

**CITY OF FERNDALE – HUMBOLDT COUNTY CALIFORNIA – U.S.A.  
AGENDA -STUDY SESSION**

Location:	City Hall	Date:	May 2, 2013
	834 Main Street	Time:	<b>5:30 pm</b>
	Ferndale CA 95536	Posted: 4/25/13	

1. Information on Drainage Fund Alternatives – Jay Parrish
2. Information and Update on the Pedestrian Improvement Project on Rose Avenue.  
Presented by David Caisse, Manhard, City Engineer.

**AGENDA - REGULAR CITY COUNCIL MEETING**

Location:	City Hall	Date:	May 2, 2013
	834 Main Street	Time:	<b>7 pm</b>
	Ferndale CA 95536	Posted: 4/25/13	

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. Oath of Office – Marc Daniels..... Page 4
  - b. Lemonade Day Proclamation – Susan Seaman, Program Director, Arcata Economic Development Corp. .... Page 4
  - c. Older American’s Month Proclamation – Maggie Draft, Executive Director of Area 1 Agency on Aging..... Page 5
5. MODIFICATIONS TO THE AGENDA
6. STUDY SESSIONS ..... Page 6
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 may be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3<sup>rds</sup> of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.) ..... Page 6

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 Financial Statements and Accounts Payable .....	Page 7
b. Approval of previous minutes: April 4, 2013 .....	Page 47
9. CALL ITEM	
10. PRESENTATION / Community Forum	
a. HSU Students regarding Flooding & Sediment Control Design Projects .....	Page 50
11. BUSINESS	
a. Auditing Services RFP's .....	Page 51
b. Purchasing Ordinance .....	Page 52
c. Personnel Policy Manual – Russ Gans .....	Page 61
d. Financial statements included in packet.....	Page 161
e. Resolution 2013-15 Authorizing funds for Planning Commission and Design Review Orientation .....	Page 162
12. CORRESPONDENCE .....	Page 164
13. REPORTS	
a. City Manager Staff Report and Community Events .....	Page 165
b. Commissions / Committees and others	
i. Design Review .....	Page 176
ii. Drainage Committee.....	None
iii. Library Board Meeting .....	None
iv. Planning Commission.....	Page 178
v. Sign Committee.....	none
c. <i>Council Reports and Comment</i>	
i. HCAOG Minutes .....	Page 182
ii. HMRA Minutes .....	Page 183
iii. HWMA Abstract .....	None
iv. RCEA Minutes .....	None
v. RREDC Minutes .....	None
vi. Health Report.....	None
14. ADJOURN .....	Page 185

**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, June 6, 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***

Oath of Office for Marc Daniels, Planning Commission  
Lemonade Day Proclamation – Susan Seaman, Program Director, Arcata Economic Development Corp.  
Older American’s Month Proclamation – Maggie Draft, Executive Director of Area 1 Agency on Aging.

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## City of Ferndale PROCLAMATION

**WHEREAS:** Lemonade Day is a free, community-wide educational event providing children with the opportunity to learn and apply entrepreneurial thinking and create a foundation for success; and

**WHEREAS:** Small businesses started by innovative entrepreneurs in our community create the economic backbone of our economy; and

**WHEREAS:** Lemonade Day exists to infuse today's youth with the spirit of enterprise, teaching the basic business and entrepreneurial skills necessary to become successful, contributing members of their communities; and

**WHEREAS:** Young people who participate in youth entrepreneurship feel a strong sense of control in their lives that says "I have influence over my own life and I can affect the person I become;" and

**WHEREAS:** Lemonade Day has a core philosophy of Spend, Save, and Share that is implemented by teaching children how to manage their money by establishing a budget, seeking investors, paying for their own expenses, saving part of their profits and giving back to the community; and

**WHEREAS:** Lemonade Day offers opportunities for families, businesses, schools, youth organizations, faith-based communities, neighborhoods, institutes of higher learning, economic development and government agencies to unite for a common purpose – to train the next generation of entrepreneurs; and

**WHEREAS:** Young people who have looked at the world through a business owner's eyes make better employees down the road; and

**WHEREAS:** Lemonade Day is an event that demonstrates to young people of Eureka that they are important and citizens care about their future; and

The City of Ferndale salutes and commends organizers, volunteers and participants of Lemonade Day, a program that advances life skills, character, and entrepreneurship, and extend best wishes for a successful and rewarding observance.

**NOW, THEREFORE, BE IT PROCLAIMED** that the City Council of Ferndale hereby recognizes North Coast Lemonade Day on June 1, 2013 and encourages all encourages all residents of Ferndale to participate by either selling or buying Lemonade.

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Stuart Titus, Mayor



**Older Americans Month 2013 Proclamation**  
**~ Gray Matters ~**  
**The Area 1 Agency on Aging**

**Whereas**, the City of Ferndale is a community that includes 627 citizens aged 60 and older; and

**Whereas**, the older adults in the City of Ferndale are among our most valued resources, united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

**Whereas**, increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

**Whereas**, the older adults in the City of Ferndale deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

**Whereas**, our community can provide that recognition and respect by improving the quality of life for older Americans by:

Increasing their opportunities to remain active and engaged in community life;

Providing individualized services and support systems to maintain the health, safety, dignity, and independence, of older Americans as they age;

Combating ageist attitudes by honoring their past, present, and future contributions;

**Now Therefore**, the City Ferndale, California does hereby proclaim May 2010 to be Older Americans Month. We urge every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for many of them. Our recognition and involvement of older Americans can enrich our entire community's quality of life.

Dated this 2<sup>nd</sup> day of May, 2013

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Stuart Titus, Mayor  
City of Ferndale, California

## **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 2/3<sup>rd</sup> 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."*

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City of Ferndale  
Financial Statements  
March 31, 2013

City of Ferndale  
Financial Statements  
March 31, 2013

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<b>Statement of Cash Balances</b> -----	<b>27</b>

City of Ferndale  
General Fund  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets	
Cash	\$ 435,558.34
Petty cash	60.00
Cash-Restricted-insurance	15,000.00
Undeposited funds	13,711.76
Revenue receivable	11,625.70
Transient occupancy tax	1,009.98
Interest receivable	711.42
Due from other funds	<u>(0.01)</u>
Total Current Assets	\$ <u>477,677.19</u>
<b>TOTAL ASSETS</b>	<b>\$ <u>477,677.19</u></b>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accounts payable	\$ 22,157.12
Garnishments payable	3,425.10
Health insurance payable	3,409.24
Federal withholding payable	26,840.69
FICA payable	35,013.36
State withholding payable	7,545.50
State disability payable	2,701.04
State unemployment payable	3,378.71
Federal P/R Tax Deposits	(59,773.51)
State P/R Tax Deposits	(16,839.00)
Sub. and Insp. Deposit	<u>(125.00)</u>
Total Current Liabilities	\$ <u>27,733.25</u>
Total Liabilities	\$ <u>27,733.25</u>
Fund Balance	
Fund balance-unappropriated	\$ 607,016.31
Fund balance-special purposes	10,000.00
Revenue over (under) expenditures	<u>(167,072.37)</u>
Total Fund Balance	\$ <u>449,943.94</u>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ <u>477,677.19</u></b>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Russ Park Fund  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets	
Cash	\$ <u>4,506.45</u>
Total Current Assets	\$ <u>4,506.45</u>
TOTAL ASSETS	<u>\$ 4,506.45</u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Fund Balance	
Fund balance-unappropriated	\$ 1,477.77
Fund balance-special purposes	4,784.42
Revenue over (under) expenditures	<u>(1,755.74)</u>
Total Fund Balance	\$ <u>4,506.45</u>
TOTAL LIABILITIES AND FUND BALANCE	<u>\$ 4,506.45</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Park Fund  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets

Cash	\$	2,530.70
Cash-Restricted-Fireman's PK		219.24
Cash-Restricted-Bocce Ball Court		<u>1,854.92</u>

Total Current Assets \$ 4,604.86

TOTAL ASSETS \$ 4,604.86

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-unappropriated	\$	5,941.11
Revenue over (under) expenditures		<u>(1,336.25)</u>
Total Fund Balance		\$ <u>4,604.86</u>

TOTAL LIABILITIES AND  
FUND BALANCE \$ 4,604.86

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Gas Tax Fund  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets		
Cash	\$	<u>51,926.02</u>
Total Current Assets	\$	<u>51,926.02</u>

TOTAL ASSETS	\$	<u><u>51,926.02</u></u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance		
Fund balance-special purposes	\$	82,488.49
Revenue over (under) expenditures	<u></u>	<u>(30,562.47)</u>
Total Fund Balance	\$	<u>51,926.02</u>

TOTAL LIABILITIES AND FUND BALANCE	\$	<u><u>51,926.02</u></u>
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RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
TEA 21  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets		
Cash	\$	<u>66,622.71</u>
Total Current Assets		\$ <u>66,622.71</u>

TOTAL ASSETS \$ 66,622.71

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance		
Fund balance-special purposes	\$	58,029.71
Revenue over (under) expenditures		<u>8,593.00</u>
Total Fund Balance		\$ <u>66,622.71</u>

TOTAL LIABILITIES AND  
FUND BALANCE \$ 66,622.71

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Transportation Development Act  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets

Cash \$ 291,486.99

Total Current Assets \$ 291,486.99

TOTAL ASSETS \$ 291,486.99

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 309,235.69

Revenue over (under) expenditures (17,748.70)

Total Fund Balance \$ 291,486.99

TOTAL LIABILITIES AND  
FUND BALANCE \$ 291,486.99

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Integrated Waste Management

As of March 31, 2013

ASSETS

Current Assets

Cash \$ 31,139.74

Total Current Assets \$ 31,139.74

TOTAL ASSETS \$ 31,139.74

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 32,353.61

Revenue over (under) expenditures (1,213.87)

Total Fund Balance \$ 31,139.74

TOTAL LIABILITIES AND  
FUND BALANCE \$ 31,139.74

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Drainage Fund  
Balance Sheet

As of March 31, 2013

ASSETS

Current Assets		
Cash	\$	181,464.25
Total Current Assets	\$	181,464.25
TOTAL ASSETS	\$	181,464.25
LIABILITIES AND NET ASSETS		
Current Liabilities		
Accrued interest payable	\$	738.89
Total Current Liabilities	\$	738.89
Total Liabilities	\$	738.89
Fund Balance		
Fund balance-special purposes	\$	197,970.35
Revenue over (under) expenditures		(17,244.99)
Total Fund Balance	\$	180,725.36
TOTAL LIABILITIES AND FUND BALANCE	\$	181,464.25

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Sewer Fund  
Balance Sheet  
As of March 31, 2013

ASSETS	
Current Assets	
Cash	\$ <u>320,883.42</u>
Total Current Assets	\$ <u>320,883.42</u>
Fixed Assets	
Vehicles	\$ 38,416.41
Equipment	59,967.02
Less accumulated depreciation	(87,448.50)
Sewer system	13,403,097.06
Less accumulated depreciation	<u>(1,565,002.54)</u>
Total Fixed Assets	\$ <u>11,849,029.45</u>
TOTAL ASSETS	<u>\$ 12,169,912.87</u>
LIABILITIES AND FUND EQUITY	
Liabilities	
FICA payable	910.03
Accrued interest payable	(0.50)
Bonds payable-current	4,000.00
Notes payable-long term	63,912.09
Notes payable-water res #2	10,954.81
Notes Payable USDA	<u>4,927,000.00</u>
Total Liabilities	\$ <u>5,006,776.43</u>
Total Liabilities	\$ <u>5,006,776.43</u>
Fund Equity	
Retained earnings-unreserved	\$ 4,910,571.36
R.E. reserved bond retirement	6,131.00
Investment in fixed assets	2,291,900.28
Revenue over (under) expenditures	<u>(45,466.20)</u>
Total Fund Equity	\$ <u>7,163,136.44</u>
TOTAL LIABILITIES AND FUND EQUITY	<u>\$ 12,169,912.87</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 Governmental Fixed Assets  
 Balance Sheet  
 As of March 31, 2013

ASSETS	
Fixed Assets	
Buildings and improvements	463,886.10
Accumulated depreciation	(107,396.22)
Vehicles	115,855.91
Accumulated depreciation	(109,555.37)
Equipment	115,290.51
Accumulated depreciation	<u>(115,290.51)</u>
Total Fixed Assets	\$ <u>362,790.42</u>
TOTAL ASSETS	\$ <u><u>362,790.42</u></u>
LIABILITIES AND FUND BALANCE	
Fund Balance	
Investment in Fixed Assets	\$ <u>362,790.42</u>
Total Fund Balance	\$ <u>362,790.42</u>
TOTAL LIABILITIES AND FUND BALANCE	\$ <u><u>362,790.42</u></u>

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City of Ferndale  
 General Government Long term Debt  
 Balance Sheet  
 As of March 31, 2013

ASSETS		
LIABILITIES AND FUND BALANCE		
Liabilities		
Vacation payable	\$ (12,826.34)	
Notes payable	<u>(169,863.19)</u>	
Total Liabilities		<u>\$ (182,689.53)</u>
Fund Balance		
Fund balance-long term debt	<u>\$ 182,689.53</u>	
Total Fund Balance		<u>\$ 182,689.53</u>
TOTAL LIABILITIES AND FUND BALANCE		<u><u>\$ -</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 General Fund  
 Statement of Activities-Cash Basis  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Revenues					
Taxes					
10014102 - Property tax-secured	\$ 0.00	\$ 81,569.33	\$ 130,000.00	\$ (48,430.67)	(63)%
10014104 - Property tax-unsecured	0.00	4,346.73	5,000.00	(653.27)	(87)%
10014107 - Supplemental role	0.00	3,483.42	1,500.00	1,983.42	(232)%
10014110 - Sales and use tax	8,278.30	73,224.53	120,000.00	(46,775.47)	(61)%
10014111 - Trash franchise	0.00	2,057.41	4,000.00	(1,942.59)	(51)%
10014112 - PG&E franchise	0.00	2,430.00	6,300.00	(3,870.00)	(39)%
10014114 - Cable franchise	0.00	16,713.94	16,500.00	213.94	(101)%
10014116 - Business license tax	0.00	16,046.75	17,000.00	(953.25)	(94)%
10014118 - Real property transfer tax	0.00	1,458.32	2,200.00	(741.68)	(66)%
10014120 - Transient lodging tax	<u>11,983.33</u>	<u>62,025.31</u>	<u>85,000.00</u>	<u>(22,974.69)</u>	<u>(73)%</u>
Total Taxes	<u>20,261.63</u>	<u>263,355.74</u>	<u>387,500.00</u>	<u>(124,144.26)</u>	<u>68%</u>
Licenses and Permits					
10024132 - Construction permits	\$ 1,140.75	\$ 16,187.14	\$ 12,500.00	\$ 3,687.14	(130)%
10024164 - Health protection	0.00	550.00	3,200.00	(2,650.00)	(17)%
10024166 - Encroachment permits	0.00	105.00	200.00	(95.00)	(53)%
10024278 - Animal license fees	<u>69.50</u>	<u>2,390.50</u>	<u>2,500.00</u>	<u>(109.50)</u>	<u>(96)%</u>
Total Licenses and Permits	<u>1,210.25</u>	<u>19,232.64</u>	<u>18,400.00</u>	<u>832.64</u>	<u>105%</u>
Fines					
10034283 - Court fines	\$ 0.00	\$ 3,290.54	\$ 7,100.00	\$ (3,809.46)	(46)%
Total Fines	<u>0.00</u>	<u>3,290.54</u>	<u>7,100.00</u>	<u>(3,809.46)</u>	<u>46%</u>
Use of Money and Property					
10044182 - Interest	\$ 0.00	\$ 743.58	\$ 1,200.00	\$ (456.42)	(62)%
10044297 - Town hall rent	530.00	5,310.00	13,257.00	(7,947.00)	(40)%
10044297.1 - Community Center rents	<u>2,195.44</u>	<u>15,726.45</u>	<u>32,541.00</u>	<u>(16,814.55)</u>	<u>(48)%</u>
Total Use of Money and Property	<u>2,725.44</u>	<u>21,780.03</u>	<u>46,998.00</u>	<u>(25,217.97)</u>	<u>46%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

