proposed capital improvement report (sewer)
 - The draft document has been prepared and waiting for additional input regarding the sewer priorities.

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.
 - Prepared two rout alternatives and estimates. Waiting for input from City council on which alternative is preferred and directions on how to proceed.

Applications –

- Renfer LLA – Responses to the routed information have come back with no concerns. City Engineers staff report has been forwarded to the City Planner for review and comment.
- 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.
- Martin Tubbs Grading Permit Application – Application was reviewed and approved for the installation of Rip Rap on private property in response to the slope failure caused by excessive flooding. Permit was issued and construction was inspected and documents.
- Dottie Pierce Grading Permit Application – Application was reviewed and determined that additional permits and submittal information would be required. A response letter was forwarded to the applicant.

General Engineering –

- 5th Street Flooding in front of Navy House Parcel –
-

- Initial work (pipe, inlet and rip rap installed) completed in December. In January, the roadwork and paving was also completed. Remaining portion of the work (ditch excavation) will be completed in the summer when it dries out more.
- Continued working on a Project Study Report for resurfacing Berding Street
 - Determining cost estimates based on the Pavement Condition Index Report, ADA sidewalk improvements and proposed drainage improvements.
- Discussed results of the Project Initiation Document for the intersection of 4th and Shaw Ave.
 - Design has been completed. We received positive feedback from the School Superintendent and Police Chief and neither had any problems with the construction moving forward as soon as possible. Bid documents are complete. Project has been deferred until Summer 2013.
- Working on a proposed capital improvement report (roads and drainage)
 - Met with Tim and discussed scope of projects to be included but still need to prioritize and prepare estimated for the work. Draft CIP submitted for review.
- Washington St. drainage culvert repair.
 - Assisting Tim with construction support as necessary
- Francis St Undergrounding of Utilities
 - Met with PG&E representative. PG&E is screening the project prior to making recommendation to proceed.
- Cal Trans Maintenance on SR 211 (Review of SHOPP drawings)
 - Met with the Cal Trans design team on Jan. 9th to discuss the upcoming projects. Reviewed drawings, expressed concerns and waiting for additional review as the design progresses.
- Misc. Document review.
 - Reviewing documents from HCAOG regarding the FY 11-12 Regional Surface Transportation Program (RSTP) Allocation
 - Preparing project list of roadway, bike and pedestrian projects to be included in the updated RTP.
- Met and discussed another slope failure on Francis Creek adjacent to the Cal Trans ROW. Met with property owner to hear concerns and discuss possible solutions.

Meetings and Committees –

- Drainage Committee
 - Attend January Meeting
- City Council
 - Attended January Meeting
- HCAOG
 - Attended January Meeting

Reporting and Correspondence –

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

WASTEWATER OPERATIONS:

- Review monthly lab results
- Continued correspondence with Hank Brenard Enterprises (HBE) regarding biosolids handling.
- OIT Ivey pressure wash RAS troughs
- Staff performed process tests to assist in the operation of the facility.
- CPO and OIT Ivey handled biosolids at drying facility by turning and sorting to facilitate faster drying.
- 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
- CPO and OIT Ivey performed general maintenance around facility
- CPO filed online SSO report
- OIT Ivey performed the normal in-house weekly and monthly testing and scheduled lab work to be done.
- Flush turbidometer
- Contacted Hank Brenard about scheduling biosolids pickup
- Coliform test to Fortuna
- CPO contacted Redwood Electric about faulty return valve from pond
- Biosolids picked up by HBE (16 yards)
- CPO talked with Aeromod about correcting belt press and corrections to treatment process regarding sludge blanket depth.
- CPO began compiling data for annual report due March 1st
- Take and send samples to NCL
- OIT Ivey cleaned basin walls
- CPO and OIT Ivey removed guards from belt press and inspected unit to realign belt. Will consult with Aeromod in February when they come to the plant
- CPO met with Orrin Plocher of Freshwater Environmental Services regarding new permit which goes into effect Feb. 1st
- CPO manually adjusted return valve from pond in the manhole located on Port Kenyon road in front of plant
- Dewater each Tuesday for 6 hours each day to maintain sludge control in facility
- The facility received a total of 15 septic dumps from Roto Rooter & Wyckoff's totaling 26,050 gallons and generating \$4,689 in revenue for the facility.
- Total flows through the collection system were 46.3 MG. Of that, 12.5 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 33.8 MG for the month of November. The average flow was 1.1 MGD.
- Effluent flows totaled 34.2 MG for the month of November. The average flow was 1.1 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.
- Replaced light at park
- 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.
- 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
- Childcare Center
- Police Department
 - Routine mowing and weed eating
- Scout Hall - Routine mowing and weedeating

STREETS, SIDEWALKS and STORMDRAINS

- Roadsides - Routine mowing and weed eating
- Patching Roadways throughout town
- Haul Gravel and spread on Eugene Street: Five loads of base rock.
- Re-set street sign on Fifth Street.
- Fifth Street culvert and road construction completed, will complete ditch work at a later date
- Replaced light in street and photocell.
- Berding Street concrete culvert top has failed – discussed with Manhard and have decided to put in a DI rather than pour new concrete.
- Met with Manhard on further and immediate projects.
- 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.
- Removed debris from all the drains and grates around town.

VEHICLE / EQUIPMENT MAINTENANCE

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

MISCELLANEOUS

- Pick up radio from Six Rivers Communications
 - Pick up Christmas Trees throughout town.
-

- Routine paperwork.
- Dealing with daily work orders as residents call.
- Viewed Safety videos.

POLICE DEPARTMENT:

- Officers participated in regional DUI checkpoints and DUI saturation patrols.
- Chief Smith attended Kiwanis meetings/functions.
- Chief Smith attended the monthly LECAH meeting.
- Chief Smith attended the monthly Community Corrections Partnership Executive Committee.
- Officer Stricker attended mandatory POST Under the Influence of Controlled Substance training.
- The new 2013 Dodge Charger is on patrol.
- Officers attended range training.

Police Statistics – November 2012

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	2	
Assault	0	
Burglary	1	
Vehicle Theft	0	
TOTAL	0	
SECONDARY CRIMES	3	
Calls for Service	41	
Reports Written	10	
Traffic Citations	7	
Other Citations	0	
Parking Citations	0	
Warnings	36	
ARRESTS	6	
AGENCY ASSISTS	19	
TRAFFIC COLLISIONS	0	

Section 13b: Commissions, Committees and Other

City of Ferndale, Humboldt County, California USA

Special Design Review Minutes for the 12/13/12 - 8:30am meeting

Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti, City Clerk Nancy Kaytis-Slocum, City Manager Jay Parrish and City Planner Melanie Rheaume. There were no modifications to the agenda.

484 Main Street. Sign: Jenny Steubing owner of retail business was not present at meeting. Sign square footage allotted is 5.5 sq. ft. and that is what is proposed.

MOTION: (Bailey/Mogni) Approve the 5.5sq.ft. sign for Couture.

All in favor.

580 Main Street. Planner Melanie Rheaume explained the Design Review Use Permit application to replace stucco with finger jointed, shiplap style redwood material with 11.25" coverage on the front (Main Street) and north (Shaw Street) side of the building; prime and paint the siding and trim in a contrasting color scheme similar to the original stucco and trim board; replace the existing signs with spacers rather than embedded in the siding; and reinstall the original striped awnings. The existing signage and stucco siding have been removed from the building for safety. The project site is located in the Community Commercial Design Control zone (C-2-D). Nancy Trujillo (project manager, Terry O'Reilly Whitchurch Engineering and Tom from Celtic Construction were present to discuss this project. MOTION: (Mogni/Bailey) 3/1 Favor Cowan Opposed. Recommend forwarding this to the Planning Commission with the Design Review Committee's recommendation for approval of the project.

277 Ocean Ave. Window: Nancy Trujillo owner was present. Proposed to replace window in the bedroom and replace 16.4'x8.1' of the building siding facing Ocean Ave. to a wider horizontal siding. The replacement window will be horizontal opening vs. the existing window that does not open and has side lights that let in the cold. MOTION: (Mogni/Giacomini) All in favor.

306 Emerson Lane/375 A Main Street. Permanent carport with removable sides. Mark Hamor (applicant) was present to discuss his plans. The Design Review Committee would not make a motion on this project due to packet being incomplete. Mark agreed to be on the agenda for next Design Review Committee meeting and present the completed packet along with building samples.

Meeting adjourned at 9:15am. Respectfully submitted, Lacy Pedrotti Deputy City Clerk

City of Ferndale, Humboldt County, California USA

Special Design Review Minutes for the 12/20/12 - 8:30am meeting

Dane Cowan opened the meeting at 8:30 a.m. Committee Members Lino Mogni, Michael Bailey and Mark Giacomini were present along with staff Deputy City Clerk Lacy Pedrotti. There were no modifications to the agenda.

375 A Main Street. Bruce Keller owner of property and Mark Hamor contractor were not present at the meeting. However the 16'x16'x19.7' structure to be built to house the Victorian doll house restoration project was approved by the Design Review.

MOTION: (Giacomini/Bailey) Approve the 16'x16'x19.7' structure for doll house storage.

All in favor.

Meeting adjourned at 8:40am. Respectfully submitted, Lacy Pedrotti, Deputy City Clerk

<p style="text-align: center;">City of Ferndale, Humboldt County, California USA Minutes for Planning Commission Meeting of November 15, 2012</p>
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Study Session: Chair Jorgen Von Frausing-Borch called the study session to order at 6:45. Planner Melanie Rheaume introduced Larry Lancaster, Program Supervisor, Humboldt County Division of Environmental Health Hazardous Materials Unit, who gave a presentation about HazMat risks and regulations. Ms. Rheaume then introduced Captain Ed Laidlaw, Eureka Fire Department's Hazardous Materials Response Team who spoke to the commissioners about Hazardous Materials Response in and around Ferndale.

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:40pm. Commissioners Dan Brown, Uffe Christiansen, Trevor Harper, and Lino Mogni along with staff City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheaume were present. Those in attendance pledged allegiance to the flag. MOTION: (Brown/Harper). The October 17, 2012 minutes were unanimously approved. There was no public comment.

Public Hearing 1182 Rose Avenue Variance. The Chairman opened the Public Hearing for the variance at 1182 Rose Avenue. City Planner Melanie Rheaume gave the project description: Request for Variance from Zoning Ordinance 02-02 §7.21.4f pertaining to allowable square footage of Secondary Dwelling Units and §5.03.3d pertaining to side setbacks, as well as a request for a Secondary Dwelling Unit (SDU). The Variance will allow an SDU of 836 sq. ft. (instead of the 640 sq. ft. allowed) to remain 1' from the side lot line (instead of the 5' required) at 1182 Rose Avenue (APN 031-241-004), Residential One-Family Zone. Commission approval is necessary for SDUs that are outside of the standard parameters. Staff recommends approval with standard conditions. The applicant's agents, Susan and Michael Felse spoke about their desire to have a Second Dwelling Unit on the property, using an existing building, same footprint, same roof line. The Chair closed the public hearing. MOTION: (Harper/Brown) Adopt the findings of fact as described in Attachment A, approve the Variance to allowable square footage and minimum side setback for an SDU, and approve the SDU, subject to the conditions of approval listed in Attachment B. All in favor.

Building and Planning Applications were listed as the first item of business. The Chair thanked staff for the list, which will be a permanent item on the agenda.

Planning Commission Candidate: The Commission spoke with Mr. Dean Nielsen about his qualifications for the Planning Commission. MOTION: (Von Frausing-Borch/Christiansen) Recommend to the City Council that they appoint Dean Nielsen to the Planning Commission when Commissioner Dan Brown is sworn in to the City Council in January. All in favor.

Design Review Committee Candidate: Staff explained that the position that is open on the Design Review Committee is to replace newly appointed City Councilman Michael Sweeney. Commissioners spoke with candidate Mark Giacomini. MOTION: (Brown/Mogni) Recommend to the City Council that they appoint Mark Giacomini to the Design Review Committee. All in favor.