REVENUE - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Intergovernmental					
10054204 - Motor vehicle in-lieu tax	\$ 6,205.12	\$ 17,344.05	\$ 125,000.00	\$ (107,655.95)	(14)%
10054222 - Home owners prop. tax relief	0.00	60,841.10	2,000.00	58,841.10	(3,042)%
10054286 - Street sweeping	0.00	1,900.00	3,800.00	(1,900.00)	(50)%
10054290 - Peace off. stds. & trng.	694.02	1,366.63	3,000.00	(1,633.37)	(46)%
10054300 - Public safety 1/2 cent	0.00	2,210.39	4,000.00	(1,789.61)	(55)%
10054310 - COPS program	<u>10,576.29</u>	<u>28,288.69</u>	<u>100,000.00</u>	<u>(71,711.31)</u>	<u>(28)%</u>
Total Intergovernmental	<u>17,475.43</u>	<u>111,950.86</u>	<u>237,800.00</u>	<u>(125,849.14)</u>	<u>47%</u>
Fees for Service					
10084271 - Parking fees	\$ 0.00	\$ 195.00	\$ 1,200.00	\$ (1,005.00)	(16)%
10084279 - Copy machine fees - Library	0.00	146.80	225.00	(78.20)	(65)%
10084280 - Copy machine fees - City	120.75	256.21	50.00	206.21	(512)%
10084291 - Special police services	175.00	1,415.00	15,000.00	(13,585.00)	(9)%
10084298 - Fair racing revenue	<u>0.00</u>	<u>2,347.58</u>	<u>3,400.00</u>	<u>(1,052.42)</u>	<u>(69)%</u>
Total Fees for Service	<u>295.75</u>	<u>4,360.59</u>	<u>19,875.00</u>	<u>(15,514.41)</u>	<u>22%</u>
Other Revenue					
10094284 - Donations - Library	\$ 0.00	\$ 293.90	\$ 300.00	\$ (6.10)	(98)%
10094284.1 - Donations - City	0.00	18,272.00	20,450.00	(2,178.00)	(89)%
10094306 - Lytle Foundation - Library	0.00	9,045.59	15,000.00	(5,954.41)	(60)%
10094307 - Miscellaneous	975.00	5,797.99	3,600.00	2,197.99	(161)%
10094311 - Little League Park Utilities	0.00	200.00	200.00	0.00	(100)%
10094405 - SB 90 Cost recovery	<u>0.00</u>	<u>0.00</u>	<u>27,782.00</u>	<u>(27,782.00)</u>	<u>0%</u>
Total Other Revenue	<u>975.00</u>	<u>33,609.48</u>	<u>67,332.00</u>	<u>(33,722.52)</u>	<u>50%</u>
TOTAL REVENUE	<u>42,943.50</u>	<u>457,579.88</u>	<u>785,005.00</u>	<u>(327,425.12)</u>	<u>58%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<b>EXPENDITURES</b>					
<b>Mayor and City Council</b>					
10115012 - Office expense - Council	\$ 0.00	\$ 332.19	\$ 300.00	\$ (32.19)	111%
10115013 - Advertising - Council	20.00	205.93	200.00	(5.93)	103%
10115044 - Meeting and dues - Council	0.00	400.00	500.00	100.00	80%
10115045 - LAFCO fees	0.00	1,972.96	1,200.00	(772.96)	164%
<b>Total Mayor and City Council</b>	<b>20.00</b>	<b>2,911.08</b>	<b>2,200.00</b>	<b>(711.08)</b>	<b>132%</b>
<b>City Manager and City Clerk</b>					
10105002 - Salary - City Manager	\$ 2,163.44	\$ 27,208.98	\$ 28,124.81	\$ 915.83	97%
10105006 - SSI tax	165.50	2,151.46	2,249.99	98.53	96%
10105007 - Medical insurance	1,170.10	5,129.34	6,468.26	1,338.92	79%
10105009 - Workers comp. insurance	0.00	0.00	1,073.55	1,073.55	0%
10105010 - Deferred comp	0.00	1,181.25	2,249.99	1,068.74	53%
10125002 - Salary - City Clerk	2,626.57	42,348.28	87,577.59	45,229.31	48%
10125005 - Salary - overtime	0.00	35.77	0.00	(35.77)	0%
10125006 - Payroll taxes	187.88	3,258.73	7,006.21	3,747.48	47%
10125007 - Insurance Med/Den/Vis	2,647.80	11,704.42	14,792.66	3,088.24	79%
10125009 - Workers comp. insurance	0.00	0.00	1,533.60	1,533.60	0%
10125010 - Deferred retirement	0.00	2,594.87	7,006.21	4,411.34	37%
<b>Total City Manager and City Clerk</b>	<b>8,961.29</b>	<b>95,613.10</b>	<b>158,082.87</b>	<b>62,469.77</b>	<b>60%</b>
<b>Operating Expenditures</b>					
10125012 - Office expense	\$ 1,924.59	\$ 6,158.01	\$ 4,500.00	\$ (1,658.01)	137%
10125044 - Meetings and dues	495.11	3,025.40	2,200.00	(825.40)	138%
<b>Total Operating Expenditures</b>	<b>2,419.70</b>	<b>9,183.41</b>	<b>6,700.00</b>	<b>(2,483.41)</b>	<b>137%</b>
<b>City Attorney</b>					
10145052 - Professional services	\$ 2,092.50	\$ 11,279.43	\$ 6,500.00	\$ (4,779.43)	174%
<b>Total City Attorney</b>	<b>2,092.50</b>	<b>11,279.43</b>	<b>6,500.00</b>	<b>(4,779.43)</b>	<b>174%</b>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Government Buildings					
10155002 - Salary - permanent	\$ 208.32	\$ 1,955.52	\$ 2,607.90	\$ 652.38	75%
10155006 - SSI tax	22.19	213.49	260.79	47.30	82%
10155009 - Workers comp. insurance	0.00	0.00	306.72	306.72	0%
10155020 - Building and ground maint.	5,523.30	21,081.44	15,000.00	(6,081.44)	141%
10155030 - Trash service	268.05	1,054.80	360.00	(694.80)	293%
10155031 - Water	28.14	252.51	300.00	47.49	84%
10155032 - Utilities electric	150.46	1,177.50	2,000.00	822.50	59%
10155033 - Utilities gas	1,114.46	3,812.13	6,800.00	2,987.87	56%
10155034 - Telephone	<u>255.66</u>	<u>1,938.70</u>	<u>2,700.00</u>	<u>761.30</u>	<u>72%</u>
Total Government Buildings	<u>7,570.58</u>	<u>31,486.09</u>	<u>30,335.41</u>	<u>(1,150.68)</u>	<u>104%</u>
Nondepartmental					
10165015 - Property tax admin. fees	\$ 0.00	\$ 2,930.95	\$ 7,700.00	\$ 4,769.05	38%
10165052 - SB 90 Cost recovery	0.00	0.00	2,778.00	2,778.00	0%
10165054 - Audit and accounting	425.00	17,953.00	21,000.00	3,047.00	85%
10165055 - Contractual services	0.00	5,360.00	1,000.00	(4,360.00)	536%
10165061 - Insurance (PARSAC)	0.00	0.00	18,121.50	18,121.50	0%
10165063 - Insurance (Fire Bldg.)	0.00	10,153.00	7,700.00	(2,453.00)	132%
10165064 - Election expense	0.00	677.71	0.00	(677.71)	0%
10165078 - Copy machine expense	614.60	3,596.36	3,300.00	(296.36)	109%
10165085 - Audio/video tapes	0.00	18.11	0.00	(18.11)	0%
10165095 - Capital outlay	0.00	1,005.78	1,500.00	494.22	67%
10165096 - Car Allowance	400.00	3,600.00	4,800.00	1,200.00	75%
10165099 - Miscellaneous	<u>400.00</u>	<u>1,865.37</u>	<u>1,800.00</u>	<u>(65.37)</u>	<u>104%</u>
Total Nondepartmental	<u>1,839.60</u>	<u>47,160.28</u>	<u>69,699.50</u>	<u>22,539.22</u>	<u>68%</u>
Community Promotion					
10175024 - Supplies - public restroom	\$ 102.16	\$ 1,730.06	\$ 1,100.00	\$ (630.06)	157%
10175031 - Water - public restroom	60.15	713.03	850.00	136.97	84%
10175032 - Electric - public restroom	16.68	165.17	250.00	84.83	66%
10175072 - Chamber of Commerce	5,518.09	11,036.18	22,072.34	11,036.16	50%
10175072.1 - Donation - Visitors & Conv.	0.00	718.13	1,500.00	781.87	48%
10175072.2 - Employee appreciation	<u>0.00</u>	<u>150.00</u>	<u>150.00</u>	<u>0.00</u>	<u>100%</u>
Total Community Promotion	<u>5,697.08</u>	<u>14,512.57</u>	<u>25,922.34</u>	<u>11,409.77</u>	<u>56%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

EXPENDITURES - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
	Actual	Actual	Budget		
<b>Police</b>					
10215002 - Salary - permanent	\$ 14,216.03	\$ 138,653.08	\$ 183,558.04	\$ 44,904.96	76%
10215005 - Salary - overtime	132.48	3,132.54	4,000.00	867.46	78%
10215006 - SSI tax	1,259.54	12,082.95	15,004.64	2,921.69	81%
10215007 - Medical insurance	6,793.70	29,026.28	37,539.30	8,513.02	77%
10215009 - Workers comp. insurance	0.00	0.00	16,256.16	16,256.16	0%
10215010 - Deferred retirement	0.00	5,489.97	14,684.64	9,194.67	37%
10215012 - Office expense	738.77	1,676.26	1,500.00	(176.26)	112%
10215014 - Vehicle expense	217.59	7,494.36	7,000.00	(494.36)	107%
10215016 - Fuel	560.46	10,828.22	14,000.00	3,171.78	77%
10215020 - Building and grounds maint.	57.70	483.41	2,800.00	2,316.59	17%
10215024 - Special department supply	0.00	10,494.58	11,200.00	705.42	94%
10215026 - Uniform expense	0.00	29.25	0.00	(29.25)	0%
10215026.1 - Uniform allowance	0.00	1,900.00	1,900.00	0.00	100%
10215029 - Water	28.64	269.85	300.00	30.15	90%
10215031 - Gas	0.00	0.00	600.00	600.00	0%
10215032 - Utilities electric	128.00	1,013.19	1,400.00	386.81	72%
10215034 - Telephone	554.95	3,414.05	3,500.00	85.95	98%
10215035 - Dispatch service	1,016.66	8,133.28	12,199.92	4,066.64	67%
10215044 - Meetings and dues	0.00	0.00	3,500.00	3,500.00	0%
10215048 - Training	0.00	1,940.00	3,500.00	1,560.00	55%
10215051 - Physical exams	0.00	0.00	1,000.00	1,000.00	0%
10215052 - Professional services	0.00	915.00	1,250.00	335.00	73%
10215053 - Lexipol Services	0.00	2,950.00	950.00	(2,000.00)	311%
10215086 - Booking fees	0.00	404.60	600.00	195.40	67%
10215088 - Equipment repair other	(3,004.65)	437.74	500.00	62.26	88%
10215094 - Vehicle replacement	0.00	9,035.84	9,300.00	264.16	97%
10215098 - Background expense	0.00	585.00	1,500.00	915.00	39%
<b>Total Police</b>	<u>22,699.87</u>	<u>250,389.45</u>	<u>349,542.70</u>	<u>99,153.25</u>	<u>72%</u>
<b>Animal Control</b>					
10225096 - Animal control	\$ 450.00	\$ 4,158.22	\$ 5,500.00	\$ 1,341.78	76%
<b>Total Animal Control</b>	<u>450.00</u>	<u>4,158.22</u>	<u>5,500.00</u>	<u>1,341.78</u>	<u>76%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Health					
10245052 - Professional services	\$ 153.47	\$ 1,381.23	\$ 2,200.00	\$ 818.77	63%
Total Health	<u>153.47</u>	<u>1,381.23</u>	<u>2,200.00</u>	<u>818.77</u>	<u>63%</u>
Street and Roads					
10315002 - Salary - permanent	\$ 1,162.78	\$ 10,698.58	\$ 11,603.76	\$ 905.18	92%
10315005 - Salary - overtime	0.00	12.70	0.00	(12.70)	0%
10315006 - SSI tax	36.33	196.37	928.30	731.93	21%
10315007 - Medical insurance	349.48	1,482.26	1,757.42	275.16	84%
10315010 - Deferred retirement	0.00	553.69	928.30	374.61	60%
10315024 - Special department supply	0.00	3.00	0.00	(3.00)	0%
10315044 - Meetings and dues	<u>0.00</u>	<u>0.00</u>	<u>60.00</u>	<u>60.00</u>	<u>0%</u>
Total Streets and Roads	<u>1,548.59</u>	<u>12,946.60</u>	<u>15,277.78</u>	<u>2,331.18</u>	<u>85%</u>
Planning					
Revenues Collected					
10084287.3 - Reimbursed Fees Planning	\$ 1,106.70	\$ 1,536.10	\$ 3,500.00	\$ 1,963.90	44%
Total Revenue Collected	<u>1,106.70</u>	<u>1,536.10</u>	<u>3,500.00</u>	<u>1,963.90</u>	<u>44%</u>
Expenditures					
10415012 - Office expenses	\$ 0.00	\$ 2.50	\$ 0.00	\$ (2.50)	0%
10415013 - Advertising	0.00	0.00	200.00	200.00	0%
10415052 - General planning services	6,132.31	26,310.26	21,000.00	(5,310.26)	125%
10415053 - Reimbursable fees	<u>785.13</u>	<u>8,102.38</u>	<u>3,500.00</u>	<u>(4,602.38)</u>	<u>232%</u>
Total Expenditures	<u>6,917.44</u>	<u>34,415.14</u>	<u>24,700.00</u>	<u>(9,715.14)</u>	<u>139%</u>
Net Planning Expenditures	<u>\$ (5,810.74)</u>	<u>\$ (32,879.04)</u>	<u>\$ (21,200.00)</u>	<u>\$ (11,679.04)</u>	<u>(155)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
City Engineer					
Revenues Collected					
10084270 - Plan check fees	\$ 0.00	\$ 1,655.60	\$ 100.00	\$ (1,555.60)	1,656%
10084287.2 - Developer reimbursed fe	<u>0.00</u>	<u>7,263.72</u>	<u>5,000.00</u>	<u>(2,263.72)</u>	<u>145%</u>
Total Revenue Collected	<u>0.00</u>	<u>8,919.32</u>	<u>5,100.00</u>	<u>(3,819.32)</u>	<u>175%</u>
Expenditures					
10425052 - General engineering	\$ 4,095.77	\$ 18,575.94	\$ 5,000.00	\$ (13,575.94)	372%
10425053 - Developer engineering	<u>3,489.32</u>	<u>33,192.00</u>	<u>5,000.00</u>	<u>(28,192.00)</u>	<u>664%</u>
Total Expenditures	<u>7,585.09</u>	<u>51,767.94</u>	<u>10,000.00</u>	<u>(41,767.94)</u>	<u>518%</u>
Net City Engineer Expenditures	<u>\$ (7,585.09)</u>	<u>\$ (42,848.62)</u>	<u>\$ (4,900.00)</u>	<u>\$ (37,948.62)</u>	<u>874%</u>
Building Regulation					
10435052 - Building regulation/inspectio	<u>\$ 383.00</u>	<u>\$ 8,098.56</u>	<u>\$ 10,000.00</u>	<u>\$ 1,901.44</u>	<u>81%</u>
Total Building Regulation	<u>383.00</u>	<u>8,098.56</u>	<u>10,000.00</u>	<u>1,901.44</u>	<u>81%</u>
Library					
10615002 - Salary - permanent	\$ 400.62	\$ 3,489.42	\$ 5,451.46	\$ 1,962.04	64%
10615006 - SSI tax	42.69	381.39	436.12	54.73	87%
10615009 - Workers comp. insurance	0.00	0.00	1,073.52	1,073.52	0%
10615012 - Office expense	0.00	351.03	600.00	248.97	59%
10615020 - Building and ground maint.	0.00	0.00	1,200.00	1,200.00	0%
10615024 - Books	727.96	3,923.25	5,000.00	1,076.75	78%
10615031 - Gas	879.65	2,548.10	3,600.00	1,051.90	71%
10615032 - Utilities	130.17	1,149.08	1,650.00	500.92	70%
10615033 - Water	26.51	232.50	300.00	67.50	78%
10615034 - Telephone	127.64	1,059.76	1,300.00	240.24	82%
10615078 - Copy machine expense	0.00	0.00	100.00	100.00	0%
10615095 - Lytel grant expenditures	<u>0.00</u>	<u>9,211.18</u>	<u>15,000.00</u>	<u>5,788.82</u>	<u>61%</u>
Total Library	<u>2,335.24</u>	<u>22,345.71</u>	<u>35,711.10</u>	<u>13,365.39</u>	<u>63%</u>

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City of Ferndale  
General Fund  
Statement of Activities-Cash Basis  
Actual vs. Budget  
For the 9 Months Ended March 31, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Parks and Recreation					
10625020 - Building and ground maint.	\$ 717.30	\$ 2,066.47	\$ 2,500.00	\$ 433.53	83%
10625024 - Special department supply	0.00	0.00	150.00	150.00	0%
10625032 - Utilities - electric	35.19	313.94	950.00	636.06	33%
10625033 - Water	<u>94.44</u>	<u>757.99</u>	<u>1,100.00</u>	<u>342.01</u>	<u>69%</u>
Total Parks and Recreation	<u>846.93</u>	<u>3,138.40</u>	<u>4,700.00</u>	<u>1,561.60</u>	<u>67%</u>
Community Center					
10635002 - Salary	\$ 814.66	\$ 7,676.67	\$ 11,317.05	\$ 3,640.38	68%
10635005 - Salary - overtime	0.00	10.54	0.00	(10.54)	0%
10635006 - SSI tax	76.74	647.33	905.36	258.03	72%
10635007 - Medical insurance	333.48	1,418.29	1,732.59	314.30	82%
10635009 - Workers compensation insurance	0.00	0.00	920.16	920.16	0%
10635010 - Deferred retirement	0.00	4,013.95	905.36	(3,108.59)	443%
10635020 - Buildings and grounds maintena	308.86	14,719.33	7,000.00	(7,719.33)	210%
10635031 - Water	91.10	693.51	750.00	56.49	92%
10635032 - Utilities	279.68	2,320.50	3,000.00	679.50	77%
10635033 - Gas	671.22	2,695.34	4,000.00	1,304.66	67%
10635055 - Contractual Services	0.00	0.00	750.00	750.00	0%
10635095 - Capital outlay	<u>0.00</u>	<u>0.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>0%</u>
Total Community Center	<u>2,575.74</u>	<u>34,195.46</u>	<u>33,280.52</u>	<u>(914.94)</u>	<u>103%</u>
Total General Fund Expenditures	<u>\$ 72,989.42</u>	<u>\$ 624,527.25</u>	<u>\$ 781,752.22</u>	<u>\$ 157,224.97</u>	<u>80%</u>
Revenues over (under) Expenditures	<u>\$ (30,045.92)</u>	<u>\$ (166,947.37)</u>	<u>\$ 3,252.78</u>	<u>\$ (170,200.15)</u>	<u>5.132%</u>
Transfers in (out)					
Rvenues over (under) Expenditures and Transfers in (out)	<u>\$ (30,045.92)</u>	<u>\$ (166,947.37)</u>	<u>\$ 3,252.78</u>	<u>\$ (170,200.15)</u>	<u>(5.132)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 Special Revenue Funds  
 Statement of Revenues and Expenditures  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Russ Park Fund</u>					
Revenues					
20624182 - Interest income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0%
20624284 - Donations - Russ Park	0.00	0.00	0.00	0.00	0%
20625990 - Transfer in(out)	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Expenditures					
20625020 - Blding/Grd Mint.	\$ 0.00	\$ 1,755.74	\$ 0.00	\$ (1,755.74)	0%
20625024 - Special department supply	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Expenditures	<u>0.00</u>	<u>1,755.74</u>	<u>0.00</u>	<u>(1,755.74)</u>	<u>0%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ -</u>
<u>Park Fund</u>					
Revenues					
21624284.3 - Donations - Firemen's Park	\$ 0.00	\$ 0.00	\$ 1,425.00	\$ (1,425.00)	0%
21624285 - Bocce ball	<u>0.00</u>	<u>2,276.50</u>	<u>315.00</u>	<u>1,961.50</u>	<u>(723)%</u>
Total Revenue	<u>0.00</u>	<u>2,276.50</u>	<u>1,740.00</u>	<u>536.50</u>	<u>131%</u>
Expenditures					
21625020 - Building and grounds maint	\$ 0.00	\$ 2,328.00	\$ 200.00	\$ (2,128.00)	1,164%
21625060 - Bocce ball	<u>0.00</u>	<u>1,284.75</u>	<u>500.00</u>	<u>(784.75)</u>	<u>257%</u>
Total Expenditures	<u>0.00</u>	<u>3,612.75</u>	<u>700.00</u>	<u>(2,912.75)</u>	<u>516%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ (1,336.25)</u>	<u>\$ 1,040.00</u>	<u>\$ (2,376.25)</u>	<u>\$ 128</u>