535 Main Street: City Planner Melanie Rheaume gave the project description: Request for a Design Review Use Permit to cover existing siding with Hardipanel® siding on the back of the building at 535 Main Street (APN 031-085-012) in the City of Ferndale, CA. The project site is located in Community Commercial Design Control zone (C-2-D). The Design Review Committee reviewed the proposed project at a scheduled meeting on October 25, 2012 and passed a motion to recommend that the application be forwarded to the Planning Commission with the Committee's recommendation for approval of the proposed project.

Ferndale ordinances and policies do not currently specify what materials may be used for historic building repairs. The historical construction practice in Ferndale is to concentrate the materials that are more decorative, detailed, and reflective of period craftsmanship on the portions of buildings that are visible from the street, but the City lacks a clear policy to guide this practice. This application to use Hardipanel® siding on the back of a building in the Historic District provides an opportunity for the City to discuss this issue. The applicant's agent Mark Hamor spoke about wanting to secure the building for the winter, and agreed to speak to the owner about using Harditrim® planks as suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels. The agent also agreed to the suggestion: For consistency, staff recommends suggesting that the applicant extend the proposed treatment to the sides of the building. This may be done by pre-approving the application of the same material and design as approved for the rear of the building to the connecting sides. Consistent treatment of the rear and sides of the building will maintain the current continuity of appearance and materials.

To avoid having to come back before the Design Review committee, the conditions of approval were changed as follows: 6. The applicant shall *may* combine the proposed vertical siding with Harditrim® planks suggested by the manufacturer to provide more visual relief to the proposed 4' x 8' panels.

MOTION: (Harper/Christiansen) Adopt Resolution No. PC 2012 - 36 making the required findings of fact listed in Attachment A, and approve the Design Review Use Permit, subject to the conditions of approval listed in Attachment B and as amended at this meeting, to allow for covering of existing siding with Hardipanel® siding on the back of the building at 535 Main Street. All in favor.

General Plan Safety Element Update: Chapter 7.0 Hazardous Materials: City Planner Melanie Rheaume went over the chapter as presented in the packet. There were no commissioner comments.

General Plan Safety Element Update: Examples of Goals, Policies, and Implementation Programs: City Planner Melanie Rheaume introduced the examples of General Plan Safety Element Policies, showing the wording of a goal, how that related to polices, and what implementation programs might look like. Chair Jorgen Von Frausing-Borch reiterated that goals and policies for the Safety Element Update should consider Ferndale's Sphere of Influence as well as the Planning Area.

There will be no meeting in December. The meeting was adjourned at 8:35pm.

Respectfully submitted, Nancy Kaytis-Slocum, City Clerk

FERNDALE LIBRARY ASSSN.

Board Meeting - January 24, 2013

Pres. Irene Bryant called the meeting to order at Ferndale Library 7:00 P M. Members present were Evo, Nancy & Bob, along with librarian Bonnie. Jeff Farley was absent.

The minutes of the prior meeting were read and approved.

Bonnie reported the new carpet has been installed on the weekend of Nov. 10-24, 2012. She dreamed that the carpet was baby blue color with pictures of Russian COAMANTS thereon instead of the nice color THAT IT WAS.

She stated the old desk was picked up by the cleaning lady and 2 big boy helpers and the new desk was shipped but one panel was broken. The desk was shipped unassembled in sections so she set the weekend of Febr. 9 thru 12 th to assemble and set up the desk. A new panel was finally shipped.

Bonnie was raising the flag one day and observed a hole in the pole about the size of a 50 cent piece and it was rusted. City manager Jay stated he would try to procure A NEW ALUMINUM POLE thru the city.

Jeff Farley is off the board now and Nancy reported the Mayor asked city board members to volunteer to be on the library board and someone will volunteer next meeting.

Bonnie reported there were 3 computers in the library. Hers and one other were County computers and one belongs to the library. All three are now much speedier. the library has a waiting list for anyone wanting to use the computers.

Bonnie showed a copy of the 1012-2013 budget totaling \$35711.10 of which \$15000.00 is Lytel Foundation grants making \$20711.10 the net budget for the library. All items in the budget seemed to be ok.

The next meeting was set for April 25, 2013.

Meeting adjourned: EVO M. LOURENZO, SECTY.



City of Ferndale, Humboldt County, California USA
Sign Ordinance Committee Minutes for the 11/8/12 2:30 pm meeting

Chairman Michael Bailey opened the meeting at 2:31 pm. Committee members Michael Sweeney, Phil Ostler and Karen Pingitore were present. Committee member Trevor Harper was absent. City Manager Jay Parrish and Deputy City Clerk Lacy Pedrotti attended. Guest Caroline Titus representing the Ferndale Enterprise was in attendance.

No modifications to agenda

October 18, 2012 Minutes: MOTION: Approve minutes as edited (City Manger's last name has two "r's" as in Parrish; Page 1, Business A. third sentence the word affective should be effective). (Sweeney/ Pingitore). All in favor.

PUBLIC COMMENT: None

BUSINESS

A. Sign Ordinance Publicity

City Manager Parrish talked to Karen Pingitore and Caroline Titus about an article in the Ferndale Enterprise to inform the general public about the status of the Sign Ordinance Committee. A letter has been sent to both business and building owners in the Historic District regarding the Committees progress. Chairman Bailey stated that the Committee was about one month away from reviewing the last section of the draft ordinance according to the table of contents. There will also be a section on Administration that will be reviewed last. Once the Committee has completed the draft ordinance it will be presented to the City Attorney for legal clearance. Upon attorney review, the Committee will address any changes deemed necessary prior to forwarding the final Draft Sign Ordinance to the Planning Commission. At that time it was suggested that the Draft Ordinance also be placed on the City's website for general public review.

B. Review and Approve the following;

[i. 1004.6 Illumination & Reflecting Signs](#)

[ii. 1004.7 Public Message Signs](#)

These sections were reviewed at the October 18, 2012 Committee meeting and have been returned to the Committee with recommended edits for approval and forward to the Planning Commission. City Manager Parrish commented that item 10 under Section 1004.6 Illumination & Reflective Signs raised some important issues. Draft language for item 10 is presented below:

10. As a condition of sign permit approval, the Planning Commission may require and perform a post-installation intensity inspection to occur within sixty (60) days of installation completion, and the Planning Commission may require alteration of the light intensity or the method of illumination if found necessary to implement these illumination limitations.

The City Manager first stated that calling for the Planning Commission to perform inspections was not an appropriate role for the Commission. Secondly, the City does not have access to the type of equipment necessary nor the staff expertise to measure lighting intensity. Chairman Bailey clarified that the draft language did not intend to imply that the use of light measurement equipment was necessary. Rather, he anticipated that the Design Review Committee might have concerns about light intensity as part of a conditionally approved sign and the intent was to have someone inspect the light intensity post installation. This inspection would largely rely upon a subjective value judgment as to intensity being acceptable or not. The discussion concluded by agreeing that the Design Review Committee should perform post-installation review on any lighting intensity issues and that the draft language be changed to reflect the Design Review Committee's role in this matter.

Further discussion focused on draft language for section 1004.6.4 Product Signs (note the numbering system was in error and the correct section number should be 1004.6.5). This draft language reflected discussion from the 10-18-12 meeting on neon signs in the form of "products" most often associated with beverages and often provided for free to "promote" the product a business sells rather than the business itself. As these product signs often incorporate neon lights they would be highly regulated, or in most cases prohibited by current draft language. However, in past meetings both Karen Pingitore and Phil Ostler attested to the value of these kinds of "signs" and that they tended to be business specific in the form of bars, liquor stores, mini-marts, or restaurants where such products (in the form of beverages) are for sale. In response, the Committee had developed draft language that would allow such signs under certain conditions.

At issue were two aspects of the draft language. First, the draft language would limit the total number of product signs within the business district (historic district) to 20. This number was based on the estimated number of signs currently in use. The idea behind this number was to allow those product signs currently in use to remain but not allow additional product signs above this number. Chairman Bailey acknowledged that this number was based on his recollection of the total number currently in use. The Committee believed that the actual number of existing product signs should be counted and photographed on a specific date and that this number would be used as the total number of signs allowed. Chairman Bailey agreed to count and photograph existing product signs and incorporate the actual number into the draft language.

Second, the draft language limited the exhibit of product signs for any given business to three. Committee members asked what would happen if a business already had more than 3 but was included as part of the soon-to-be counted total number of product signs allowed. Under current language, the business owner would have to remove the signs in excess of 3. It was agreed that this number was arbitrary but for discussion purposes a number had to be selected and could just as easily be 2 or 4 or another number. Further discussion pointed out that a "product sign" would count as part of the overall signage and would be subtracted from the total signage allowed. This fact itself may limit the total number of product signs as once a business owner's sign size is calculated there may or may not be enough surplus in allowable square footage of signs to allow for

additional signage. The Committee believed that once the draft ordinance goes to the Planning Commission public hearings may clarify the optimum total number allowed for each business.

Discussion turned to section 1004.6.6 Reader-board, Multiple or Electronic Variable Message, or Copy-change Signs. For purposes of this Ordinance, an electronic variable message sign is an illuminated sign. Caroline Titus referred to the new “sign” at Demetri DiStefano’s business on Main Street. This “sign” is actually a computer display screen hung in the window that is otherwise covered with brown construction paper. Caroline asked if this “sign” was covered under this section. The answer appeared to be that the hanging computer display screen was not a “sign” as defined in this draft ordinance as it does not include or refer to Demetri’s name or the name of his business so it is more accurately defined as a “display.” The Committee acknowledges that this display may be temporary as Demetri is still in the process of re-organizing his business including any future signage.

There were no issues raised with the remaining language for section 1004.6.7 Revolving and Rotating Signs (note again that these numbers have been adjusted due to the replication of 1004.6.5 in the draft sections).

Similarly, the Committee had no issues with the remaining language for section 1004.7 Movement & Wind-driven Signs.

Revised language for section 1004.6 Illumination & Reflective Signs will be returned for Committee approval at the scheduled 11-15-12 meeting.

The Committee agreed to approve and forward section 1004.7 Movement & Winddriven Signs to the Planning Commission.

MOTION: Approve forwarding of draft ordinance sections 1004.7 to the Planning Commission (Ostler/Sweeney). All in favor.

C. Review Committee Inputs on the following;

[i. 1005.1 Temporary Signs](#)

[ii. 1005.2 Public Message Signs](#)

The Committee discussed new sections on Temporary and Public Message signs. In reviewing the different types of temporary signs the question was asked “what is a snipe sign?” Referring to the definitions, Chairman Bailey stated that a “snipe” sign is any sign tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes or fences or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which the sign is located. According to section 1005.1.10 these types of signs is prohibited. A distinction was made for Garage Sale Signs per section 1005.1.3 where such signs shall be allowed in all residential zones subject to the provisions listed in Section 1004.5.5.

Further discussion followed on section 1005.1.9 Sandwich-board, A-Frame or Sidewalk Signs. This type of sign has been subject to many discussions by the Committee. These

signs are designed to specifically direct someone to a retail business from an offsite location due to the business having a hidden or off-the-beat frontage. As such, they have considerable value for businesses that do not enjoy a Main Street location. The best example is the Ferndale Museum sandwich-board sign that is placed daily on the corner of Shaw and Main to direct traffic one block to the actual Museum's location. Accordingly, the Committee has sought ways of regulating such signs while still allowing for their use in limited situations. City Manager Parrish pointed out that the public right-of-way on Main Street is regulated by Caltrans as Main Street is also a State highway (211). The City has no authority to allow or not allow anything within the Caltrans right-of-way. In the past issues have come up related to trees, benches, signs, the Ferndale Reps marquee, among others that strictly speaking are not allowed. These are typically not permitted by either the City or Caltrans. It was noticed that the Flower shop sandwich-board located across the street from the Art Coop is placed on private property (with the approval of the property owner). Similarly with the sandwich-board sign on the corner of Main and Ocean that directs the visitor and others to the farm product stand on Centerville Beach Road. This sign is also placed on private property. Committee member Sweeney suggested that the draft language for item 1 of section 1005.1.9 be amended from the current language which allows such signs "...within rights-of-way with approval of the planning commission;" to revised language that would state "...may be permitted within private property with approval of the planning commission." No vote or statement of approval for this idea was forthcoming but the Committee saw merit in the idea. City Manager Parrish agreed to seek legal opinion on the sandwich-board issue and provide that opinion by the next meeting.