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City of Ferndale  
 Special Revenue Funds  
 Statement of Revenues and Expenditures  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Gas Tax Fund</u>					
Revenues					
22314210.1 - Gas tax (2105)	\$ 0.00	\$ 528.51	\$ 6,500.00	\$ (5,971.49)	(8)%
22314210.2 - Gas tax (2106)	0.00	863.33	8,500.00	(7,636.67)	(10)%
22314210.3 - Gas tax (2107)	0.00	1,050.02	8,000.00	(6,949.98)	(13)%
22314210.4 - Gas tax (2107.5)	<u>0.00</u>	<u>1,789.36</u>	<u>7,000.00</u>	<u>(5,210.64)</u>	<u>(26)%</u>
Total Revenue	<u>0.00</u>	<u>4,231.22</u>	<u>30,000.00</u>	<u>25,768.78</u>	<u>14%</u>
Expenditures					
22315002 - Salary - permanent	\$ 2,832.51	\$ 20,946.82	\$ 20,234.67	\$ (712.15)	104%
22315005 - Overtime	0.00	19.78	0.00	(19.78)	0%
22315006 - SSI tax	286.71	1,965.83	1,618.77	(347.06)	121%
22315007 - Medical insurance	388.32	1,636.79	1,971.50	334.71	83%
22315009 - Workers comp. insurance	0.00	0.00	306.72	306.72	0%
22315010 - Deferred retirement	0.00	628.31	1,618.77	990.46	39%
22315058 - Street lighting	<u>1,206.82</u>	<u>9,596.16</u>	<u>14,500.00</u>	<u>4,903.84</u>	<u>66%</u>
Total Expenditures	<u>4,714.36</u>	<u>34,793.69</u>	<u>40,250.43</u>	<u>5,456.74</u>	<u>86%</u>
Revenues Over (under) Expenditures	<u>\$ (4,714.36)</u>	<u>\$ (30,562.47)</u>	<u>\$ (10,250.43)</u>	<u>\$ 20,312.04</u>	<u>\$ 298</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 Special Revenue Funds  
 Statement of Revenues and Expenditures  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Transportation Development Act</u>					
Revenues					
24314231 - Transportation devel. act	\$ (1,128.13)	\$ 16,985.85	\$ 40,882.00	\$ (23,896.15)	(42)%
Total Revenue	<u>(1,128.13)</u>	<u>16,985.85</u>	<u>40,882.00</u>	<u>(23,896.15)</u>	<u>42%</u>
Expenditures					
24315002 - Wages	\$ 1,150.51	\$ 10,866.97	\$ 15,815.21	\$ 4,948.24	69%
24315005 - Salary - overtime	0.00	14.78	0.00	(14.78)	0%
24315006 - SSI tax	109.54	921.85	1,265.22	343.37	73%
24315007 - Medical insurance	375.44	1,854.36	2,391.46	537.10	78%
24315009 - Workers comp. insurance	0.00	0.00	1,073.52	1,073.52	0%
24315010 - Deferred retirement	0.00	550.89	1,265.22	714.33	44%
24315014 - Vehicle expense	62.91	781.36	3,275.50	2,494.14	24%
24315016 - Fuel	370.11	6,788.46	7,000.00	211.54	97%
24315020 - Building & ground maintenance	302.39	1,267.23	1,750.00	482.77	72%
24315021 - Street maintenance	434.97	4,843.97	5,000.00	156.03	97%
24315022 - Street project	2,747.96	2,747.96	10,000.00	7,252.04	27%
24315024 - Special department	0.00	355.14	750.00	394.86	47%
24315032 - Utilities	218.83	1,675.64	2,000.00	324.36	84%
24315033 - Water	28.52	306.01	650.00	343.99	47%
24315034 - Telephone	80.63	580.32	600.00	19.68	97%
24315088 - Equipment repair	6.76	884.30	1,500.00	615.70	59%
24315099 - Miscellaneous	0.00	295.31	7,500.00	7,204.69	4%
Total Expenditures	<u>5,888.57</u>	<u>34,734.55</u>	<u>61,836.13</u>	<u>27,101.58</u>	<u>56%</u>
Revenues Over (under) Expenditures	<u>\$ (7,016.70)</u>	<u>\$ (17,748.70)</u>	<u>\$ (20,954.13)</u>	<u>\$ 3,205.43</u>	<u>\$ 85</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 Special Revenue Funds  
 Statement of Revenues and Expenditures  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Integrated Waste Management</u>					
Revenues					
25314288 - Tipping fees IWM	\$ 0.00	\$ 3,249.43	\$ 6,596.00	\$ (3,346.57)	(49)%
25314600 - Recycling grant	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>3,249.43</u>	<u>11,596.00</u>	<u>(8,346.57)</u>	<u>28%</u>
Expenditures					
25315002 - Salary	\$ 0.00	\$ 2,814.44	\$ 5,672.12	\$ 2,857.68	50%
25315006 - SSI tax	0.00	218.43	453.77	235.34	48%
25315007 - Medical insurance	(410.97)	858.52	2,440.20	1,581.68	35%
25315009 - Workers compensation ins.	0.00	0.00	1,226.88	1,226.88	0%
25315010 - Deferred retirement	0.00	252.30	453.77	201.47	56%
25315600 - Recycling grant expenditures	<u>0.00</u>	<u>319.61</u>	<u>0.00</u>	<u>(319.61)</u>	<u>0%</u>
Total Expenditures	<u>(410.97)</u>	<u>4,463.30</u>	<u>10,246.74</u>	<u>5,783.44</u>	<u>44%</u>
Revenues Over (under) Expenditures	<u>\$ 410.97</u>	<u>\$ (1,213.87)</u>	<u>\$ 1,349.26</u>	<u>\$ (2,563.13)</u>	<u>\$ (90)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
 Special Revenue Funds  
 Statement of Revenues and Expenditures  
 Actual vs. Budget  
 For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Drainage Fund</u>					
Revenues					
26314230 - Drainage fees	\$ 0.00	\$ 0.00	\$ 5,000.00	\$ (5,000.00)	0%
26314240 - Drainage District fees	<u>0.00</u>	<u>25,000.00</u>	<u>25,000.00</u>	<u>0.00</u>	<u>(100)%</u>
Total Revenue	<u>0.00</u>	<u>25,000.00</u>	<u>30,000.00</u>	<u>(5,000.00)</u>	<u>83%</u>
Expenditures					
26315002 - Wages	\$ 1,323.57	\$ 12,774.27	\$ 19,123.72	\$ 6,349.45	67%
26315005 - Salary - overtime	0.00	12.08	0.00	(12.08)	0%
26315006 - SSI tax	117.95	1,067.89	1,529.90	462.01	70%
26315007 - Medical insurance	428.74	1,843.16	2,278.38	435.22	81%
26315009 - Workers comp. insurance	0.00	0.00	766.77	766.77	0%
26315010.1 - Deferred compensation	0.00	590.34	0.00	(590.34)	0%
26315024 - Supplies	16.32	1,802.01	0.00	(1,802.01)	0%
26315052 - Engineering	0.00	6,620.00	2,000.00	(4,620.00)	331%
26315194 - Interest-Six Rivers loan I&I Project	<u>1,948.36</u>	<u>17,535.24</u>	<u>19,500.00</u>	<u>1,964.76</u>	<u>90%</u>
26315010 - Deferred compensation	\$ 0.00	\$ 0.00	\$ 1,529.90	\$ (1,529.90)	0%
Total Expenditures	<u>3,834.94</u>	<u>42,244.99</u>	<u>46,728.67</u>	<u>4,483.68</u>	<u>90%</u>
Revenues Over (under) Expenditures	<u>\$ (3,834.94)</u>	<u>\$ (17,244.99)</u>	<u>\$ (16,728.67)</u>	<u>\$ (516.32)</u>	<u>\$ 103</u>
<u>TEA 21</u>					
Revenues					
23314211 - RSTP revenue	\$ 0.00	\$ 8,593.00	\$ 0.00	\$ 8,593.00	0%
Total Revenue	<u>0.00</u>	<u>8,593.00</u>	<u>0.00</u>	<u>(8,593.00)</u>	<u>0%</u>
Expenditures					
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ 8,593.00</u>	<u>\$ 0.00</u>	<u>\$ (8,593.00)</u>	<u>\$ -</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale  
Proprietary Fund  
Statement of Revenues and Expenditures  
For the 9 Months Ended March 31, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Sewer Fund</u>					
Revenues					
30514274 - Sewer service charge	\$ 0.00	\$ 421,978.78	\$ 795,314.51	\$ (373,335.73)	(53)%
30514275 - Sewer connection fees	0.00	0.00	10,000.00	(10,000.00)	0%
30514276 - Refunds - sewer fees	0.00	4,125.00	0.00	4,125.00	0%
30514307 - Miscellaneous revenue	8,388.00	21,591.00	0.00	21,591.00	0%
30514308 - Revenue reserved for plant	0.00	1,725.57	225,000.00	(223,274.43)	(1)%
Total Revenue	<u>8,388.00</u>	<u>449,420.35</u>	<u>1,030,314.51</u>	<u>580,894.16</u>	<u>44%</u>
Expenditures					
30515002 - Salary - permanent	\$ 10,614.91	\$ 129,968.82	\$ 178,784.25	\$ 48,815.43	73%
30515005 - Salary - overtime	595.04	5,675.73	6,000.00	324.27	95%
30515006 - SSI tax	911.80	11,159.61	14,302.74	3,143.13	78%
30515007 - Medical insurance	869.30	27,217.78	46,265.88	19,048.10	59%
30515009 - Workers comp. insurance	0.00	0.00	4,907.52	4,907.52	0%
30515010 - Deferred retirement	0.00	3,597.55	14,302.74	10,705.19	25%
30515012 - Office expense	426.09	831.32	1,000.00	168.68	83%
30515014 - Vehicle expense	248.97	888.16	2,000.00	1,111.84	44%
30515016 - Vehicle gas	126.90	2,789.68	4,500.00	1,710.32	62%
30515024 - Special department supply	0.00	305.00	2,000.00	1,695.00	15%
30515030 - Garbage/sludge	0.00	3,356.51	8,400.00	5,043.49	40%
30515032 - Utilities - electric - plant	5,251.07	55,810.54	52,000.00	(3,810.54)	107%
30515034 - Telephone	415.20	3,725.63	4,500.00	774.37	83%
30515044 - Meetings and dues	0.00	988.00	1,000.00	12.00	99%
30515048 - Training	95.00	517.00	2,500.00	1,983.00	21%
30515052 - Professional services	0.00	0.00	300.00	300.00	0%
30515055 - Contractual services	300.00	6,647.00	9,000.00	2,353.00	74%
30515063 - Insurance	0.00	0.00	9,500.00	9,500.00	0%
30515092 - Sewer plant permit	0.00	6,366.27	6,000.00	(366.27)	106%
30515094 - Safety equipment	0.00	411.65	1,000.00	588.35	41%
30515095 - Capital outlay	331.95	90,928.53	110,000.00	19,071.47	83%
30515099 - Miscellaneous	636.34	830.74	2,000.00	1,169.26	42%
30515121 - Sewer plant maintenance	256.75	13,413.59	12,000.00	(1,413.59)	112%
30515122 - Sewer line maintenance	1,955.90	4,707.01	20,000.00	15,292.99	24%
30515125 - Chemicals	803.03	1,701.54	2,000.00	298.46	85%
30515157 - Testing and monitoring	4,384.03	28,038.51	30,000.00	1,961.49	93%
30515158 - Postage and shipping	373.42	486.39	600.00	113.61	81%
30515162 - Insurance PARSAC Liability	0.00	0.00	19,000.00	19,000.00	0%
30515164 - Fines	0.00	0.00	30,000.00	30,000.00	0%
30515190 - USDA loan	0.00	87,077.40	194,000.00	106,922.60	45%
30515192 - Retirement of bonds	0.00	4,100.00	4,050.00	(50.00)	101%
30515198 - Sewer match loan	0.00	3,346.59	30,000.00	26,653.41	11%
Total Expenditures	<u>28,595.70</u>	<u>494,886.55</u>	<u>821,913.13</u>	<u>327,026.58</u>	<u>60%</u>
Revenues Over (under) Expenditures	<u>\$ (20,207.70)</u>	<u>\$ (45,466.20)</u>	<u>\$ 208,401.38</u>	<u>\$ 253,867.58</u>	<u>\$ (22)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

**Supplemental Information**

City of Ferndale  
Summary of Cash Balances and Investments  
March 31, 2013

<b>CASH BY FUND</b>	<u>AMOUNT</u>	<u>PERCENT</u>
<b>General Fund Cash</b>		
Cash - unrestricted	\$ 435,558.34	
Petty cash	60.00	
Cash-restricted-insurance	<u>15,000.00</u>	
<b>Total General Fund</b>	<u>\$ 450,618.34</u>	<u>32.71%</u>
<b>Park Fund Cash</b>		
Cash - restricted	\$ 2,530.70	
Cash - restricted - Fireman's	\$ 219.24	
Cash - restricted - Bocce Ball Courts	<u>1,854.92</u>	
<b>Total Park Fund</b>	<u>\$ 4,604.86</u>	<u>0.33%</u>
<b>Gas Tax Cash</b>		
Cash - restricted	<u>\$ 51,926.02</u>	<u>3.77%</u>
<b>TEA 21 Cash</b>		
Cash - restricted	<u>\$ 66,622.71</u>	<u>4.84%</u>
<b>Transportation Development Act Cash</b>		
Cash - restricted	<u>\$ 291,486.99</u>	<u>21.16%</u>
<b>Integrated Waste Management Cash</b>		
Cash - restricted	<u>\$ 31,139.74</u>	<u>2.26%</u>
<b>Drainage Fund Cash</b>		
Cash - restricted	<u>\$ 181,464.25</u>	<u>13.17%</u>
<b>TE Funds</b>		
Cash - restricted	<u>\$ (3,499.10)</u>	<u>(0.25)%</u>
<b>Russ Park Fund Cash</b>		
Cash - restricted	<u>\$ 4,506.45</u>	<u>0.33%</u>
<b>Waste Water Project</b>		
Cash - restricted	<u>\$ (2,882.50)</u>	<u>(0.21)%</u>
<b>Sewer Fund Cash</b>		
Cash -unrestricted	<u>\$ 320,883.42</u>	
<b>Total Sewer Fund</b>	<u>\$ 320,883.42</u>	<u>23.29%</u>
 <b>TOTAL CASH BY FUND</b>	 <u><u>\$1,396,871.18</u></u>	 <u><u>102%</u></u>
 <b>CASH BY ACCOUNT</b>		
General Checking Six Rivers	\$ 676,730.55	49.12%
LAIF	700,974.21	50.88%
Cash in County Treasury	19,106.42	1.39%
Petty cash	<u>60.00</u>	0.00%
<b>TOTAL CASH BY ACCOUNT</b>	<u><u>\$1,396,871.18</u></u>	<u><u>101%</u></u>

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**City of Ferndale**

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

**Printed Regular Checks**

General Checking - Distribution Detail - From 03/23/13 To 04/22/13  
 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		
46176	04/08/13	AFLAC	AFLAC	AFLAC - REMIT. PROCESSING SERV.		144.38
10012260				Health insurance payable	144.38	
				<b>Total for AFLAC - REMIT. PROCESSING SERV.</b>		<b>144.38</b>
46125	03/25/13	AQBC	AQBC	AQUA BEN CORPORATION		803.03
30515125				Chemicals SEWE	803.03	
				<b>Total for AQUA BEN CORPORATION</b>		<b>803.03</b>
46167	04/04/13	ARNKE	ARNKE	ARNOLD C. KEMP		674.00
10435052				Building regulation/inspectio	674.00	
				<b>Total for ARNOLD C. KEMP</b>		<b>674.00</b>
46177	04/08/13	BAKTA	BAKTA	BAKER & TAYLOR		45.57
10615024				Books LIBRAR	45.57	
				<b>Total for BAKER &amp; TAYLOR</b>		<b>45.57</b>
46168	04/04/13	BAYWE	BAYWE	BAY WEST SUPPLY, INC.		466.79
10155020				Building and ground maint.	88.94	
10175024				Supplies - public restroom	91.62	
10635020				Buildings and grounds maintenance	197.29	
24315021				Street maintenance	88.94	
				<b>Total for BAY WEST SUPPLY, INC.</b>		<b>466.79</b>
46158	04/01/13	BENAD	BENAD	BENEFICIAL ADMIN COMPANY INC.		142.77
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	(2.01)	
				<b>Total for BENEFICIAL ADMIN COMPANY INC.</b>		<b>142.77</b>
46160	04/01/13	CALST	CALST	CALIFORNIA STATE DISBURSEMENT UNIT		139.38
10012250				Garnishments payable	139.38	
46219	04/15/13	CALST	CALST	CALIFORNIA STATE DISBURSEMENT UNIT		139.38
10012250				Garnishments payable	139.38	
				<b>Total for CALIFORNIA STATE DISBURSEMENT UN</b>		<b>278.76</b>
46161	04/01/13	CHACO	CHACO	CHAMBER OF COMMERCE		5,518.09
10175072				Chamber of Commerce QUARTERL	5,518.09	
				<b>Total for CHAMBER OF COMMERCE</b>		<b>5,518.09</b>
46162	04/01/13	CITFO	CITFO	CITY OF FORTUNA		1,016.66
10215035				Dispatch service POLIC	1,016.66	

**City of Ferndale**

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Chk No.	Date	Pay	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.	Type	Override Description	Amount	Amount		
46220	04/15/13	CITFO		CITY OF FORTUNA		1,625.00
	30515157			Testing and monitoring SEWE	1,625.00	
<b>Total for CITY OF FORTUNA</b>						<b>2,641.66</b>
46126	03/25/13	COMAS		COMPUTER ASSISTANCE		283.75
	10125012			Office expense ADMI	283.75	
<b>Total for COMPUTER ASSISTANCE</b>						<b>283.75</b>
46127	03/25/13	DCIBU		DCI BUILDERS		4,600.00
	10155020			Building and ground maint. VILLAGE	4,600.00	
46178	04/08/13	DCIBU		DCI BUILDERS		210.00
	24315021			Street maintenance REMOD.	210.00	
<b>Total for DCI BUILDERS</b>						<b>4,810.00</b>
46128	03/25/13	DELOR		DEL ORO WATER CO., FDLE. DIST.		413.01
	10155031			Water	28.14	
	10175031			Water - public restroom	60.15	
	10215029			Water	28.64	
	10615033			Water	26.51	
	10625033			Water	94.44	
	10635031			Water	91.10	
	24315033			WATER	28.52	
	30515032			Utilities - electric - plant	55.51	
<b>Total for DEL ORO WATER CO., FDLE. DIST.</b>						<b>413.01</b>
46201	04/11/13	DOCST		DOCUSTATION INC. \ DOCUSTATION		162.95
	10165078			Copy machine expense	162.95	
<b>Total for DOCUSTATION</b>						<b>162.95</b>
46169	04/04/13	EDWJO		EDWARD JONES & COMPANY		8,353.98
	10105010			Deferred comp	636.06	
	10125010			Deferred retirement	922.48	
	10215010			Deferred retirement	2,591.22	
	10315010			Deferred retirement	297.38	
	10635010			Deferred retirement	2,709.75	
	22315010			Deferred retirement	329.07	
	24315010			Deferred retirement	246.25	
	25315010			Deferred retirement	18.43	
	26315010.1			Deferred compensation	330.42	
	30515010			Deferred retirement	272.92	
<b>Total for EDWARD JONES &amp; COMPANY</b>						<b>8,353.98</b>
46129	03/25/13	EELRI		EEL RIVER DISPOSAL		268.05
	10155030			Trash service	268.05	
<b>Total for EEL RIVER DISPOSAL</b>						<b>268.05</b>
100	04/01/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		693.28
	10012302			State P/R Tax Deposits	693.28	
100	04/15/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		694.16
	10012302			State P/R Tax Deposits	694.16	

**City of Ferndale**

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

**Printed Regular Checks**

General Checking - Distribution Detail - From 03/23/13 To 04/22/13  
 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
<b>Total for EMPLOYMENT DEVELOPMENT DEPART</b>						<b>1,387.44</b>
46130	03/25/13	FEDEX		FEDEX		109.90
	30515158			Postage and shipping	SEWE 109.90	
<b>Total for FEDEX</b>						<b>109.90</b>
46221	04/15/13	FERTR		FERNBRIDGE TRACTOR & EQUIP. CO.		406.79
	30515099			Miscellaneous	SEWE 406.79	
<b>Total for FERNBRIDGE TRACTOR &amp; EQUIP. CO.</b>						<b>406.79</b>
46131	03/25/13	FORAT		STEVES FORTUNA AUTOMOTIVE \ FORTUNA AUTOMOTIV		55.20
	10215014			Vehicle expense	POLIC 55.20	
<b>Total for FORTUNA AUTOMOTIVE</b>						<b>55.20</b>
46179	04/08/13	FORGL		FORTUNA GLASS & PAINT INC.		182.90
	10625020			Building and ground maint.	PUBLIC 182.90	
<b>Total for FORTUNA GLASS &amp; PAINT INC.</b>						<b>182.90</b>
46170	04/04/13	FRONT		FRONTIER		888.16
	10155034			Telephone	190.37	
	10215034			Telephone	293.77	
	10615034			Telephone	127.64	
	24315034			Telephone	57.05	
	30515034			Telephone	219.33	
<b>Total for FRONTIER</b>						<b>888.16</b>
46180	04/08/13	GECAP		GE CAPITAL		221.34
	10165078			Copy machine expense	221.34	
<b>Total for GE CAPITAL</b>						<b>221.34</b>
46181	04/08/13	HBECFPC		H.B. Environmental Consultants, FPC		1,800.00
	30515030			Garbage/sludge	SEWE 1,800.00	
<b>Total for H.B. Environmental Consultants, FPC</b>						<b>1,800.00</b>
46202	04/11/13	HUMSH		HUMBOLDT CO SHERIFF DEPT		83.30
	10215086			Booking fees	POLIC 83.30	
<b>Total for HUMBOLDT CO SHERIFF DEPT</b>						<b>83.30</b>
46132	03/25/13	HUM1		HUMBOLDT COUNTY LIBRARY		682.39
	10615024			Books	682.39	
<b>Total for HUMBOLDT COUNTY LIBRARY</b>						<b>682.39</b>
46171	04/04/13	HUMLOD		HUMBOLDT LODGING ALLIANCE, INC.		7,911.36
	10175072.1			Donation - Visitors & Conv.	TO 7,911.36	
<b>Total for HUMBOLDT LODGING ALLIANCE, INC.</b>						<b>7,911.36</b>
46133	03/25/13	HUMTE		HUMBOLDT TERMITE & PEST		49.00
	10215020			Building and grounds maint.	POLIC 49.00	
46195	04/11/13	HUMTE		HUMBOLDT TERMITE & PEST		114.00
	10215020			Building and grounds maint.	POLIC 49.00	
	10635020			Buildings and grounds maintenance	P.W. 65.00	

**City of Ferndale**

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

**Printed Regular Checks**

General Checking - Distribution Detail - From 03/23/13 To 04/22/13  
Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Chk No.	Date Acct No.	Pay Type	Ven ID	Vendor Name \ Payee Name Override Description		Distribution Amount	Check Amount
<b>Total for HUMBOLDT TERMITE &amp; PEST</b>							<b>163.00</b>
46134	03/25/13		JANGUZ	JANAI GUZMAN	CC		200.00
	10165099			Miscellaneous		200.00	
<b>Total for JANAI GUZMAN</b>							<b>200.00</b>
46163	04/01/13		JAYPA	JAY PARRISH			400.00
	10165096			Car Allowance		400.00	
<b>Total for JAY PARRISH</b>							<b>400.00</b>
46182	04/08/13		LMREN	L & M RENNER, INC.			1,057.47
	10215016			Fuel	POLIC	560.46	
	24315016			Vehicle Fuel	P . W	370.11	
	30515016			Vehicle gas	SEWE	126.90	
<b>Total for L &amp; M RENNER, INC.</b>							<b>1,057.47</b>
46135	03/25/13		MERFR	MERCER FRASER COMPANY			51.44
	24315021			Street maintenance	P . W	51.44	
46196	04/11/13		MERFR	MERCER FRASER COMPANY			42.18
	24315021			Street maintenance	P . W	42.18	
<b>Total for MERCER FRASER COMPANY</b>							<b>93.62</b>
46164	04/01/13		MIRRE	MIRANDA'S RESCUE			900.00
	10225096			Animal control	2 MONTHS	900.00	
<b>Total for MIRANDA'S RESCUE</b>							<b>900.00</b>
46183	04/08/13		MISSN	MISSION UNIFORM & LINEN			67.92
	10175024			Supplies - public restroom		10.54	
	10635020			Buildings & grounds maintenance - Comm		57.38	
<b>Total for MISSION UNIFORM &amp; LINEN</b>							<b>67.92</b>
46184	04/08/13		MBDVZ	MITCHELL, BRISSO, DELANEY & VRIEZE			2,092.50
	10145052			Professional services		2,092.50	
<b>Total for MITCHELL, BRISSO, DELANEY &amp; VRIEZE</b>							<b>2,092.50</b>
46222	04/15/13		NILCO	NILSEN COMPANY			118.52
	10625020			Building and ground maint.		26.70	
	10635020			Buildings and grounds maintenance		16.43	
	24315021			Street maintenance		31.92	
	30515121			Sewer plant maintenance		43.47	
<b>Total for NILSEN COMPANY</b>							<b>118.52</b>
46136	03/25/13		NORCJ	NORTH COAST JOURNAL, INC.			20.00
	10115013			Advertising - Council	AUDIT	20.00	
<b>Total for NORTH COAST JOURNAL, INC.</b>							<b>20.00</b>
46223	04/15/13		NORCO	NORTH COAST LABORATORIES LTD.			771.00
	30515157			Effluent testing	SEWE	771.00	
<b>Total for NORTH COAST LABORATORIES LTD.</b>							<b>771.00</b>

**City of Ferndale**

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

**Printed Regular Checks**

General Checking - Distribution Detail - From 03/23/13 To 04/22/13  
 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	
100	04/01/13	EFT	NORVA	NORTH VALLEY BANK		4,407.40
10012301				Federal P/R Tax Deposits	4,407.40	
100	04/15/13	EFT	NORVA	NORTH VALLEY BANK		4,464.11
10012301				Federal P/R Tax Deposits	4,464.11	
46165	04/01/13		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK		2,094.48
26315194				Interest-Six Rivers loan	2,094.48	
<b>Total for NORTH VALLEY BANK</b>						<b>10,965.99</b>
46137	03/25/13		PACGA	PACIFIC GAS & ELECTRIC		1,182.66
22315058				Street lighting	1,182.66	
46197	04/11/13		PACGA	PACIFIC GAS & ELECTRIC		4,881.58
10155032				Utilities electric	116.84	
10175032				Electric - public restroom	16.29	
10215032				Utilities electric	111.05	
10615032				Utilities	123.30	
10625032				Utilities - electric	56.44	
10635032				Utilities	251.07	
22315058				Street lighting	20.65	
24315032				Utilities	197.93	
30515032				Utilities - electric - plant	3,988.01	
<b>Total for PACIFIC GAS &amp; ELECTRIC</b>						<b>6,064.24</b>
46198	04/11/13		PLANW	PLANWEST PARTNERS, INC.		4,223.77
10415052				General planning services	4,044.10	
10415053				Reimbursable fees	179.67	
<b>Total for PLANWEST PARTNERS, INC.</b>						<b>4,223.77</b>
46185	04/08/13		POREN	PORTLAND ENGINEERING		300.00
30515055				Contractual services SEWE	300.00	
46224	04/15/13		POREN	PORTLAND ENGINEERING		180.00
30515055				Contractual services	180.00	
<b>Total for PORTLAND ENGINEERING</b>						<b>480.00</b>
46138	03/25/13		RAFDI	RAFAEL DIAZ		200.00
10165099				Miscellaneous COMMUN. CENTER	200.00	
<b>Total for RAFAEL DIAZ</b>						<b>200.00</b>
46225	04/15/13		REDES	REDWOOD ELECTRICAL SERVICES		300.00
30515121				Sewer plant maintenance	300.00	
<b>Total for REDWOOD ELECTRICAL SERVICES</b>						<b>300.00</b>
46166	04/01/13		ROBSM	ROBIN SMITH		153.47
10245052				Professional services	153.47	
<b>Total for ROBIN SMITH</b>						<b>153.47</b>
46139	03/25/13		ROTRO	ROTO-ROOTER		1,350.00
30515122				Sewer line maintenance	1,350.00	
<b>Total for ROTO-ROOTER</b>						<b>1,350.00</b>

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Chk No.	Date	Pay	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.	Type	Override Description	Amount	Amount		
46172	04/04/13	SCOUTS	SCOUTS			450.00
	10165099		Miscellaneous	QUARTERL	450.00	
<b>Total for SCOUTS</b>						<b>450.00</b>
46226	04/15/13	SEMST	SEMS TECHNOLOGIES, LLC			1,500.00
	30515055		Contractual services	SEWE	1,500.00	
<b>Total for SEMS TECHNOLOGIES, LLC</b>						<b>1,500.00</b>
46173	04/04/13	SEQGA	SEQUOIA GAS COMPANY			903.60
	10155033		Utilities gas		262.57	
	10615031		Gas		294.65	
	10635033		Gas		346.38	
<b>Total for SEQUOIA GAS COMPANY</b>						<b>903.60</b>
46186	04/08/13	SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT			9,458.55
	10012260		Health insurance payable		931.00	
	10105007		Medical insurance		585.05	
	10125007		Medical insurance		1,328.01	
	10215007		Medical insurance		3,396.85	
	10315007		Medical insurance		174.74	
	10635007		Medical insurance		166.74	
	22315007		Medical insurance		194.16	
	24315007		Medical insurance		208.27	
	26315007		Medical insurance		214.37	
	30515007		Medical insurance		2,259.36	
<b>Total for SPECIAL DISTRICT RISK MANAGEMENT A</b>						<b>9,458.55</b>
46199	04/11/13	STJOS	ST. JOSEPH HOSPITAL			35.00
	10215052		Professional services	POLIC	35.00	
<b>Total for ST. JOSEPH HOSPITAL</b>						<b>35.00</b>
46174	04/04/13	STAPE	STAPLES CREDIT PLAN			45.36
	10125012		Office expense		45.36	
<b>Total for STAPLES CREDIT PLAN</b>						<b>45.36</b>
46140	03/25/13	STABO	STATE WATER RESOURCES CONTROL BO (3) \ STATE WATE			95.00
	30515048		Training		95.00	
46192	04/08/13	STABO	STATE WATER RESOURCES CONTROL BO (3) \ STATE WATE			26,417.25
	30515198		Sewer match loan		26,417.25	
<b>Total for STATE WATER RESOURCES CONTROL BO</b>						<b>26,512.25</b>
46187	04/08/13	FARSH	THE FARM SHOP			248.97
	30515014		Vehicle expense	SEWE	248.97	
<b>Total for THE FARM SHOP</b>						<b>248.97</b>
46188	04/08/13	THOGZ	THOMAS W. GONZALEZ, SR			405.00
	10635020		Buildings and grounds maintenance		405.00	
<b>Total for THOMAS W. GONZALEZ, SR</b>						<b>405.00</b>

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**Printed Regular Checks**

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Chk No.	Date Acct No.	Pay Type	Ven ID	Vendor Name \ Payee Name Override Description	Distribution Amount	Check Amount
46189	04/08/13 24315014	TIPMO		TIPPLE MOTORS, INC. Vehicle expense P . W	338.33	338.33
<b>Total for TIPPLE MOTORS, INC.</b>						<b>338.33</b>
46190	04/08/13 10125044 30515158	USBK		U.S. BANK CORPORATE PAYMENT SYSTEM Meetings and dues Postage and shipping	464.33 263.52	727.85
<b>Total for U.S. BANK CORPORATE PAYMENT SYSTE</b>						<b>727.85</b>
46191	04/08/13 10125012 10625020 24315021 24315088 26315024	VALLU		VALLEY LUMBER Office expense Building and ground maint. Street maintenance Equipment repair Supplies	177.96 8.37 84.59 6.76 16.32	294.00
<b>Total for VALLEY LUMBER</b>						<b>294.00</b>
46175	04/04/13 10155034 10215034 24315034 30515034	VERZN		VERIZON Telephone Telephone Telephone Telephone	32.57 130.29 11.79 97.71	272.36
<b>Total for VERIZON</b>						<b>272.36</b>
46141	03/25/13 30515121	WILSA		WILDWOOD SAW Sewer plant maintenance	181.90	181.90
<b>Total for WILDWOOD SAW</b>						<b>181.90</b>
<b>Total for the 70 checks</b>					<b>109,730.24</b>	<b>109,730.24</b>

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## Account Distributions

<b>Account No.</b>	<b>Account Description</b>	<b>Amount</b>
10012250	Garnishments payable	278.76
10012260	Health insurance payable	1,118.95
10012301	Federal P/R Tax Deposits	8,871.51
10012302	State P/R Tax Deposits	1,387.44
10105007	Medical insurance	595.05
10105010	Deferred comp	636.06
10115013	Advertising - Council	20.00
10125007	Insurance Med/Den/Vis	1,355.86
10125010	Deferred retirement	922.48
10125012	Office expense	507.07
10125044	Meetings and dues	464.33
10145052	Professional services	2,092.50
10155020	Building and ground maint.	4,688.94
10155030	Trash service	268.05
10155031	Water	28.14
10155032	Utilities electric	116.84
10155033	Utilities gas	262.57
10155034	Telephone	222.94
10165078	Copy machine expense	384.29
10165096	Car Allowance	400.00
10165099	Miscellaneous	850.00
10175024	Supplies - public restroom	102.16
10175031	Water - public restroom	60.15
10175032	Electric - public restroom	16.29
10175072	Chamber of Commerce	5,518.09
10175072.1	Donation - Visitors & Conv.	7,911.36
10215007	Medical insurance	3,453.23
10215010	Deferred retirement	2,591.22
10215014	Vehicle expense	55.20
10215016	Fuel	560.46
10215020	Building and grounds maint.	98.00
10215029	Water	28.64
10215032	Utilities electric	111.05

**City of Ferndale**

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10215034	Telephone	424.06
10215035	Dispatch service	1,016.66
10215052	Professional services	35.00
10215086	Booking fees	83.30
10225096	Animal control	900.00
10245052	Professional services	153.47
10315007	Medical insurance	177.36
10315010	Deferred retirement	297.38
10415052	General planning services	4,044.10
10415053	Reimbursable fees	179.67
10435052	Building regulation/inspectio	674.00
10615024	Books	727.96
10615031	Gas	294.65
10615032	Utilities	123.30
10615033	Water	26.51
10615034	Telephone	127.64
10625020	Building and ground maint.	217.97
10625032	Utilities - electric	56.44
10625033	Water	94.44
10635007	Medical insurance	168.25
10635010	Deferred retirement	2,709.75
10635020	Buildings and grounds maintenance	741.10
10635031	Water	91.10
10635032	Utilities	251.07
10635033	Gas	346.38
22315007	Medical insurance	196.03
22315010	Deferred retirement	329.07
22315058	Street lighting	1,203.31
24315007	Medical insurance	210.89
24315010	Deferred retirement	246.25
24315014	Vehicle expense	338.33
24315016	Fuel	370.11
24315021	Street maintenance	509.07
24315032	Utilities	197.93
24315033	Water	28.52
24315034	Telephone	68.84

**City of Ferndale**

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24315088	Equipment repair	6.76
25315007	Medical insurance	(4.11)
25315010	Deferred retirement	18.43
26315007	Medical insurance	216.84
26315010.1	Deferred compensation	330.42
26315024	Supplies	16.32
26315194	Interest-Six Rivers loan	2,094.48
30515007	Medical insurance	2,257.35
30515010	Deferred retirement	272.92
30515014	Vehicle expense	248.97
30515016	Vehicle gas	126.90
30515030	Garbage/sludge	1,800.00
30515032	Utilities - electric - plant	4,043.52
30515034	Telephone	317.04
30515048	Training	95.00
30515055	Contractual services	1,980.00
30515099	Miscellaneous	406.79
30515121	Sewer plant maintenance	525.37
30515122	Sewer line maintenance	1,350.00
30515125	Chemicals	803.03
30515157	Testing and monitoring	2,396.00
30515158	Postage and shipping	373.42
30515198	Sewer match loan	26,417.25
		<hr/> <b>109,730.24</b> <hr/>

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**City of Ferndale**

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

**Printed PayCheck Checks**

General Checking - Date Range: From 03/23/13 To 04/22/13 - 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>
46142	04/02/13	2,190	HEATH A. BOHACIK	1,040.60
46143	04/02/13	6,115	MARY ELLEN BOYNTON	85.03
46144	04/02/13	5,220	STEVE L. COPPINI	1,691.62
46145	04/02/13	2,178	PAUL A. DIAZ JR.	953.74
46146	04/02/13	2,185	LINDSEY D. FRANK	1,008.85
46147	04/02/13	5,222	IAN E. IVEY	397.96
46148	04/02/13	1,214	NANCY S. KAYTIS-SLOCUM	1,311.52
46149	04/02/13	5,235	TIMOTHY W. MIRANDA	1,097.64
46150	04/02/13	1,012	JAY D. PARRISH	2,552.76
46151	04/02/13	1,217	LACY L. PEDROTTI	770.88
46152	04/02/13	6,142	DIANNA L. RICHARDSON	85.03
46153	04/02/13	1,510	MARIA A. ROSA	193.77
46154	04/02/13	2,200	BRET A. SMITH	1,417.82
46155	04/02/13	2,186	ADAM D. STRICKER	983.12
46156	04/02/13	5,280	DANIEL V. SUTTON	1,140.08
46157	04/02/13	5,223	STEVE A. THRAP	791.27
46203	04/16/13	2,190	HEATH A. BOHACIK	967.04
46204	04/16/13	6,115	MARY ELLEN BOYNTON	66.12
46205	04/16/13	5,220	STEVE L. COPPINI	1,582.98
46206	04/16/13	2,178	PAUL A. DIAZ JR.	953.75
46207	04/16/13	2,185	LINDSEY D. FRANK	1,026.10
46208	04/16/13	5,222	IAN E. IVEY	285.43
46209	04/16/13	1,214	NANCY S. KAYTIS-SLOCUM	1,311.52
46210	04/16/13	5,235	TIMOTHY W. MIRANDA	1,097.64
46211	04/16/13	1,012	JAY D. PARRISH	2,552.75
46212	04/16/13	1,217	LACY L. PEDROTTI	770.88
46213	04/16/13	6,142	DIANNA L. RICHARDSON	103.92
46214	04/16/13	2,200	BRET A. SMITH	1,417.83
46215	04/16/13	2,186	ADAM D. STRICKER	1,118.82
46216	04/16/13	5,280	DANIEL V. SUTTON	1,140.09
46217	04/16/13	5,223	STEVE A. THRAP	1,170.06
46218	04/16/13	6,221	BONNIE K. VON BRAUN	27.11
<b>Total</b>				<b>31,113.73</b>

**City of Ferndale, Humboldt County, California USA**

City Council Minutes for April 4, 2013

Mayor Stuart Titus called the Study Session to order at 6:15pm. Present were Councilmen John Maxwell, Michael Sweeney and Daniel Brown along with City Manager Jay Parrish and City Planner George Williamson. The City Planner discussed past, present, and future planning projects as well as compliance with federal, state and local planning regulations. The Study Session was closed at 6:50pm.

Mayor Stuart Titus called the Regular City Council Meeting to order at 7:00PM. Present were Councilmen John Maxwell, Michael Sweeney and Daniel Brown along with staff City Manager Jay Parrish, Deputy City Clerk Lacy Pedrotti, Police Chief Brett Smith, City Planner George Williamson and City Engineers Praj White and David Caisse. Those present pledged allegiance to the flag. The Deputy City Clerk called roll call. Councilman Ken Mierzwa was absent.

Modifications to the Agenda: Mayor Titus requested that agenda item 11f. (Resolution 2013-06 Ferndale Police petrol Ferndale Housing) be moved to the top of the business agenda.