Revised language for section 1004.6 Illumination & Reflective Signs will be returned for Committee approval at the scheduled 11-15-12 meeting. Additional discussion will ensue on Temporary Signs and Public Message Signs at the next meeting.

CORRESPONDENCE

No correspondence was received by the Committee.

The next make up meeting will be November 15, 2012 at 2:30 pm. The meeting was adjourned at 4:17 pm.

Respectfully submitted by:
Michael Sweeney

Section 13c: Council Reports and Comments

Humboldt/Del Norte Hazardous Materials Response Authority Regular Meeting Minutes Tuesday, January 14, 2013

1. Roll Call:

Via Speaker phone: None.

Present: Mr. Jay Parrish Chairperson, City of Ferndale; Ms. Melinda Ciarabellini, City of Eureka; Mr. Glenn Bernald, City of Blue Lake; Mr. Tim Sanderson, Yurok Tribe; Mr. Dale Watson, Del Norte County.

Guests: Captain Ed Laidlaw, Eureka Fire Department; Mr. Larry Lancaster, Humboldt County Division of Environmental Health; Mr. Jose Gonzalez, Humboldt County Division of Environmental Health.

2. Convening of the Meeting:

Meeting was called to order at 4:35 p.m. by Mr. Jay Parrish.

3. Public Comments:

The public was invited to address the Board, none were present.

4. Old Business:

- A. Mr. Jay Parrish called for approval of the October 9, 2012 Regular Meeting Minutes. The motion to approve the minutes was presented by Ms. Melinda Ciarabellini, was seconded by Mr. Tim Sanderson, and the motion was carried by those members present.

5. New Business:

- A. Ms. Melinda Ciarabellini addressed the Board Members regarding the appointment of legal counsel representing the Humboldt / Del Norte Hazardous Materials Response Authority, and after speaking with Eureka City Attorney Cyndy Day-Wilson it was recommended that a Request for Quotation (RFQ) with an overview and the requirements be posted at the League of Cities website to attract applications from Attorneys with familiarity of public entities and have experience with Joint Powers of Authority (JPA) documents. After a general discussion Captain Ed Laidlaw, accepted on behalf of the Humboldt / Del Norte Hazardous Material Response Authority, the task of researching the process of appointing a legal counsel and/or the drafting of an RFQ.
-

- B. Captain Ed Laidlaw presented to the Board the 2012 Fourth Quarter Report and the 2012 Annual Report for the Humboldt / Del Norte Hazardous Materials Response Team. No responses or consultations occurred during the Fourth Quarter requiring the Hazardous Material Response Team. Monthly training and training to allied agencies was conducted during this period. Humboldt Waste Management Authority (HWMA) agreed to support Ms. Tiffany Ibbs, to become a member of the Hazardous Material Response Team. Ms. Ibbs brings an extensive chemistry background; her primary job will be technical reference and unknown product identification. Mr. Tim Sanderson Yurok Tribe completed Hazardous Material Technician training and is in the process of becoming a response team member.

6. Adjournment:

Mr. Jay Parrish called adjournment at 5 pm. A Regular Meeting of the Humboldt / Del Norte Hazardous Materials Response Authority meeting is scheduled at the Eureka Fire Department Conference Room on Monday, April 8, 2013 at 4:30 pm.

**BOARD OF DIRECTORS**

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

MINUTES

Thursday, November 8, 2012, 6:30 PM

Eureka City Council Chambers

531 K Street, Eureka, CA

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

1) Call to Order and Roll Call

Chairman Lovelace called the meeting to order at 6:35 p.m. A quorum was present and acting.

2) Approve the Agenda

Motion Maxwell/Madsen to Approve the Agenda 5 Ayes/0 Noes & Abstentions/1 Absent
Chairman Lovelace Opened the Floor to Public Comment regarding the Agenda. No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

3) Consent Calendar

Executive Director Duffy pulled Item 3e) for discussion

Boardmember Schapiro pulled Items 3b), 3c), and 3d) for discussion.

Chairman Lovelace Opened the Floor to Public Comment regarding the Balance of the Consent Calendar. No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

Motion Madsen/Thompson to Approve Item 6a) 5/0/1

b) Approve Minutes from the October 11, 2012 HWMA Board of Directors Meeting.

Chairman Lovelace Opened the Floor to Public Comment regarding Item 3b). No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

Staff provided a summary of revisions and clarifications incorporated into the minutes of the October 11, 2012 meeting for Board review.

Motion Schapiro/Madsen to approve the Minutes from the October 11, 2012 HWMA Board of Directors Meeting with Corrections as Provided 5/0/1

c) Receive September FY 12/13 Financials.

Boardmember Schapiro requested clarification of information provided in the staff report for Item 3c), and noted an erroneous date in the narrative of the document.

Motion Schapiro/Madsen to Approve FY 11/12 Financials 5/0/1

d) Extend Recology Tolling Agreement, and Authorize Executive Director to Execute Agreement.

Legal Counsel Diamond clarified that the term of the extension would be for one year.

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Mike Leggins, of Recology, answered a question posed by Boardmember Thompson regarding the size of the burn dump. He stated that the burn dump covers approximately four acres of a property which encompasses fifty to sixty total acres.

Chairman Lovelace Opened the Floor to Public Comment regarding Item 3d). No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

Motion Schapiro/Thompson to Extend Recology Tolling Agreement, and Authorize Executive Director to Execute Agreement 5/0/1.

- e) **Authorize Executive Director to Work with Lawrence & Associates to Accept Phase I Landfill Closure Project and Release Retention Funds upon Satisfactory Completion to Anderson Dragline.**

Executive Director Duffy clarified that there was a request by Anderson Dragline, the closure construction contractor at Cummings Road Landfill, for a release of retention in the amount of \$319,000.00 for this project, which Mrs. Duffy is just now coming up to speed on. The purpose of this request is to allow the Executive Director to release the aforementioned retention once she has ensured that all change order amounts have been satisfactorily reported. Upon approval, the payment may be processed and released within the next month instead of waiting until the next Board meeting in January.

Boardmember Thompson expressed concern about the figures provided with the final payout, and worried that change order amounts might significantly overrun the total budget. He requested that Executive Director Duffy review and approve the numbers before approving the final payment. Mrs. Duffy confirmed that she and Administrative Services Manager Egerer would review the final figures before proceeding with payment.

Boardmember Maxwell supported Boardmember Thompson's comments and encouraged review of the change orders.

Chairman Lovelace Opened the Floor to Public Comment regarding Item 3e). No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

Motion Thompson/Madsen to Authorize Executive Director to Work with Lawrence & Associates to Accept Phase I Landfill Closure Project and Release Retention Funds upon Satisfactory Completion to Anderson Dragline 5/0/1.

4) Board Member Reports

Boardmember Maxwell reports that he would like to thank Boardmembers Brinton and Thompson for their willingness to serve their communities for another term and for participating on this board. The North Coast Chapter of the California Water Environment Association awarded Ferndale's sewage treatment plant Sewage Treatment Plant of the Year and awarded Ferndale City Manager Jay Parrish Supervisor of the Year; both are now eligible to receive state awards in these categories.

Boardmember Maxwell continued by thanking Programs Analyst Sherman and R3, the Authority's strategic planning consultant, for their work on the Public Advisory Committee meetings, taking special note of the discussion of what the Authority "may" and "shall" do. He noted that the presentation is available on the HWMA webpage under "Strategic Planning", along with the waste characterization study, which can be viewed for additional information about resource recovery and waste reduction in our community.

Boardmember Maxwell also thanked all the members of the community that applied to join the PAC, and noted that while Ms. Sherman is hard at work on continuing efforts for

the PAC, all discussion items and questions should be directed either through the Board or the Executive Director.

Boardmember Maxwell also thanked Mr. Owen for his dedicated service over the last few months. He appreciated the efforts of everyone who participated in the recruitment for Executive Director, especially members of the Executive Committee. Boardmember Maxwell is pleased with the results of the recruitment efforts and looks forward to working with Executive Director Duffy.

Boardmember Schapiro welcomed Executive Director Duffy and thanked Operations Manager Patrick Owen for his service through the transition.

Boardmember Thompson noted that the Rio Dell sewer plant is on schedule and going well. Measure J is still too close to call and two open positions in the council were filled. He also welcomed Mrs. Duffy, and thanked Mr. Owen for his service as Interim Executive Director.

Chairman Lovelace welcomed Mrs. Duffy and thanked Mr. Owen for a job well done during the transition. In the absence of Boardmember Brinton, he noted that the City of Arcata adopted Measure I, which taxes residents for excessive energy consumption.

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

Chairman Lovelace Closed the Floor to Public Comment.

5) Oral and Written Communications

Chairman Lovelace Opened the Floor to General Public Comment.

Chuck Schager with Arcata Resource Recovery Center announces that ARRC will be opening for business on Wednesday November 14th from 9 AM to 4 PM, Wednesdays through Sundays. There will be a buy back center for CRV and a drop off for cardboard, newspaper and 1-7 plastic recyclables. If anyone has questions, they can call 725-5156 or keep an eye out for flyers in the Times Standard and the Northcoast Journal.

Chairman Lovelace Closed the Floor to Public Comment.

6) Proclamation of Appreciation

Chairman Lovelace read Resolution 2013-05 into record. This Resolution acknowledges the service of Operations Manager Patrick Owen as Interim Executive Director, and is included in and made part of these minutes.

Motion Schapiro/Thompson, Resolution 2013-05 is Approved as Read 5/0/1.

Boardmember Thompson recommended authorizing an artist to make Mr. Owen a sculpture from reused goods.

Operations Manager Owen thanked the Board for what he considered very positive experience and is excited to work with Executive Director Duffy

Executive Director Duffy presented a framed copy of the Resolution to Mr. Owen.

Chairman Lovelace also noted that Mr. Owen was assisted by competent and capable staff, and thanked staff for their assistance during the transition.

Chairman Lovelace Opened the Floor to Public Comment regarding Item 6. No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

7) Executive Director's Report

Operations Manager Owen noted that Executive Director Duffy has taken quickly to her new duties. In resuming his duties as Operations Manager, Mr. Owen has taken some of R3's early comments to heart and is improving diversion activities on the Transfer Station tip floor. He further reported that an upper division engineering class at

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Humboldt State University conducted a study on the feasibility of solar energy use at the Hawthorne Street Facility.

Executive Director Duffy noted the four strategic plan meetings for the public, and encouraged Boardmembers to assist in getting the word out. The meeting dates and locations are tentatively scheduled for McKinleyville on Tuesday December 4th from 5:45 PM until 7:30 PM, Eureka on Wednesday December 5th from 5:45 PM until 7:30 PM, in Garberville on Monday December 10th from 5:45 PM until 7:30 PM, and in Rio Dell on Tuesday December 11th from 5:45 PM until 7:30 PM. There is an email listserv for members of the public who would like to be notified of upcoming events. Interested individuals should call the HWMA business office at 268-8680 or visit hwma.net and sign up on the Strategic Planning page.

Executive Director Duffy stated that the Single Use Plastic Bag Ordinance draft language from the initial study negative declaration has been forwarded to the City of Arcata in early October for review. The study for the City of Eureka was completed and sent to Eureka City Staff yesterday, November 7th. Environmental review for the County will require more extensive research and so will be completed in the near future.

Meetings to discuss membership in the JPA for Trinidad and Fortuna are being scheduled.