Study Session: The Council heard from George Williamson, Contract City Planner, about planning issues, past, present and future as well as compliance with federal, state and local planning regulations.

Public Comment:

- Chuck Schager with Eel River Disposal (ERD) informed City Council that the Arcata, Fortuna and Redway facility will accept 25 gallons of paint per person or 27 gallons of paint per business per day at the PaintCare Collection Facility at no charge.
- Pete Oringer with Land Bridge Alliance announced that Timber Heritage Association presents Roundhouse Rendezvous Dinner and Auction Saturday, April 13, 2013 at the River Lodge in Fortuna, CA.
- Duane Martin requested that the monthly or quarterly revenue be added to the agenda. No direction from council.

Consent Calendar: **MOTION:** Accept Accounts Payable and approve the minutes from the March 7, 2013 meeting.

**(Maxwell/Sweeney) Unanimous.**

Presentation: East-West Rail- East-West Rail Group-EWRG: Presented by Nick Angeloff. City Council was informed that the North Coast Railroad Authority (NCRA) has no intentions of ever opening up the Humboldt Bay rail service. The EWRG presentation showed that with the East-West Rail opening up there would be a promise to boost our economy by creating over three thousand jobs just in the Humboldt County Area. The data collected by the EWRG would make a large impact on the imports and exports in freight costs by lowering the price. The East-West Rail would connect into the North-South Rail over in Redding, CA. Mayor Titus would consider the EWRG for a future agenda item.

Traffic Control on streets and roads in the Ferndale Housing: This resolution will allow the Ferndale Police Department to patrol and write citations if need be. **MOTION:** Approve Resolution 2013-06 Applying the Vehicle Code of the State of California to the Roads and Streets within the former Navy Housing, now known as Ferndale Housing and owned and operated by the O'Rourke Foundation (APNs 030-101-007, 030-101-010 and 030-141-009). **(Maxwell/Brown)**

**Unanimous.**

Planning Commission re-appointment and Planning Commission Appointment: **MOTION:** Approve the re-appointment of Uffe Christiansen to the Planning Commission for a four year term from 2013 through 2017; and appoint Marc Daniels to fill the position left open by Trevor Harper, whose term ran from 2012 through 2016. **(Sweeney/Maxwell)**

**Unanimous.**

Closure of the Front City Parking Lot for Chamber Sponsored Farmers Market: Chamber President Karen Pingitore spoke on behalf of the Chamber of Commerce informing City Council that "Market Saturday" will be under the guidance of Bill Fales; the Future Farmers of America (FFA) Ferndale High students would be involved in this project as well. **MOTION:** Approve Resolution 2013-12 closing the front of the City Parking Lot for a Chamber-sponsored "Market Saturday" from 8am to 1pm beginning in May and ending in October. **(Sweeney/Maxwell) Unanimous.**

General Plan Annual Progress Report: City Planner George Williamson of Planwest presented to the City Council that the General Plan Annual Progress Report is required by California Government Code. This State Code requires Planning Departments to compile an annual report documenting the City's progress towards meeting its share of regional housing needs as well as the City's General Plan status and progress towards its implementation. Staff prepared the

**City of Ferndale, Humboldt County, California USA**

City Council Minutes for April 4, 2013

report and will submit it to the Department of Housing and Community Development (HCD) and the Office of Planning and Research in compliance with this regulation.

Planning Staff requests funds for time and materials to prepare General Plan Housing Element Implementation Plan for Housing Element and State Housing regulation compliance: **MOTION:** Approve Resolution 2013-09 authorizing funds in the amount of \$1,008 for City Planners of Planwest to prepare a General Plan Housing Element and State Housing regulation compliance. Funding will come from LAIF. **(Maxwell/Sweeney) Unanimous.**

Planning Staff requests funds for time and materials to assist City Manager Jay Parrish to update Humboldt Operational Area Multi-Agency Multi-Hazard Mitigation Plan (HMP), Energy Assurance Plans (EAP), and the Emergency Operations Plan (EOP): City Planner George Williamson informed Council that California Energy Commission's Local Energy Assurance Planning (CaLEAP) will be available to assist with no charge to the City. **MOTION:** Approve Resolution 2013-10 authorize funds in the amount of \$1,450 to the Planning Staff for time and materials to assist City Manager with updating HMP, serve as Energy Assurance Coordinator to facilitate EAP preparation and ensure consistency in the Safety Element update, HMP update, EAO, Ferndale General Plan and EOP. Funding will come from LAIF. **(Sweeney/Maxwell) Unanimous.**

SB 1186 State Mandated Fee of \$1.00 on any Application for Business License or Similar Instrument or Permit, or Renewal thereof, for the Purpose of Increasing Disability Access: Governor Brown signed into law, SB 1186, which imposes a \$1.00 state fee on any applicant for a local business license/permit or a renewal, and is to be collected by cities, effective on January 1, 2013 and expires on December 31, 2018. The bill requires the City to collect the fees and transmit 30 percent of it to the State Architect for its disability related program. The City will retain 70 percent of the fee. The funds are restricted for use to facilitate compliance with federal and state disability laws and for associated administrative costs. Mayor Titus asked Finance to place the 30% into a separate fund that is to be submitted to the State of California. **MOTION:** Approve Resolution 2013-13 Imposing the SB 1186 State Mandated Fee of \$1.00 on any Applicant for a Business License or Similar Instrument or Permit, or Renewal thereof, for the Purposes of Increasing Disability Access. **(Brown/Maxwell) Unanimous.**

Establish Deposit Accounts Signatures: **MOTION:** Approve Resolution 2013-06 authorizing the signatory as follows: City Manager Jay Parrish, City Clerk Nancy Kaytis-Slocum, Mayor Stuart Titus and Councilman Michael Sweeney to the North Valley Bank Ownership of Account to be updated for the purpose of signing checks. **(Titus/Brown) Unanimous.**

City Engineers are requesting to move forward with the proposed route for the Rose Avenue Pedestrian Improvement Project (Phase 2) and schedule a study session with public input: **MOTION:** Approve City Engineers Manhard to move forward with a study session with public input. City Engineers will conduct a public meeting with residents in and around Herbert, Rose and Berding Streets on April 17, 2013 at 6:00pm in Town Hall Auditorium. **(Sweeney/Maxwell) Unanimous.**

To the City Manager's Staff Report: Jay Parrish reminded Council that the Humboldt State University (HSU) engineering students will be giving a presentation regarding alternatives to reduce sedimentation and flooding to Ferndale on May 2, 2013 during the Council Meeting.

Under Council Reports: Councilman Maxwell reported that he will be absent for the May 2, 2013 Council Meeting. The meeting adjourned at 9:40 pm. The next regular Council Meeting is scheduled for May 2, 2013 at 7PM.

Respectfully submitted,

Lacy Pedrotti, Deputy City Clerk

**City of Ferndale, Humboldt County, California USA**  
City Council Minutes for April 4, 2013

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## **Section 9**

### **CALL ITEMS**

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

## **Section 10**

### **PRESENTATIONS**

HSU Students regarding Flooding & Sediment Control Design Projects

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## **Section 11**

## **BUSINESS**

Meeting Date:	May 2, 2013	Agenda Item Number	11A
Agenda Item Title:	Auditing Services		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Select Auditing Firm for Annual Auditing Services		

**RECOMMENDATION**

Select Auditing Firm for Annual Auditing Services

**DISCUSSION:**

Using the formal bid procedure outlined in the city’s Purchasing Ordinance 07-04, Section 6.03, on March 1, 2013, The City of Ferndale requested proposals from qualified independent Certified Public Accounting firms to audit the financial statements for the fiscal year ending June 30, 2013, with options for extensions for the fiscal years ending June 30, 2014 and 2015. The Request for Proposal (RFP) was also published in the Times Standard Newspaper, and the RFP was posted online and on bulletin boards. Deadline for bids is 4/25/13 at 4pm. The sealed bids will be opened at that time, a tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening. The bids shall be submitted to the City Council and shall be awarded by the City Council to the lowest responsible bidder.

**FINANCIAL IMPACT:**

Unknown at this time (Accounting Code 1065054)

Meeting Date:	May 2, 2013	Agenda Item Number	11B
Agenda Item Title:	Review Proposed Revisions to City of Ferndale Purchasing Ordinance		
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 First Reading of amendments to Ordinance No. 07-04 prepared by City Attorney by Title Only and direct Staff to place on next month's agenda for a Second Reading and possible adoption		

### RECOMMENDATION

Approve First Reading of amendments to Ordinance No. 07-04 prepared by City Attorney by Title only and direct Staff to place on next month's agenda for a Second Reading and possible adoption

### DISCUSSION:

At the January 3, 2013, City Council Meeting, the Council reviewed the history of the procurement process followed regarding two items of heavy equipment previously purchased by the City and considered pertinent provisions of the existing City of Ferndale Purchasing Ordinance (Ordinance No. 07-04) for review and update.

Staff and the City Attorney were instructed to prepare draft revisions to the Purchasing Ordinance to accomplish the following objectives: (1) Propose Ordinance modifications to allow the City to participate in the National Purchasing Partners (NPP) program and/or the California Multiple Award Schedule (CMAS) program in an effort to secure future cost savings for the City; (2) Retain a bidding process and procedure to help insure local vendor participation; and (3) Propose a local vendor preference provision for inclusion in the Ordinance.

Proposed revisions to Ordinance No. 07-04 appear as "redline text" on the draft accompanying this Staff Report.

### FINANCIAL IMPACT:

Professional Services a/c 10145052

## ORDINANCE NO. 07-04

AN ORDINANCE OF THE CITY OF FERNDALE  
ESTABLISHING A PURCHASING PROCEDURE  
AND REPEALING ORDINANCE 00-02

THE CITY COUNCIL OF THE CITY OF FERNDALE DOES ORDAIN AS  
FOLLOWS:

ARTICLE 1: SHORT TITLE, PURPOSE, SCOPE AND REPEAL

- §1.01 This ordinance shall be known and cited as the "Purchasing Ordinance."
- §1.02 The purpose of this ordinance is to establish efficient procedures for the purchase of supplies, equipment and services; to secure supplies, equipment and services at the lowest possible cost commensurate with the quality needed; to exercise positive financial control over all purchases; and to clearly define authority for the purchasing function.
- §1.03 This ordinance shall cover procurement for all departments throughout the City of Ferndale.
- §1.04 The adoption of this ordinance will repeal Ordinance 00-02.

ARTICLE 2: STATUTORY AUTHORITY

- §2.01 Authority is pursuant to Government Code §§54201 through 54205

ARTICLE 3: ADMINISTRATION AND ENFORCEMENT

- §3.01 Purchasing Officer. The responsibility and authority for the purchase of supplies, services and equipment is vested in the City Manager, or in his absence the Mayor, who shall be the Purchasing Officer of the City. The City Manager, or in his absence the Mayor, may designate a Purchasing Officer. The duties of the Purchasing Officer may be combined with those of any other office or position. As Purchasing Officer, the City Manager, or in his absence the Mayor, shall have the authority to:
- 3.01.1 Purchase or contract for supplies, services and equipment required by any using City department or agency in accordance with purchasing procedures prescribed by this ordinance, such administrative regulations as the Purchasing Officer shall adopt for the internal management and operation of the purchasing system, and such other rules and regulations as shall be prescribed by the City Council or City Manager or in his absence the Mayor, at all times endeavoring to obtain as full and open competition as possible on all purchases;
- 3.01.2 Negotiate and recommend execution of contracts for the purchase of supplies, services, and equipment;
- 3.01.3 Act to procure for the City the needed quality in supplies, services and equipment the least expense to the City;

Enacting Date: December 13, 2007

- 3.01.4 Endeavor to obtain the most full and open competition as possible on all purchases;
- 3.01.5 Prepare and recommend to the City Council rules governing the purchase of supplies, service and equipment for the City;
- 3.01.6 Prepare and recommend to the City Council revisions and amendments to the purchasing rules;
- 3.01.7 Keep informed of current developments in the field of purchasing, prices, market conditions, and new products;
- 3.01.8 Prescribe and maintain such forms as are reasonably necessary to conform to the requirements of this ordinance and other rules and regulations;
- 3.01.9 Supervise and inspect all supplies, services, and equipment purchased to insure conformance with specifications;
- 3.01.10 Administer the transfer of surplus or unused supplies and equipment between departments as needed, and the sale of all supplies and equipment which cannot be used by any City department or agency, or which have been unsuitable for City use, or to exchange the same for, or trade in the same on, new supplies and equipment;
- 3.01.11 Oversee the operation of all storerooms for the storage of common use items, to insure the safekeeping and proper storage and handling of all supplies and equipment therein;
- 3.01.12 Require annual departmental inventory of non-consumable items.
- 3.01.13 Maintain a bidder's list, vendor's catalog file, and other records needed for the efficient operation of the purchasing system.

#### ARTICLE 4: PURCHASING PROCEDURE

- §4.01 Except as otherwise provided in this ordinance, all purchases and contract for supplies, equipment and commodities of any value shall be accomplished either by or through the Purchasing Officer. Purchases shall be processed by one of the following:
- 4.01.1 Purchases: Purchases over twenty-five dollars (\$25.00) for supplies, equipment or services shall be made by purchase order or contract except where payment has been pre-approved by the Purchasing Officer. Written quotations shall be obtained for prospective purchases of supplies, services and equipment in excess of one thousand dollars (\$1,000.00) unless: (i) the purchase is clearly possible from one source only; or (ii) operational urgency is such that an immediate order must be placed with the nearest capable vendor
  - ~~4.01.14~~.01.2 Purchases over five thousand dollars (\$5,000.00) must be approved by the City Council.
  - ~~4.01.24~~.01.3 Purchase Orders: A purchase order will not be issued until the Purchasing Officer first approves it. The Purchasing Officer shall have the authority to issue open purchase orders for certain competitive and expendable items where it is not economical to maintain an inventory

Enacting Date: December 13, 2007

and need is such that the following of normal purchasing procedures would be detrimental to the effective operation of the City.

~~4.01.34.01.4~~ Encumbrance of funds: Except in cases of emergency, as determined pursuant to §6.01, or where specific authority has first been obtained from the City Manager, or in his absence the Mayor, no purchase order or contract shall be issued unless there exists an unencumbered appropriation in the fund account against which the purchase is to be charged.

#### ARTICLE 5: PURCHASES – USE OF PETTY CASH

- §5.01 All individuals requiring petty cash reimbursement or advance petty cash disbursements shall be required to fill out the appropriate claim form. Receipts shall be required to substantiate all purchases. No petty cash shall be dispensed without the approval of the department head and Purchasing Officer or designee. All receipts for advance petty cash must be returned within two days. Disbursements from petty cash shall not exceed twenty-five dollars or any other amount as may be adopted by resolution of the City Council.
- §5.02 Purchases for twenty-five dollars (\$25.00) or less from suppliers who bill the City on a monthly basis require prior approval of the department head and Purchasing Officer or designee. No purchase made under petty cash or monthly billing criteria will be made unless an unencumbered appropriation in the fund account exists and is identified prior to the purchase.

#### ARTICLE 6: BIDDING PROCEDURE

- §6.01 General
- 6.01.1 Purchases for supplies, equipment or services over five thousand dollars (\$5,000.00) shall be by bid procedures pursuant to §6.03 or §6.04 this ordinance except:
- a. During an emergency as determined by the City Manager or in his absence the Mayor, which requires an order be placed with the nearest or most readily available source necessary to provide an essential city-supplied service affecting the public health, safety or welfare that would be delayed through the normal purchasing procedure in the procurement of the items or service; or
  - b. When the Purchasing Officer determines that the supplies, service or equipment can be obtained from only one vendor; or
  - c. When the City has a contract with another governmental unit to purchase a particular item on a cooperative basis; or
  - d. When the City Council determines that it is in the best interest of the City to do so and dispensing with formal bid procedures is authorized by law.

Enacting Date: December 13, 2007

## §6.02 Public Contract Code items

6.02.1 Purchases of supplies, equipment or services covered under Public Contract Code Section 20161 et seq. shall be made by the City Council to the lowest responsible bidder through the formal bidding procedures pursuant to Public Contract Code 20161 et seq.

## §6.03 Formal

6.03.1 Except as otherwise provided in this ordinance, purchases or contract for supplies, services or equipment of an estimated value greater than ten thousand dollars (\$10,000.00) or any other amount as may be adopted by resolution of the City Council shall be by written contract with the lowest responsible bidder or written proposal received pursuant to the procedures prescribed as follows:

- a. The Purchasing Officer shall prepare a notice inviting bids which shall include a general description of the articles or services to be purchased, shall state where bid blanks and specifications may be secured, and the time and place for opening bids.
- b. The notice inviting bids shall be published at least ten days before the date of opening of the bids. Notice shall be published at least once in a newspaper of general circulation, printed and published in the City, or if there is none, it shall be posted in at least three public places in the City that have been designated by ordinance as the places for posting public notices.
- c. The Purchasing Officer shall solicit sealed bids from all responsible prospective suppliers whose names are on the bidders' list or who have requested their names to be added thereto, and any other source known to the Purchasing Officer.
- d. When deemed necessary by the Purchasing Officer, bidder's security may be prescribed in the public notices inviting bids. Bidders shall be entitled to return to bid security provided that a successful bidder shall forfeit his bid security upon refusal or failure to execute the contract within ten days after the notice or award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.
- e. The City Council shall have authority to require a performance bond before entering a contract in such amount as it shall find responsibly necessary to protect the best interest of the City. If the City Council requires a performance bond, the form and amount of the bond shall be described in the notice inviting bid.

Enacting Date: December 13, 2007

- f. Sealed bids shall be submitted to the Purchasing Officer and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be opened for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening. No bids shall be accepted after the stated time specified in the notice inviting bids.
- e-g. The bids shall be submitted to the City Council. Contracts or purchase orders shall be awarded by the City Council to the lowest responsible bidder except as otherwise provided in this ordinance.
- f-h. In its discretion, the City Council may reject any and all bids presented, and may re-advertise for bids.
- g-i. If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council may accept the lowest bid made by negotiations with the tie bidders at the time of the bid opening or at the time of considering the award of the bid by the City Council.
- h-j. Any procedure herein may be waived in emergency situations by the City Council or the City Manager, or in his absence the Mayor. No bid shall be paid without a valid purchase order being in effect. All departments requesting purchase or goods or services shall be responsible for the preparation of necessary specifications and arranging for formal bidding. The City retains all rights to reject all bids.
- k. Prior to, or simultaneously with, pursuing the bid procedure established by this §6.03, the Purchasing Officer may solicit written proposals for supplies, services or equipment of an estimated value greater than ten thousand dollars (\$10,000.00) pursuant to the National Purchasing Partners Program (NPP) or the California Multiple Award Schedule System (CMAS), and submit any proposals received pursuant to these programs to the City Council along with any bids received for evaluation of the most advantageous price. If a written proposal is received through the NPP or CMSA which satisfies the City's specifications for the supplies, services or equipment sought to be acquired is more competitive than the lowest responsible bid received pursuant to the formal bidding process, the City Council may, in its discretion, proceed to accept the proposal received under the NPP or CMAS rather than the bid.

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- §6.04 Informal.
- 6.04.1 If the estimated value of supplies, services or equipment is less than five hundred dollars (\$500.00), the Purchasing Officer may dispense

Enacting Date: December 13, 2007

with formal bidding procedures, but shall secure by telephone or letter price quotations from two or more vendors.