Mrs. Duffy further commented on ongoing diversion and hazardous waste projects; PaintCARE model language will be coming forward to HWMA staff in the next few weeks. The language is being developed to address liability and pricing structure. Locally, Sherwin Williams and Glidden are our local Humboldt County participants. On October 13th, a mobile Hazardous Waste event was held in Blue Lake with 53 cars, 85% of those being Blue Lake residents. The annual pharmaceutical event will be taking place near the beginning of the new year. More details will be available soon.

Boardmember Thompson asked if Estelle Fennell, the newly elected District 2 County Supervisor, would be included on the listserv and in discussions for the public workshops being held in the South County. Executive Director Duffy confirmed that Mrs. Fennell would be included, and further indicated that staff was advertising the events with major south County media outlets.

Chairman Lovelace asked if the dates for the Strategic Planning Meetings had been posted on the HWMA website. Executive Director Duffy is waiting until the dates have been confirmed; once they are set they will be advertised on the website.

Chairman Lovelace would like to see a status presentation on the Single Use Plastic Bag Ordinance and its progress for the HWMA Board. He noted a significant amount of interest throughout the community, and feels that providing an update before these ordinances progress too far would be in the Authority's best interest.

Chairman Lovelace Opened the Floor to Public Comment regarding Item 7. No one addressed the Item.

Chairman Lovelace Closed the Floor to Public Comment.

8) Adjourn

Chairman Lovelace Adjourned the Meeting at 7:40 p.m.

Next Meeting: January 10, 2013 at 6:30 p.m. at Eureka City Hall Council Chambers.



Redwood Coast Energy Authority

517 5th Street

Eureka, CA 95501

Phone: (707) 269-1700 Toll-Free (800) 931-RCEA Fax: (707) 269-1777

E-mail: info@redwoodenergy.org Web: www.redwoodenergy.org

MEETING MINUTES

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

**December 17, 2012
Monday, 3:15 p.m.**

Redwood Coast Energy Authority will accommodate those with special needs. Arrangements for people with disabilities who attend RCEA meetings can be made in advance by contacting Lori Biondini at 269-1700 by noon the day of the meeting.

I. ROLL CALL

Present: Susan Ornelas, Lana Manzanita, Linda Atkins, Jay Parrish, Sue Long, Jack Thompson, Tom Davies, Sherri Woo and John Woolley.

Absent: none

Staff: Matthew Marshall, Lori Biondini

Guests: Alison Talbott, PG&E, Jerome Carman, RCEA, Larry Goldberg

II. REPORTS FROM MEMBER ENTITIES

- Director Ornelas reported that the City of Arcata passed Measure I that allows the City to collect tax on excessive energy usage. She also suggested that local expert Michael Furniss be scheduled to give a presentation to the Board on climate change.
- Director Manzanita reported that on 12/19/12 the City of Blue Lake would be hosting a pizza party at the grange, followed by caroling and the tree-lighting ceremony.

III. ORAL COMMUNICATIONS

- Alison Talbott of PG&E invited the Board to visit the Clarke Museum to view an exhibit about the history of power generation in Humboldt County. It will be there through June 2013.

IV. CONSENT CALENDAR

A. Approve Minutes of November 19, 2012 Board Meeting

B. Approve attached Warrants

C. Accept attached Financial Reports

Director Ornelas requested item B be removed from the Consent Calendar.

M/S/C: Ornelas, Atkins: Approve consent calendar with Directors Ornelas and Davies abstaining from Item A.

V. REMOVED FROM CONSENT CALENDAR ITEMS

A. Approve attached Warrants

Director Ornelas requested additional detail related to large staff reimbursements listed on the warrants. Executive Director Marshall reported that the reimbursement was software upgrades purchased online via an employee's personal credit card, and

that staff will be establishing an RCEA company credit card to eliminate the need for employees to use their personal cards for large online purchases. More detail on expense reimbursements will be included on the warrants in the future.

M/S/C: Ornelas, Thompson: Approve attached Warrants.

VI. NEW BUSINESS

A. Presentation and discussion of PACE energy financing

Community member Larry Goldberg gave a presentation on Property Assessed Clean Energy (PACE) financing. Mr. Goldberg provided information on potential benefits and logistics of setting up a PACE program in Humboldt County, and opportunities to potentially partner with other currently-operating PACE programs, such as in Sonoma County. Executive Director Marshall reported that exploring and developing energy-project financing options has been included in RCEA's plans and budget for 2013 – 2014, and that RCEA has also already had initial discussions on the topic with some relevant local organizations and banks. The Board discussed the topic and directed staff to convene a group of local stakeholders to explore establishing a local PACE program and/or other energy financing options.

B. City of Blue Lake Sustainable Communities Grant

Executive Director Marshall gave a brief overview of the Grant and RCEA's role in the project.

M/S/C: Ornelas, Thompson: Approve subcontract with City of Blue Lake for \$35,500 for work on a community-wide greenhouse gas inventory and climate action plan under the City's Sustainable Communities grant funded by the CA Strategic Growth Council.

C. Discussion of County-wide high energy use tax

Executive Director Marshall reported that the City of Eureka Energy Committee requested the RCEA Board consider the idea of a County-wide strategy, consistent across all jurisdictions, for taxing excessive residential energy use. Director Ornelas provided details on the City of Arcata's Measure I, and explained that the tax applies to residential-zoned properties and is part of the City's efforts towards greenhouse-gas reduction and addressing illegal indoor agriculture. The tax is on energy usage that surpasses baseline use by 600%. Director Atkins reported that the City of Eureka is considering a similar Measure. The Board discussed the possibility of a consistent approach across all jurisdictions to mitigate the potential for illegal high-energy-using operations just migrating to jurisdictions without a tax in place. The Board directed staff to gather additional information on the specific details and potential outcomes of replicating Arcata's tax across the County.

D. 2013 RCEA Board meeting schedule

Executive Director Marshall proposed moving the Board Meetings in January and February 2013 to the fourth Monday because the third Monday in those months falls on observed Holidays. The Board concurred with moving the meetings to January 28th and February 25th.