- 6.04.2 If the estimated value of the purchase is greater than five hundred dollars (~~\$500.00~~) but less than five thousand dollars (~~\$5,000.00~~), the Purchasing Officer shall authorize the purchase in the open market of informal bidding, negotiations, or annual purchase agreement. Informal bidding means solicitation by the purchasing officer of at least three price quotations, either written or verbal, of which the bid yielding the lowest ultimate cost shall be accepted. The lowest ultimate cost shall mean the lowest informal bid price commensurate with the quality needed and shall include consideration of anticipated operating costs, transportation or packing charges, availability, storage costs, and supplier responsibility when such factors are relevant. If the estimated value of the purchase is greater than five thousand dollars (\$5,000.00) but less than ten thousand dollars (\$10,000.00), the Purchasing Officer may follow the informal bidding and negotiation procedures set forth in this §6.04.2 but shall first receive City Council before committing to the purchase.

#### ARTICLE 7: PURCHASING OF SERVICES

- §7.01 When the City Council or City Manager, or in his absence the Mayor, authorizes the hiring of services for which standard specific actions cannot be drawn due to the nature of the service or because of national association by-laws or professional policies prohibiting competitive bidding, such as, but not limited to, architectural services, consultant services, legal services, and engineering services, the Purchasing Officer shall negotiate for the authorized service.
- 7.01.1 Proposals shall be submitted whenever practicable from at least three firms. When the service lends itself to written standard specifications, then bidding for this service shall be conducted pursuant to Section 3 of this ordinance.
- 7.01.2 When the value of any service is greater than one thousand dollars, the contract or purchase order shall not be executed unless approved by the City Council.
- §7.02 Lowest responsible bidder. The lowest responsible bidder shall be the bidder who offers to perform the work involved according to the plans and specification therefore for the least amount of money, provided the bidder has the ability, capacity and, where necessary, the required state or other license.
- 7.02.1 Purchase of supplies or services may be made from other than the lowest bidder when delivery or performance of services are time critical to the needs of the City. It is the responsibility of the Purchasing Officer to document the file and notify the City Council of the reason for the award to other than the lowest bidder.

#### ARTICLE 8: GENERAL

Enacting Date: December 13, 2007

- §8.01 Purchasing Recycled
- 8.01.1 There is no minimum content requirement for reused or refurbished products and should be considered 100 percent recycled
- 8.01.2 The Purchasing Officer shall endeavor to purchase recycled products instead of nonrecycled products if fitness and quality are equal, whenever recycled products are available at the same or a lesser total cost than nonrecycled products.
- §8.02 Inspection and Testing
- 8.02.1 Each department shall inspect supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications set forth in the order or contract.
- 8.02.2 The department head or designee shall have the authority to require chemical or physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications.
- §8.03 Surplus supplies and equipment.
- 8.03.1 All using officers or city departments or agencies shall submit to the City Manager or in his absence the Mayor, at such times and in such form as prescribed, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out.
- §8.04 Unlawful purchases.
- 8.04.1 No purchase or contract for any supplies, equipment or services shall be made contrary to the provisions of this ordinance.
- 8.04.2 No contract or purchase shall be subdivided or split to avoid any of the provisions of this ordinance.
- §8.05 Local Vendor Preference. In computing bids or quotations on all materials, supplies, and services to be purchased by the City, preference may be granted to responsible local vendors by an amount equal to five percent (5%) of the net bid. The granting of this vendor's preference shall be based on a determination by the Purchasing Officer that quantity and quality of the local product is equal to that of the next lowest bidder. For purpose of this §8.05, a "local vendor" will be deemed to be a vendor maintaining its principal place of business in the City of Ferndale. This local vendor preference is expressly made inapplicable to bids for public projects, as defined by Public Contracts Code Sections 20161 and 22002.

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**ARTICLE 9: SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance.

**ARTICLE 10: EFFECTIVE DATE:** This ordinance becomes effective thirty (30) days after the date of its enactment.

Enacting Date: December 13, 2007

ARTICLE 11: POSTING REQUIREMENT: The City Clerk shall cause publication of this ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city, and posted in at least three public places in the city.

ARTICLE 12: ENACTING DATE AND SIGNATURES: Passed, approved and adopted by the City Council of the City of Ferndale at a regular meeting on November 13, 2007 by the following vote:

AYES:  
NOES:  
ABSENT:  
  
ATTEST:

\_\_\_\_\_  
Nancy Kaytis-Slocum, City Clerk

\_\_\_\_\_  
Mayor Jeff Farley

First Reading:      October 8, 2007  
Second Reading:   November 13, 2007  
Enacting Date:     December 13, 2007

Enacting Date: December 13, 2007

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Meeting Date:	May 2, 2013	Agenda Item Number	11C
Agenda Item Title:	Revised Personnel Policy Manual		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Consider and Discuss Revised Personnel Policy Manual and give staff direction on whether to bring it back to the Council at the next meeting for adoption of the changes by Resolution.		

### RECOMMENDATION

Consider and Discuss Revised Personnel Policy Manual and give staff direction on whether to bring it back to the Council at the next meeting for adoption of the changes by Resolution.

### DISCUSSION:

The current Personnel Policy Manual (PPM) was accepted by Ordinance 99-02, and amended by Resolutions 2002-20, 2004-05 and 2010-10. During the January 3, 2013 meeting, the City Council approved having the City Attorney review and update our PPM, not to exceed \$3500. We have been approved for a grant from PARSAC for this amount.

### FINANCIAL IMPACT:

PARSAC grant

**ACKNOWLEDGMENT OF RECEIPT  
OF CITY OF FERNDALE PERSONNEL POLICY MANUAL**

I acknowledge that I have received a copy of the CITY OF FERNDALE (hereafter “the City”) Personnel Policy Manual dated May 1, 2013. I have read and understand my rights to and responsibilities for fostering a safe, professional, and discrimination-free work environment as set forth in the Handbook. In particular, I have read the Policy against Harassment as well as the Drug-Free Workplace policy. I agree to abide by these policies, as well as the other policies contained in the Handbook. I have also had an opportunity to discuss any questions with the City Manager or my Department Head.

In addition, I understand that, because the City cannot anticipate every issue that may arise during my employment, if I have questions regarding any of the District’s policies or procedures, I will consult the City Manager or my Department Head.

I agree and understand that my relationship with the City is “at-will,” which means that my employment is for no definite period and may be terminated by the City or me at any time for any reason, with or without cause or advance notice. I further understand that the City may demote or discipline me or otherwise alter the terms of my employment at any time and at its sole discretion, in accord with the Personnel Policy Manual. I understand that only the City Manager may change this at-will employment relationship, and then only if it is in writing.

I further understand that the policies contained in the Personnel Policy Manual are guidelines only and are not intended to create any contractual rights or obligations, express or implied. I further understand that the City has the right to amend, interpret, modify, or withdraw any of the provisions of the Personnel Policy Manual at any time in its sole discretion, with or without notice, except for its policy of at-will employment.

I also understand and agree that if the terms of this Acknowledgment of Receipt are inconsistent with any policy or practice of the City now or in the future, the terms of the Acknowledgment of Receipt shall control.

Lastly, I understand and agree that this Acknowledgment of Receipt contains a full and complete statement of the agreements and understandings that it recites, that no one has made any promises or commitments to me contrary to the above, and that this Acknowledgment of Receipt supersedes all previous agreements, whether written or oral, express or implied, relating to the subjects covered by this Acknowledgment of Receipt.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

## City of Ferndale

INCORPORATED 1893



Suzannah E. Mellon ©1992

# City of Ferndale

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

Phone: 707.786.4224 FAX 707.786.9314

Email: ~~cityhall@ferndale-ca.gov~~[cityclerk@ci.ferndale.ca.us](mailto:cityclerk@ci.ferndale.ca.us)

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# PERSONNEL POLICY MANUAL

Copyrighted City of Ferndale, [May 1, 20022013](#)

City of Ferndale PERSONNEL POLICY ~~MANUAL~~ ~~MANUAL~~ ~~February 11~~ ~~May 1, 2008~~ ~~2013~~

## **1.0.0 GENERAL POLICY General Policies**

### 1.0.1 Purpose of ~~Policy~~ Policies

This City of Ferndale (City) Personnel Policy ~~Manual~~ ~~Manual~~ (this “Manual”) serves as the City of Ferndale's ~~policy~~ policies, rules, and procedures for personnel matters. Changes to this ~~manual~~ Manual must be approved by the City Manager.

### 1.0.2 Policy Amendments

The City Manager reserves the right to amend, supplement, or rescind any provision of this ~~Personnel Policy Manual~~ Manual as ~~it~~ he/she deems appropriate in his/her sole and absolute discretion. As policies and benefits are changed and revised, they will be approved by Resolution of the City Council. All subsequent revisions to this ~~Manual~~ Manual will be incorporated and documented by Section. Therefore, as revisions are approved by the City Council, the affected Section(s) will be replaced in their entirety.

### 1.0.3 Notice to Employees

A copy of this ~~policy~~ Manual and all approved revisions will be provided to each and every regular employee either upon ~~his/her hiring, and upon~~ his/her hiring, and upon implementation of ~~the any manual revision or upon hiring the new employee after hire.~~ the any manual revision or upon hiring the new employee after hire. Each employee will sign a ~~document~~ document copy of that certain written form entitled “Acknowledgment of Receipt of City of Ferndale Personnel Policy Manual”, and a signed copy ~~will~~ will be placed in ~~their each employee’s~~ each employee’s personnel file that certifies that they have read and understand ~~the all~~ all provisions of this ~~manual~~ Manual.

### 1.0.4 At-Will Employment

All City employees serve as “at-will” employees of the City except those employees who serve under ~~an a written~~ a written employment agreement/contract. ~~This means that the employee is entirely free to terminate his/her employment with the City at any time, either with or without a reason. It also means that the City, acting through the City Manager, has the very same right as the employee and can terminate the employee’s employment at any time, with or without cause. At-will employment may be terminated at the will of either the City Manager or the employee. Employment may be terminated with or without cause at any time by the employee or by the City Manager.~~ This means that the employee is entirely free to terminate his/her employment with the City at any time, either with or without a reason. It also means that the City, acting through the City Manager, has the very same right as the employee and can terminate the employee’s employment at any time, with or without cause. At-will employment may be terminated at the will of either the City Manager or the employee. Employment may be terminated with or without cause at any time by the employee or by the City Manager. Terms, conditions, and privileges of employment with the City may be modified at the sole discretion of the City Manager with or without notice. Only the City Manager has the authority to make any agreement for employment other than for employment “at-will”, or make any agreement limiting the

City of Ferndale PERSONNEL POLICY ~~MANUAL~~ ~~MANUAL~~ ~~February 11~~ ~~May 1, 2008~~ ~~2013~~

City's discretion to modify terms and conditions of employment. Only the City Manager has the authority to make any such agreement, and even then, such an agreement is enforceable only if it is in writing, signed by the City Manager and expressly approved and ratified by the City Council after consideration and action at a duly noticed public meeting. -No implied contract or agreement concerning any employment-related decision or term, condition, or privilege or employment can be created by any other statement, practice, policy, or conduct. Terms, conditions, and benefits of employment within the sole discretion of the City would include, but not limited to, the following examples: hiring decisions, compensation, promotion, demotion, qualifications, benefits, transfers, employee discipline, layoff, recall, work rules, hours of work, schedules of work, work assignments, employment duties, responsibilities, performance, and/or production standards, subcontracting, expansion, reduction or cessation of certain operations, merger, consolidation, sale or relocation of facilities and operations, decisions concerning the use of equipment, methods or facilities, or any other term, condition, or privilege of employment that the City, in its sole discretion, deems necessary to the safe, efficient and cost-effective operation of its legal responsibilities and duties.

#### 1.0.5 Fair and Equitable Administration

The City has established by the adoption of this ~~Personnel Policy Manual~~ ~~Manual~~, the fair and equitable administration of personnel matters and they are delineated throughout this ~~Personnel Policy Manual~~ ~~Manual~~.

#### 1.0.6 Independent Contractor Exemption

The City Manager may contract for specific functions to be accomplished by independent contractors (example: City Attorney, City Planner, City Engineer, Building Official, City Auditor, etc.). Independent contractors are exempt from the provisions of this ~~Personnel Policy Manual~~ ~~Manual~~ except for Section 9 (Personnel Complaint Procedures). When the City Council is in session to discuss and consider personnel issues, these independent contractor positions are considered to be "employees" under the Ralph M. Brown Act and matters related to their retention/employment are subject to review in closed session are protected by pursuant to California Government Code Section 54957 ~~of that Act.~~ Therefore, the City Council must deliberate these issues in "closed session" as specified in Section 55957 of The Ralph M. Brown Act unless requested in writing by the "employee" to be held in open session. Therefore, Section 9, Citizen's Personnel Complaint Procedure is applicable to these independent contractor positions that function as employees.

#### 1.0.7 Use of Gender Specific Wording

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For sake of clarity and simplification, the masculine gender of various words is used through this ~~manua~~ Manual. In all cases, both the masculine and feminine genders are applicable and the use of the masculine version does not imply any gender bias by the City.

### 1.1.0 Administration

The City of Ferndale is a Council-Manager form of government. The City Manager (referred to by name or as "CM") is responsible for the efficient administration of all affairs of the City including personnel matters except for those personnel related functions specifically retained by the Council.

#### 1.1.1 Authority Over Employees

The City Manager has the authority to control, order, and give directions to all heads of departments and to subordinate officers and employees of the City under his jurisdiction through their department heads. No department head shall be removed until the CM has first reviewed such action with the ~~city~~ City council ~~Council~~ in ~~Executive~~ Sclosed session and has obtained the ~~council's~~ Council's approval.

#### 1.1.2 Powers of Appointment and Removal

The CM shall appoint, remove, promote, and demote any and all officers and employees of the City of Ferndale, subject to all the provisions of this Personnel Policy ~~Manual~~ Manual and other applicable rules and regulations.

#### 1.1.3 Administrative Reorganization of Departments and Employees

It is the duty and responsibility of the CM to conduct studies and effect such administrative reorganization of departments, employees, positions, or units under his direction as may be indicated in the interest of efficient, effective, and economical conduct of the City's business.

### 1.2.0 Fair Employment

#### 1.2.1 General

It is the policy of the City to guarantee every application for employment and every employee, the right of equal treatment without regard to race, color, sex, age, religion, national origin, sexual preference, disability or veteran status, or any other class protected by law. The policy extends to recruiting, hiring, working conditions, employee treatment,

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training programs, promotions, use of the City's facilities, and all other terms and conditions of employment.

In recruiting and selecting employees, it is the policy of the City to further the principles of equal employment by seeking talented and competent persons who are suited for a specific position by reason of training, experience, character, personality, intelligence and general ability. Such action shall occur without regard to the individual's race, color, sex, age, religion, national origin, sexual preference, disability or veteran status, or any other class protected by law.

It is the policy of the City that all personnel actions such as compensation, benefits, transfers, continuing education, tuition assistance, and social and recreation programs will be administered without regard to an individual's race, color, sex, age, religion, national origin, sexual preference, disability or veteran status, or any other protected basis. When necessary, under the California Fair Employment and Housing Act and Americans with Disabilities Act, the City will reasonably accommodate employees and applicants with disabilities if the person is otherwise qualified to safely perform all of the essential functions of the position.

**1.23.20**                    **Policy Against Harassment**

1.3.1 Purpose

The City is committed to providing a workplace free of sexual harassment (which includes harassment based on gender, pregnancy, childbirth, or related medical conditions), as well as harassment based on such factors as race, color, creed, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, sexual orientation, medical leave status, veteran status, or any other basis protected by federal, state or local laws.

The City strongly disapproves of and will not tolerate harassment of employees by managers, supervisors, or co-workers. Similarly, the City will not tolerate harassment by its employees of non-employees with whom City employees have a business, service, or professional relationship. The City also will attempt to protect employees from harassment by non-employees in the workplace. All employees are required to attend initial training and participate in periodic additional training.

1.3.2 Definition of Harassment

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Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance. Sexual harassment is defined by the Fair Employment and Housing Commission as "unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature." Sexually harassing conduct can be by a person of either the same or opposite sex. Such conduct constitutes sexual harassment when:

1. Submission to the conduct is made either an explicit or implicit condition of employment;
2. Submission or rejection of the conduct is used as the basis for an employment decision; or
3. The harassment interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

Unlawful harassment includes, but is not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, invitations, jokes, or comments;
2. Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;
3. Physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work directed at an individual because of his or her sex or any other basis;
4. Threats and demands to submit to sexual requests in order to keep a job or avoid some other loss, and offers of job benefits in return for sexual favors;
5. Retaliation for having reported or threatened to report harassment; or
6. Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, and suggestive or obscene letters, notes, or invitations.

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### 1.3.3 Reporting and Investigation of Harassment Claims

The City understands that victims of harassment are often embarrassed and reluctant to report acts of harassment out of fear of being blamed, concern about being retaliated against, or because it is difficult to discuss sexual matters openly with others. However, no employee should have to endure harassing conduct, and the City therefore encourages employees to promptly report any incidents of harassment so that corrective action may be taken.

On this subject, employees are required to report any behavior they consider to be improper or offensive. Similarly, employees are required to report romantic relationships in the workplace, even if they appear to be consensual, where conduct associated with such relationship causes others to be uncomfortable or offended. This would include acts of favoritism, where an employee is perceived to receive preferential treatment as a result of a relationship, for example. This is particularly important if it appears preferential treatment involves job-related benefits.

The City is committed to providing a work environment free of harassment. The City maintains a strict policy prohibiting sexual harassment and harassment because of race, religion, creed, color, national origin, ancestry, citizenship status, uniformed service member status, physical or mental disability, medical condition, marital status, sexual orientation, veterans status, age, domestic partnership or any other basis made unlawful by federal, state or local law or ordinance or regulation. Such discrimination is unlawful and shall not be tolerated.

This policy applies to all persons involved in the operation of the City's affairs and prohibits unlawful harassment by any employee of the City including supervisors and co-workers. Unlawful harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation is prohibited. Sexual harassment is defined by the Fair Employment and Housing Commission as unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature. Unlawful harassment because of sex, race, ancestry, physical or mental disability, medical condition, marital status, age or any other protected basis includes but is not limited to:

i. Verbal conduct such as epithets, derogatory comments, slurs, or unwanted sexual advances, propositions, requests, jokes, or comments;

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~~ii. — Visual conduct such as leering, making sexual gestures, displaying of sexually suggestive objects or pictures, cartoons or posters;~~

~~iii. — Physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work directed at you because of your sex or any other basis;~~

~~iv. — Threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors;~~

~~v. — Retaliation for having reported or threatened to report harassment;~~

~~vi. — Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations.~~

~~An employee may have a claim of harassment even if he or she has not lost a job or some other economic benefit. The law prohibits any form of protected basis harassment that impairs an employees working ability or emotional well being at work.~~

~~The City strictly prohibits harassment on any protected basis. If an employee thinks he or she is being harassed on the job because of his or her sex, race, ancestry or other protected basis, the employee should immediately provide a written complaint detailing the facts of the incident to the employee's own or any other City immediate supervisor, Department Head or to the City Manager. An employee is not required to complain to any person if that person is the individual who is harassing the employee, but may instead report the harassment to his or her immediate supervisor or any other member of management.~~

Supervisors and Department Heads will refer all harassment complaints to the City Manager. The City Manager will immediately undertake an effective, thorough and objective investigation of the harassment allegations. As soon thereafter as possible, the City Manager will communicate his/her determination to the complaining employee and the accused, and the remedial action (if any) to be taken to the complainant, and, when appropriate, to other persons who are directly concerned.

#### 1.3.4 Corrective Action

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If the City Manager determines that unlawful harassment has occurred, the City Manager will take effective remedial action commensurate with the severity of the offense. This action may include disciplinary action against the harasser, up to and including termination. Appropriate action will also be taken to deter any further harassment. Whatever action is taken against the harasser will be made known to the employee who filed the complaint, and the City Manager will take appropriate action to remedy any loss to the complaining employee resulting from harassment.

No individual will suffer any reprisals or retaliation for reporting any incidents of harassment, or perceived harassment, for making any complaints of harassment, or for participating in any investigation of incidents or harassment or perceived harassment.

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The City encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. In addition to notifying the City about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing ("DFEH"), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is generally one year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission ("FEHC") or file a lawsuit in court. Both the FEHC and the courts have the authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC at the locations listed in the City's DFEH poster or by checking the state government listings in the local telephone directory or online.

~~Employees should also be aware that the California Department of Fair Employment and Housing investigates and may prosecute complaints of prohibited harassment in employment. Whenever an employee thinks he or she has been harassed or that he or she has been retaliated against for resisting or complaining, that employee may file a complaint with the Department. The nearest Department office is listed in the telephone book. The City has a brochure on sexual harassment which is available to all employees for additional information.~~

### 1.34.0 Employment of Relatives

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No person shall be employed as an employee of the City who would be placed in a supervisory or subordinate relationship over or under a person who is a member of the other's "immediate family"<sup>1</sup>. The fact that one or more supervisory levels may exist between related employees does not eliminate the conflict prohibited by this section. No person shall be hired or retained as an employee in a regular or temporary position whose immediate family ~~is~~ ~~includes~~ a ~~current~~ City Council member. Employees are responsible for informing the City Manager of any relationship, or potential relationship, prohibited by this paragraph.

If an employee becomes part of ~~the~~ ~~an~~ ~~other~~ ~~employee's~~ immediate family, or if an employee becomes part of a City Council member's immediate family, only one of the individuals will be permitted to stay in their position. The individuals involved must decide within 30 days of the effective date of the relationship who will retain their position. Absent such a decision, the CM will make the decision if the relationship is between employees. The City Council will make the decision if the relationship is between an employee and a City Council member. Non-paid volunteers acting as employees are exempt from the provisions of this Section.

#### 1.45.0 Personnel Records

All applications for employment, personnel records and employment referral records will be maintained for seven years after the date of last written activity.

A personnel record shall be maintained for every employee and shall contain all information pertinent to his employment. An employee's personnel file may be examined only by the CM, ~~the~~ employee's Department Head, the employee assigned to be responsible for personnel records and those authorized by the CM. The Mayor and the City Council have access to the CM's personnel record.

Employees have the right to examine any portion of their personnel file after submitting a written request to their Department Head or the CM. ~~The City Manager maintains a written form for this purpose, which the employee shall use when making a request.~~

Employees have the right to file a written exception to anything found in their personnel files. An employee's written exception will be filed with their personnel file and will become a part of their permanent personnel file.

<sup>1</sup> ~~The Definition definition~~ of "immediate family" is in paragraph 1.148.0 in Section 1 of this ~~Policy Manual~~ ~~Manual~~.

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~~The Except where the disclosure of additional information is required or authorize by law, the only information from the employee’s personnel file which may be publicly released is: Employees employee’s name; positions held including job descriptions; salary range and other general terms or limits of compensation; and dates pertaining to the employee's employment.~~

**1.56.0 Confidential Information**

Employees may not issue any statement representing City policy or programs or release official information to news media or the public without prior authorization of the CM or as otherwise provided by law.

**1.67.0 Medical Examinations/Fitness for Duty**

The CM or City Council may require an employee to undergo medical (physical or mental) exams, drug testing, or skill tests (at Cities expense), if the employee’s supervisor has reason to believe the employee may be unfit for duty. Such tests can be the basis for reassignment, leaves, conditional employment or termination.

**1.78.0 Drug-Free Workplace ~~Statement~~Policy**

1.8.1. Objective of Policy

It is the intent of the City to maintain a workplace that is free of drugs and alcohol to provide a safe, efficient, and productive workplace. Employees who are under the influence of a drug or alcohol on the job compromise the City’s interests and endanger their own health and safety as well as the health and safety of others.

Substance abuse in the workplace can also cause a number of other work-related problems, including absenteeism and tardiness, unsatisfactory job performance, increased workloads for co-employees, behavior that is disruptive to other employees, and products or services that are of inferior quality.

To further its interests in avoiding accidents, to promote and maintain safe and efficient working conditions for all employees, and to protect its business, property, equipment and operations, the City has established this policy regarding the use of alcohol and drugs. As a condition of continued employment with the City, each employee must abide by this policy. The City Manager has been designated to administer this policy, monitor the program and make reports as required by law.

1.8.2. Applicable Definitions

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For purposes of this policy, the following definitions will apply:

1. "Illegal drugs or other controlled substances" mean any drug or substance that is not legally obtainable, is legally obtainable but has not been legally obtained, or has been legally obtained but is being sold or distributed unlawfully.
2. "Legal drug" means any drug including prescription or over-the-counter drugs that have been legally obtained and that are not unlawfully sold or distributed.
3. "Abuse of any legal drug" means the use of any legal drug for any purpose other than the purposes for which it was prescribed or manufactured, or in a quantity, frequency, or manner that is inconsistent with the instructions or recommendations of the prescribing physician or manufacturer.
4. "Reasonable suspicion" includes a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor, information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable, or a suspicion that is based on other relevant circumstances.
5. "Possession" means that an employee has the substance on his/her person or otherwise under his/her control.

1.8.3. Prohibited Conduct

The prohibitions set forth in this section apply whenever the interests of the City may be adversely affected, including any time an employee is:

1. On City premises;
2. Conducting or performing City business, regardless of the physical location;
3. Operating or responsible for the operation, custody or care of City equipment or other property; or
4. Responsible for the safety of others in connection with, or while performing, City-related business.

1.8.4. Alcohol.

The following acts are prohibited and will subject an employee to discipline up to and including discharge:

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1. The unauthorized use, possession, purchase, sale, manufacture, distribution, or dispensation of alcohol; or
2. Being under the influence of alcohol or otherwise impaired as a result of being under the influence of alcohol

1.8.5. Illegal Drugs.

The following acts are prohibited and will subject an employee to discipline up to and including discharge:

1. The use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of any illegal drug or other controlled substance; or
2. Being under the influence of any illegal drug or other controlled substance or otherwise impaired as a result thereof.

1.8.6. Legal Drugs.

1. The abuse of any legal drug;
2. The purchase, sale, manufacture, distribution, transportation, dispensation or possession of any legal prescription drug in a manner inconsistent with law; or
3. Working while impaired by the use of a legal drug whenever such impairment might:
  - (a) Endanger the safety of the employee or some other person;
  - (b) Pose a risk of significant damage to City property; or
  - (c) Substantially interfere with the employee's job performance or the efficient operation of City business or equipment.

**1.9.0. Drug-Free Awareness/Reporting**

1.9.1. Employee Awareness.

The City has established a Drug-Free Awareness Program that is designed to educate employees about the dangers of drug abuse in the workplace and to help ensure that employees are familiar with this policy and with the disciplinary actions that can result from a violation of it. From time to time, employees will be requested to attend one of

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the sessions of the Drug-Free Awareness Program. During each such session, employees will be given current information about relevant City policies on this subject.

1.9.2. Management Awareness.

The City Manager and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or to otherwise engage in conduct that violates this policy. When any supervisor has reasonable suspicion to believe that an employee or employees are working in violation of this policy, prompt action is required. If the employee in question performs in a designated safety-sensitive position, such action may include drug testing in accordance with the procedures outlined in this handbook.

1.9.3. Criminal Convictions.

Employees must notify the City (by notifying the City Manager) of any conviction under a criminal drug statute for a violation occurring in the workplace or during any City-related activity or event. Employees must notify the City within five days after any such conviction. When required by federal law, the City will notify any federal agency with which it has a contract of any employee who has been convicted under a criminal drug statute for a violation occurring in the workplace as required by law.

**1.10.0 Legal Drugs**

The City recognizes that employees may, from time to time, be prescribed legal drugs that, when taken as prescribed or in accordance with the manufacturer's instructions, may result in impairment. Employees may not work while impaired by the use of legal drugs if the impairment might endanger the employee or someone else, pose a risk of significant damage to City property, or substantially interfere with the employee's job performance. If an employee is so impaired by the appropriate use of legal drugs, he/she may not report to work. To accommodate the absence, the employee may use accrued sick leave or vacation time. The employee may also contact the City Manager to determine whether or not he/she qualifies for an unpaid leave of absence. Nothing in this policy is intended to permit the use of accrued sick leave or vacation time to accommodate absences due to the abuse of legal drugs.

Further, nothing in this policy is intended to diminish the City's commitment to employ and reasonably accommodate qualified disabled individuals. The City will reasonably accommodate qualified disabled employees who must take legal drugs because of their disability.

1.10.1. Normal Use of Over-The-Counter Drugs.

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Nothing in this policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, provided that such activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this policy.

1.10.2. Off-The-Job Activity.

Unless an employee is in a designated safety-sensitive position, this policy is not intended to regulate off-the-job conduct, provided the employee's off-the-job use of alcohol or drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this policy. If an employee is in a designated safety-sensitive position, he or she will be subject to drug testing as described below in this policy.

1.10.3. Authorized Use of Alcohol.

The City may have events or social functions where alcohol for consumption may be available by others. The City does not support the consumption of alcohol at these events. -Further the consumption of alcohol is at the employee's own risk. However, under no circumstances are employees to become impaired at such events or to be transported to or from such events by third parties who are impaired.

1.11.0 Confidentiality

Disclosures made by employees to designated supervisors concerning their use of legal drugs will be treated confidentially and will not be revealed to other managers, supervisors, or employees unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working. Disclosures made by employees to designated supervisors concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.

1.12.0 Counseling/Employee Assistance

Employees, who suspect they may have alcohol or drug problems, even if in the preliminary stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the City Manager, who will determine whether the City can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program. Employees should be aware that participation in a rehabilitation program would not necessarily shield them from discipline for a violation of this policy, especially if discipline is imposed for a violation occurring before the employee seeks assistance.

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### 1.13.0 Drug Testing

#### 1.13.1. Testing of Applicants for Employment

As part of the City's employment screening process, any applicant for a City position, to whom a conditional offer of employment has been made, must pass a pre-employment drug and alcohol test under the procedures described below. The offer of employment is contingent on a negative test result.

#### 1.13.2. Annual Testing of Employees in Designated Safety-Sensitive Positions

Employees in safety-sensitive positions may be required to submit to annual drug testing, under the procedures described below. The City Manager will schedule the testing. Safety sensitive positions include the following:

- Any employee who operates a City vehicle on a regular routine basis as part of their normal work activities.
- Any employee who has a Class A or B driver's license as required by the City.
- Any employee who operates City heavy equipment. (i.e. Backhoe, dump truck)
- Any employee certified to wear Self Contained Breathing Apparatus (SCBA).
- Department Heads and supervisors

If an employee refuses to cooperate with the administration of a drug test, the refusal will be handled in the same manner as a positive test result.

#### 1.13.3. Reasonable Suspicion Testing

If an employee acts in such a manner that his/her supervisor or the City Manager has a reasonable suspicion that the employee is working in an impaired condition or otherwise engaging in conduct that violates this policy, the employee will be asked about any observed behavior and offered an opportunity to give a reasonable explanation. If the employee is unable to satisfactorily explain the behavior, he/she will be requested to take a drug test in accordance with the procedures outlined below.

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If the employee refuses to cooperate with the administration of the drug test, the refusal will be handled in the same manner as a positive test result.

#### 1.13.4 Random Testing

Employees in safety sensitive positions only may be subject to random testing as authorized or required by state or federal law or regulation.

#### 1.13.5. Testing Procedures

The City will refer the applicant or employee to an independent National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory which will administer the test. The City will pay the cost of the test and the applicant or employee's reasonable transportation costs to the testing facility. The applicant or employee will have the opportunity to alert the clinic or laboratory's personnel of any prescription or non-prescription drugs that he/she has taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial screening will be done by EMIT II. Positive results will be confirmed by gas chromatography/mass spectrometry.

The clinic or laboratory will inform the City as to whether the applicant or employee passed or failed the drug test.

In the event of a positive test result, the applicant or employee may:

- Submit additional information in writing to the City to try to explain the positive test result, provided that the City must receive the explanation within three working days after the applicant or employee receives notice of the positive test result;
- Request in writing a confirmatory retest of the original sample, at the applicant or employee's own expense, provided that the City must receive the written request for a confirmatory retest within 48 hours after the applicant or employee receives notice of the positive test results. Any confirmatory retest requested and paid for by the applicant or employee must be conducted by a laboratory that is certified to perform drug testing by the National Institute on Drug Abuse (NIDA).

If an employee fails the test, he/she will be considered to be in violation of this policy and will be subject to appropriate discipline, up to and including termination.

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#### 1.13.6. Acknowledgment and Consent

Any applicant or employee subject to testing under this policy will be asked to sign a form acknowledging the procedures governing testing, and consenting to:

1. The collection of a urine sample for the purpose of determining the presence of alcohol or drugs, and
2. The release to the City of medical information regarding the test results. Refusal to sign the agreement and consent form, or to submit to the drug test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline up to and including discharge.

#### 1.13.7. Confidentiality. All drug testing records will be treated as confidential.

**In compliance with the federal Drug-Free Workplace Act of 1988, the City requires all employees to sign a Drug-Free Workplace Statement as a condition of accepting and retaining employment with the City.**

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#### **1.814.0 Definitions**

The following definitions apply throughout this ~~Personnel Policy Manual~~ ~~Manual~~ unless the context requires another meaning:

ANNIVERSARY DATE: Shall mean any anniversary of the date of the employees first day on the job in a regular (part-time or full-time) position with the City.

APPLICANT: Shall mean a person who has filed an application for a job opening.

APPOINTMENT: Shall mean the selection of an applicant for either a regular or temporary position with the City of Ferndale.

CITY: Shall mean the City of Ferndale.

CITY COUNCIL MEMBERS: Shall mean the four elected or appointed persons serving as City Council members of the City of Ferndale.

CITY CLERK: Shall refer to the appointed position of City Clerk of the City of Ferndale.

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**CITY MANAGER:** Shall refer to the appointed position of CM who is the administrative head of the government of the City of Ferndale as provided in Ferndale Ordinance 99-01.

**COMPENSATORY TIME:** Compensatory time (“Comp. Time”) is given to “non-exempt” employees who regularly work in excess of forty (40) hours<sup>2</sup> per week. Compensatory time is in lieu of premium (overtime) pay. Compensatory time is calculated at one and half (1 ½) times the actual time worked in excess forty (40) hours per week. As a municipal government, the City is permitted by State law to compensate employees with compensatory time instead of overtime pay. Normally, the City does not offer compensatory time off.

**DEPARTMENT HEAD:** Shall mean the City Clerk, Director of Public Works, the Chief of Police, the City Engineer, the **Building Inspector**, the City Planner, or their designees.

**EMPLOYEE:** Shall mean any person holding a paid position with the City of Ferndale unless the individual was hired as an independent contractor or a consultant.

**EMPLOYEE, EXEMPT:** Any employee exempted from federal and state wage laws.

**EMPLOYEE, FULL-TIME:** A full-time employee is defined as either a permanent or temporary employee scheduled to work a minimum of forty (40) hours per week.

**EMPLOYEE, HOURLY PAID:** Shall mean any person working for an hourly wage.

**EMPLOYEE, NON-EXEMPT:** Shall mean an employee of the City who is not classified as an “exempt” employee as defined elsewhere in this section of definitions.

**EMPLOYEE, PART TIME:** A part-time employee is defined as either a permanent or temporary employee scheduled to work less than forty (40) hours per week.

**EMPLOYEE, REGULAR:** Shall mean an employee who is appointed to fill a permanent position (part-time or full-time) and has satisfactorily completed the applicable probationary period.

**EMPLOYEE, SALARIED:** Shall mean any employee who is paid a fixed amount each

**Comment [rg1]:** Does the City contract for inspection services—rendering the Building Inspector an Independent Contractor? If so, the position should be dropped from the definition of Department Head.

**Comment [CM2]:** We contract with the Building Inspector and the City Planner and the City Engineer.

<sup>2</sup> Effective January 1, 1998, required premium pay (compensatory time) for *daily* overtime (*i.e., work in excess of 8 hours per day*) was repealed. Therefore, compensatory time is earned by non-exempt employees only if they work more than forty (40) hours in a week.

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pay period. "Salary Basis" means each pay period, the employee is paid a predetermined amount, at least the minimum weekly salary regulated by federal regulations, and the amount is not reduced because of variations in the quality or quantity of the work performed.

EMPLOYEE, TEMPORARY: Shall mean an employee hired for a specific term (normally expected to be no more than six (6) months) or project and is not eligible for any benefits other than those benefits required by law.

EMPLOYMENT STANDARDS: Shall mean the qualifications the City prescribes for the selection of an employment candidate to fill a specific job position.

FLEX TIME: The discretionary flexibility of an "exempt" employee to schedule his work time and time off subject to the approval of the Department Head or CM in the case of a Department Head and the provisions of Section 5.0 of this ~~Policy Manual~~ ~~Manual~~.

IMMEDIATE FAMILY: Shall mean spouse, long term partner, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee.

MAYOR: Shall mean the separate and directly elected executive head of ~~city~~ ~~City~~ government.

PROBATIONARY PERIOD: The probationary period is different for different employment standards. They are defined in Section 2 of this ~~Personnel Policy Manual~~ ~~Manual~~.

SERIOUS HEALTH CONDITION: one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health-care provider.

**1.915.0 Uniforms and Protective Clothing**

1.915.1 Policy for Sworn Police Officers. ~~(Sets items into Police Ops Manual)~~

The policy and standards for required uniforms, protective clothing, shoes, personal safety items, etc., is delineated in the Ferndale Police Department Operations ~~Manual~~ ~~Manual~~ which may be revised from time to time. The cost of some of these items which are provided by the employee may be reimbursed by the City. The reimbursement policy is delineated in the Police Department Operations ~~Manual~~ ~~Manual~~. All reimbursable purchases made by Police Department employees require the approval of the Police Chief prior to expenditure by the employee.

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City of Ferndale PERSONNEL POLICY ~~MANUAL~~ ~~MANUAL~~ ~~February 11~~ ~~May 1, 2008~~ ~~2013~~

**1.915.2** Policy for All Other Employees

The policy and standards for required dress, protective clothing, safety shoes, personal safety items, etc., is to provide the minimum equipment necessary for the employee to safely do his job. The cost of some of these items that are provided by the employee may be reimbursed by the City. All reimbursable purchases made by City employees require the approval of the City Manager prior to expenditure by the employee.

**1.1016.0** Vehicle Cost Reimbursement

If an employee is authorized in writing by the Department Head or the CM, to use his or her personal vehicle in the performance of City work, reimbursement will be on the basis of total miles driven and at the IRS-approved rate specified by the City Council per mile in effect at the time of travel. Any fines incurred as a result of driving or parking violations are the driver's sole responsibility.

Proof of adequate insurance covering collision, personal injury and property damage with at least \$100,000/\$300,000 coverage must be provided every six months and a valid driver's license shall be required by the City for every employee authorized to use a personal vehicle in the performance of City work. The CM will maintain this in the employees' personnel file. Every attempt shall be made to coordinate work so that City vehicles are available and operational for the performance of City work.

**1.1117.0** Expense Reimbursement

All purchases made by an employee, on behalf of the City, must be authorized by the CM. Unauthorized purchases may not be reimbursed by the City. The CM may authorize disbursement for budgeted purchases less than \$5,000.00. Disbursement \$5,000.00 or greater must be approved by the City Council.

**1.1218.0** Change of Employee Status or Address

It is the employee's responsibility to advise the City's business office and his Department Head of any change in the employee's withholding status, telephone number, address, name or other such information (marriage, change in number of dependents, etc.) that might affect the City payroll records and/or other employee benefits such as health and dental care, etc.

City of Ferndale PERSONNEL POLICY ~~MANUAL~~ ~~MANUAL~~ ~~February 11~~ ~~May 1, 2008~~ 2013

## 1.19.0 Workplace Violence

### 1.19.1 Summary of Policy

In recognition of the fact that workplace violence is a concern among employers and employees across the country, the City has committed itself to providing a safe, violence-free workplace. In this regard, the City strictly prohibits employees, consultants, clients, customers, visitors, the public, or anyone else on City premises or engaging in a City-related activity from behaving in a violent or threatening manner.

Moreover, as part of this policy, the City seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

The City believes that prevention of workplace violence begins with recognition and awareness of potentially early warning signs and has established procedures for responding to any situation that presents the possibility of violence.

### 1.19.2 Workplace Violence Defined

Workplace violence includes, but is not limited to, the following:

1. Threats of any kind;
2. Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others;
3. Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of City property, or a demonstrated pattern of refusal to follow City policies and procedures;
4. Defacing City property or causing physical damage to its facilities; or
5. With the exception of security personnel and law enforcement officers, bringing weapons or firearms of any kind on City premises, in City parking lots, or while conducting City business.

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1.19.3 Reporting

If any employee observes or becomes aware of any of the above-listed actions or any other actual violence, imminent violence, or threat of imminent violence by an employee, client, customer, consultant, visitor, or anyone else, he or she should immediately notify his/her supervisor, the Department Head, or the City Manager, or any other management employee. If appropriate, the employee should also contact the local law enforcement authorities by dialing 911.

Further, employees should notify the City Manager if any restraining order is in effect, or if a potentially violent, non-work-related situation exists that could result in violence in the workplace.

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1.19.4 Investigation

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly. In appropriate circumstances, the City will inform the reporting individual of the results of the investigation. To the extent possible, the City will maintain the confidentiality of the reporting employee and of the investigation. The City may, however, need to disclose results in appropriate circumstances. For example, this may occur in order to protect individual safety. The City will not tolerate retaliation against any employee who reports workplace violence.

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1.19.5 Corrective Action and Discipline

If the City determines that workplace violence has occurred, the City will take appropriate corrective action, and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or verbal warnings, probation, reassignment of responsibilities, suspension, or termination of employment. If the violent behavior is that of a non-employee, ??MCSD?? will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

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In situations where it is found appropriate to do so, the City may request that an employee who violates this policy participate in counseling, either voluntarily or as a condition of continued employment.

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**1.1203.0 Suggestion System**

The City encourages employees to submit ideas and suggestions to improve operations and

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reduce costs. These suggestions should be discussed with the Department Head. Suggestions which may affect multiple Departments should be submitted to the City Manager by the Department Head.

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**2.0 EMPLOYMENT CLASSIFICATION**

**2.1.0 Probationary Period, Procedures, and Evaluation**

2.1.1 General

All new employees shall be on a probationary period starting with the first day of employment. Such period of probation shall be to determine the employee’s ability to satisfactorily perform the duties of his job and determine his ability to work with other employees.

2.1.2 Police Officers

The probationary period for police officers shall be twelve (12) months for all entry-level positions and twelve (12) months for all promotions.

2.1.3 All Other Employees

The probationary period for all employees other than police officers shall be six (6) months for all entry-level positions and six (6) months for all promotions. A probationary period may be extended for 60 days with the consent of the City Manager (CM) and employee.

2.1.4 Probationary Procedures

During the probationary period, an employee may be dismissed at any time in accordance with at-will status by the City Manager (CM). Dismissal shall be in accordance with procedures set forth in Section 7 of this Personnel Policy Manual (Manual). Any employee dismissed during his probationary period following a promotional appointment shall be reinstated to the position from which he was promoted unless the employee was charged with misconduct (Section 4) which warranted the disciplinary procedure of dismissal (Section 7).

The probationary period shall not include time served under any temporary appointment. Probationary employees shall be entitled to use sick leave, vacation leave, and compensatory time if earned, during the probationary period with the approval of the Department Head. Probationary employees shall be paid for the City holidays listed in Section 10 of this Personnel Policy Manual. If the Job Description provides for the position to be eligible for City-provided health, dental, and vision care benefits, there may be a required waiting period before these benefits can be used by a newly appointed employee. Regular appointment shall begin with the day following the expiration date of

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the probationary period.

While serving a probationary period, the employee is not prevented from being promoted to a higher position. If an employee is promoted during his probationary period, the probationary period for the position to which he is promoted shall begin with the date of appointment to the promoted position.

The Department Head, with the approval of the CM, may extend the probationary period for an additional period of time when such an extension is deemed appropriate or beneficial. The extension requires a written notice stating the reason for the extension.

2.1.5 Probationary Evaluation

Each probationary employee shall have his performance evaluated at the end of every three (3) months for the entire length of his probationary period or at more frequent intervals when deemed necessary by the Department Head, CM, or City Council. Such evaluations shall be reported on a Performance Evaluation Report, which will become part of the employees file. (The format of this report may change from time to time and may be specific to the Department.)

A probationary employee is not entitled to utilize the grievance procedures as described in Section 8 of this Policy.

**2.2.0 Permanent Full-Time**

An employee who has been appointed to a position that is regularly assigned at least forty (40) hours of work per week for fifty-two (52) weeks per year and has successfully completed the probationary period is considered a permanent full-time employee and shall be eligible for all paid benefits. See Appendix A in Section 12 - Schedule of Employee Benefits by Classification which summarizes paid benefits.

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**2.3.0 Regular Part-Time**

An employee who has been appointed to a position that regularly works less than forty (40) hours a week for fifty-two (52) weeks per year and has successfully completed the probationary period is considered a regular part-time employee. Regular part-time employees are eligible for some paid benefits. See table in Section 12 - Schedule of Employee Benefits by Classification which summarizes paid benefits.

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2.4.0 Temporary Full-time

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An employee who has been appointed to a position that regularly works at least forty (40) hours per week and for a duration of six (6) months or less is a temporary full-time employee. The purpose for the temporary position can be for performing seasonal work, special contracts or projects, or to help the City with abnormally large workloads or emergencies, or other conditions as approved by the CM. Temporary full-time employees are paid on an hourly basis and are not eligible for health, dental, vision benefits, vacation, or sick leave benefits. Temporary full-time employees may be assigned to work overtime and will earn compensatory time for all overtime work performed.

**2.5.0 Temporary Part-time**

An employee who has been appointed to a position that regularly works less than forty (40) hours per week and for a duration of six (6) months or less is a temporary part-time employee. The purpose for the temporary position can be for performing seasonal work, special contracts or projects, or to help the City with abnormal large workloads or emergencies, or other conditions as approved by the CM. Temporary part-time employees are paid on an hourly basis and are not eligible for health insurance, vacation, or sick leave benefits.

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**3.0 HIRING POLICY**

**3.1.0 General**

When a permanent or temporary position becomes vacant, the Department Head with the approval of the City Manager (CM) may determine whether or not to fill the vacancy. If the vacancy is to be filled, the CM shall have the authority to hire the most qualified applicant after following the recruitment procedure. If a Department Head position becomes vacant, the ~~City Manager~~ **CM** will hire or promote the most qualified applicant for the position. If the ~~City Manager~~ **CM** position becomes vacant the City Council will select the most qualified candidate.

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**3.2.0 Recruitment**

Vacancies may be filled by open or closed recruitment as recommended by the Department Head and approved by the CM. When a new position is created by the City, the CM will determine if the position will be filled by either “open” or “closed” recruitment, unless specifically directed by the City Council.

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Open recruitment procedure indicates that the position is open to the public at large and the City will receive applications from any person.

Closed recruitment procedure indicates that the position is for promotional determination and is open to only eligible City employees. The CM may use this procedure to hire temporary employees for special projects of less than six months.

3.2.1 Permanent job openings for positions to be filled through the “open” procedure will use a public announcement process that may include, but is not limited to: posting announcements at appropriate federal, state and local employment agencies (such as EDD, etc.) and contacting prospective applicants through local as well as professional organizations and publications. All announcements for “open” job openings shall be advertised in a local daily newspaper for a minimum of five days.

3.2.2 Permanent job openings for positions to be filled through the “closed” procedure will be announced only to City employees and are exempt from the public announcement process. The CM must present his reasons for a “closed” procedure to the City Council for approval prior to any job opening announcement.

**Comment [CM1]:** This not clear 1/2/13; Steve Coppini had to be promoted after Doug Culbert left according to the Water Quality Control Board. NKS.

3.2.3 Temporary job openings may be filled through either the “open” or “closed” procedure. However, the urgent need to fill temporary positions created

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because of abnormally large work loads or emergencies may allow the requirement to advertise in a local daily paper for a minimum of five days to be waived. The CM has the authority to waive the requirement due to urgency.

**3.3.0 Applications**

All job applications shall be made on application forms provided by the City. The application form must be filled out completely and submitted to the business office of the City on or before the closing date and time specified in the job announcement or postmarked before midnight of the closing date.

All job applications are confidential records of the City, and under no circumstances will they be returned to the applicants. Incomplete applications or defective applications may be amended by the applicant prior to the closing date for filing applications. After the closing for filing applications, incomplete or defective applications may constitute disqualification of the applicant as determined by the CM.

**3.4.0 Qualification of Applicants**

Applicants must have met the minimum qualification requirements as stated in the job description.

If the selected job applicant is determined to possess extraordinary qualifications for the position for which the applicant is being appointed, the CM with the approval of the City Council may offer a higher salary than was offered in the job announcement but is still within the approved pay scale range of the position.

The Department Head or the CM may disqualify any applicant if the applicant is found to:

1. Lack any of the preliminary requirements announced for the position.
2. Be unable to perform the essential functions of the position with or without reasonable accommodations for the applicant's disability.
3. Have been convicted of any crime designated by California Government Code Section 1021.
4. Have made a false statement of material fact in his or her application.
5. Have failed to submit his application correctly or within the prescribed time limits.
6. Have been dismissed previously from employment by the City for inefficiency, ~~or~~ delinquency, or misconduct.
7. ~~Other~~ Any other material fact that makes the applicant unacceptable for City employment.

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If an applicant is invited to an interview and is disqualified following the interview, a written notice shall be given to the applicant within ten (10) days of the elimination of that applicant from further consideration.

Statements of required training and experience will be used as part of the basis for comparison among applicants; however, the CM after the recommendation of the Department Head will make a final determination of what are reasonable and acceptable qualifications in all cases.

**3.5.0 Offer of Employment**

Prior to making an offer of employment for either regular open and temporary positions, all applicants may be required to successfully complete the following:

- 1. California Criminal Identification and Investigation record check.
- 2. A drug screening test.
- 3. A physical examination to determine fitness for the physical requirements of the position.
- 4. Check of references, former employers, and other associated background checks.
- 5. Fingerprint record.
- 6. Department of Justice (fingerprints) previous employer background check.

All offers of employment require the approval of the CM.

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**4.0 EMPLOYEE CONDUCT**

**4.1.0 General**

In addition to general job knowledge, each employee is expected to show initiative in his work, to accept responsibility and to follow through with assigned tasks. Cooperation and consideration among fellow employees is paramount. Physical abuse, spoken or written threats, or spoken or written disparagements of any kind toward the public or other employees are forbidden and will not be tolerated.

In dealing with the public, all employees are expected to maintain a courteous and helpful attitude.

**4.2.0 Attendance and Punctuality**

4.2.1 General

Attendance, which includes absences and tardiness, is important and is given consideration in performance evaluations, merit increases and promotions. Excessive employee absences and/or tardiness for which there is no satisfactory explanation may jeopardize continued employment.

4.2.2 Notice

Employees are responsible for informing their supervisor in advance of any deviation that may be required in regular work hours, including any time the employee may be late and all forms of absences. The employee is required to give as much advance notice as possible.

4.2.3 Abandonment of Employment

If an employee is absent without authorization from his Department Head or the City Manager (CM) for three consecutive work days, the City shall consider the employee to have resigned his position by method of abandonment. Absences of shorter duration without authorization may be regarded as misconduct and can be cause for discipline according to Section 7.0 of this Manual.

**4.3.0 Smoking**

Smoking is not allowed inside the City offices, facilities, vehicles, or any rooms used by the public.

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**4.4.0 Personal Business and Employment Other than the City**

Employees may not use City's time or facilities, equipment, supplies, prestige or uniforms for personal purposes or for private gain.

Employees may not receive money in excess of \$10.00 or any other form of non-City consideration for performance of job-related duties.

Each employee of the City, regardless of the capacity in which he may be employed, cannot engage or have the appearance of engaging in any activity for compensation which is inconsistent, incompatible or conflicting with his duties or which might impair the impartial performance of his duties as a City employee.

No employee of the City, while on duty, shall participate in any non-City government activity without prior written approval of the Department Head or CM.

No employee shall engage in or direct an action that they know will violate City, State, or Federal law or ordinance.

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**4.5.0 City Property**

Employees are personally responsible for the care and custody of any City vehicles, radios, pagers, keys, uniforms or other City property assigned to them for their use. The cost of replacing or repairing any such property which is lost, stolen, or damaged due to negligence, as determined by the Department Head or CM, may be investigated and deducted from the employee's wages if appropriate. Employees are not permitted to use City facilities, equipment, supplies, or uniforms for personal use during or after business hours without prior written authorization from the Department Head or CM. The use of city facilities to store or shelter personal vehicles or private property other than those personal tools used in the performance of city work is prohibited.

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**4.6.0 Personal Appearance**

Clean, appropriate dress and grooming are required when working or conducting City business. Clothing expressing profanity or political or commercial messages ~~are~~ is forbidden and inappropriate for conducting city business.

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**4.7.0 Safety**

4.7.1 Personal Safety

All employees are responsible for exercising appropriate safety procedures

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necessary to prevent accidents and injuries. Each employee's cooperation in the implementation of this responsibility is required. Any unsafe condition of which any employee is aware must be reported immediately to his supervisor.

4.7.2 On-the-Job Incidents

Any accident or injury, no matter how small, must be reported immediately the same day to the ~~employee's~~ ~~employee's~~ supervisor and a written report must be filed with the CM as soon as possible. If the incident occurs after regular work hours, the employee must telephone the City emergency number and file a verbal report as soon as possible.

4.7.3. Incidents Involving a City Vehicle

In all traffic accidents involving a City of Ferndale vehicle the employee will contact the appropriate police department to investigate the accidents. In the case of a traffic accident with another vehicle the employee is required to obtain: the driver's license number, vehicle license number, names of the insurance company covering the other driver and the name of the Police Officer investigating the accident.

**4.8.0 Political Conduct**

As citizens, City employees have the right to participate in elections and be involved in various political activities. As employees of a governmental entity, certain constraints may be placed upon the nature and manner of their involvement. Prior to any active involvement in any election or in any political issue, the CM should be consulted to clarify your rights and responsibilities. The CM should consult with the City Council prior to any political activity.

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**4.9.0 Misconduct**

City may use a full range of disciplinary actions in accordance with at-will employee status, varying from verbal reprimands to termination, to address inappropriate behavior or poor performance.

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**4.10.0 Solicitation and Distribution of Written Materials by Employee**

City employees may not engage in solicitation on City premises during working or non-working time. Solicitation or distribution by an employee in any way connected with the sale of goods or services is strictly prohibited anywhere on City property at any time. City employees may distribute or circulate written materials not generated by the City to

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other employees only during non-working time and not on city property.

**4.11.0 Employee Information Area**

The City maintains an employee information area at city hall for the purpose of communicating with its employees. Postings are limited to City-related material including statutory and legal notices, safety awareness, update notices concerning any employee benefits and similar subjects of general interest to City employees.

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**4.12.0 Loss or Damage of ~~Employee's~~ Employee's Personal Property**

The City does not assume any responsibility for the loss or damage of employee's personal belongings or property. Employees are expected to exercise proper care and judgment to protect their personal property from loss or damage.

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The City will not assume responsibility for fire, theft, or damage of an employee's private automobile including while driving on City business.

**4.13.0 Search of City Property and Employee's Personal Belongings**

The City reserves the right to search work stations, lockers, desks, City vehicles, lunch boxes, briefcases, purses, coats, tool boxes, and any other personal property of employees, and their contents for unsafe or illegal items on ~~city~~-City property. City employees do not have an expectation of privacy while on ~~city~~-City property. The City will conduct searches only when there is reasonable cause to believe that the employee has contraband or unsafe items in their possession. Any contraband in plain view may be confiscated.

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When contraband is not in plain view, but there is reasonable cause to believe that contraband is on City property, the City will ask for the employee's permission to conduct a search. City employees have no reasonable expectation of privacy in, and may not withhold permission for City officials to search, City supplied containers, including desks, lockers, tool boxes, and City vehicles.

**4.14.0 E-Mail, Voice-Mail, and Computer Network System Privacy**

The City respects the individual privacy of its employees. Personal privacy rights do not extend to work-related conduct or the use of City-owned equipment, computers or supplies. The following policies concerning e-mail, voice-mail, and computer stand-alone or network systems apply to all City employees:

**4.14.1 City's Right to Access Information**

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Although City employees may have individual access codes to e-mail, voice-mail, and computer network systems, these systems shall be accessible at all times by the CM, Department Heads, and other City officials, and may be subject to periodic unannounced examinations by the City. All system pass codes must be available to the CM, Department Heads and City officials. Employees may not use pass codes that are unknown to the City. Backup copies of e-mail or voice-mail may be maintained and may be referenced for business and legal reasons.

#### 4.14.2 Use of Systems Restricted to City Business

City employees are expected to use e-mail, voice-mail, computer network system(s) for City business only and not for personal purposes. Personal purposes include, but not limited to, soliciting for commercial ventures, religious or political causes, outside organizations, or other non job-related solicitations.

#### 4.14.3 Prohibited Content

City employees are prohibited from using the City's information system in any way that may be disruptive or offensive to others, including, but not limited to, the transmission of sexually explicit messages, cartoons, ethnic or racial slurs, or anything that may be construed as harassment or disparagement of others.

#### 4.14.4 Password Security

City employees are prohibited from unauthorized use of the access codes of other employees to gain access to their e-mail and voice-mail messages. Personal or other inappropriate use of the City's information system(s) may result in discipline, up to and including discharge.

**5.0 WORK SCHEDULES**

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**5.1.0 Work Hours**

5.1.1 The work week for the City consists of -seven (7) days and begins at 12:00 A.M., on Saturday and ends at 11:59 P.M. the next succeeding Friday. The work schedule for each Department will be established by the Department Head with the approval of the City Manager (CM). The work hours for each employee will be scheduled by the Department Head and/or CM. The work schedule for the CM will be established by the City Council.

5.1.2 The needs and services of the City require a variety of work schedules. These are determined by the