VII. OLD BUSINESS

A. Presentation on municipal greenhouse gas inventories project

Jerome Carman, RCEA GHG Inventory Intern, gave a presentation on the final results of the Greenhouse Gas Inventories for Municipal Operations project.

B. Energy Watch Program 2010-2012 wrap-up, 2013-14 ramp-up

Due to time constraints, this agenda item was deferred until the next meeting, except for consideration of adding new staff positions.

M/S/C: Wooley, Atkins: Approve addition of 1 Program Assistant position and 1 Energy Technician position for 2013-14 program expansions.

VIII. STAFF REPORT

A. Matthew Marshall, Executive Director

- Potential office relocation

Directors Manzanita, Atkins and Thompson viewed the possible new office space at 633 3rd Street, Eureka, and commented that it was large and that some upgrades would be necessary. Executive Director Marshall reported that staff will pursue negotiations with the owner on the monthly lease amount and other details, and will bring back proposed terms to the Board for consideration at the next meeting.

- Harbor District potential purchase of Freshwater Tissue property

Executive Director Marshall reported that the Harbor District is considering purchasing the old pulp mill property. Due to its location and existing infrastructure, the property has the potential to support a range of possible energy research and development opportunities, and RCEA staff has been involved in some preliminary discussions regarding possible future uses for the site. Executive Director Marshall asked for volunteers for a subcommittee that would be available to explore supporting and collaborating with the Harbor District on this matter. Directors Wooley, Ornelas, and Woo volunteered.

IX. ADJOURNMENT

Meeting adjourned at 5pm.

***The next regular RCEA Board of Directors Business Meeting
will be held at 3:15PM on Monday, February 25, 2013.***

Salt River Watershed Council

Tuesday, December 11th, 2012
2 – 4 p.m.

Minutes

Board Members in attendance:

Jay Parrish, Chairman; Dave Carr, Secretary/Treasurer; Don Hindley, John Vevoda, Denver Nelson

Board Members Excused:

Jay Russ, Vice Chairman; Joe Russ; Jim Becker; Dennis DelBiaggio

Guests:

John Vernon (sub-committee); Charlie Zana (landowner); Donna Chambers, Curtis Ihle, and Doreen Hansen (Resource Conservation District)

Call to Order:

The Watershed Council meeting was called to order at 2:03 p.m. by Jay Parrish, Council Chairman.

Additions or Changes to the Agenda:

None

Introductions:

None

Public Comment Period:

None

Board Member Reports

None

Adoption of November 13th, 2012 Meeting Minutes:

The minutes of the November 13th meeting was adopted as follows:

Motion: Director Don Hindley; Second: Director Dave Carr; Unanimous

New Business:*Short and Long Term Goals -*

Two Council members, Dave Carr and Denver Nelson, suggested that the long term goals be the goals stated in their mission statement – long-term cooperative watershed management practices to sustain, protect and improve water quality,

drainage, aquatic and riparian habitat and other resources while contributing to long-term economic, agricultural and community sustainability.

Director John Vevoda suggested looking into the re-occurring flooding along the eastern portion of Port Kenyon Road and on his dairy. The CA Coastal Commission will not grant an emergency permit to remedy the seasonal problem. Director Hindley and Curtis Ihle proposed the option of doing the emergency work without a permit. Director Parrish indicated that he will discuss the situation with the County and the County Supervisor.

Other short term goals were suggested. The Council requests clarity on scheduling of the Salt River Project (such as construction, vegetation planting, and Phase 2 design). The Council would also like to work on their Educational and Outreach goals.

Sub-Watershed Groups -

Curtis Ihle spoke for Director Jim Becker. Ihle explained that Director Becker intended to coordinate between the landowners of the Lower Salt River up to Dillion Bridge. This sub-watershed group is expected to meet after the first of the year.

A discussion about membership fees for funding maintenance developed. Director Carr suggested that project monitoring groups should be separate from sub-watershed groups as it would be more effective.

Director Parrish requests that Council members be prepared to discuss the geographic locations of sub-watershed groups at the January meeting.

Sub-Committee Groups -

The council primarily discussed the Education/Outreach subcommittee and how that committee could produce media material to highlight the success of the Salt River project. Council members Carr and Parrish would like to explore approaching the Film department at HSU to offer this as a project to a student. Once complete the Council could use the film/documentary to market their success and leverage it for monitoring and maintenance funding.

Old Business:

E&O and D&O Insurance – Director Carr has secured a \$1million coverage for the Council.

Toste Lease Agreement – Director Carr updated the Council with the information that Mike Toste agreed to the \$5,000 up-front lease request for the following year.

Banking – Director Carr established as US Bank account for the council.

Official Address: The Council now has an official PO Box – PO BOX 778, Ferndale, CA 95536.

Financial Report – Director Carr provided and reviewed financial statement to the council for its first operational year (2012). Director Carr discussed how the Council should pursue requesting an escrow refund amount back from the CA Coastal Conservancy. He also announced that the Council will need to file a 990A income tax form because the Council had banking transactions that exceeded \$200,000.

Document Storage:

Director Carr informed the Council that the SRWC documents are becoming very numerous and are taking up a substantial amount of space. He suggests that the Council consider digitizing the documents and purchasing “Cloud” space as a storage place. Director Carr also suggested that the council will need to look into physical storage and office space in the near future.

Salt River Project Update – Donna Chambers provided an update on the Salt River project. She reported that: the CA Conservation Corps are working on Riverside Ranch and removing vegetation along the Salt River channel; prime contractor bids are due December 18th; nursery contractor bids are due December 17th; seed contractor is growing out seed now; a delay in the relocation waterline will extend until construction next year; the CCCs are attempting to stabilize the Francis Creek slide with willow collected from Riverside Ranch; Phase 2 designs will commence this winter along with a sediment re-use plan; and \$4 million of funding are being extended for two more years for project construction.

Future Agenda Items:

- Re-visit Sub-Watershed Groups
- Provide a Time Line of activities for the Salt River Project
- Continue the discussion of documenting and marketing the Salt River Project

Adjournment:

The meeting was adjourned at 3:21 pm.

Section 14: Adjourn
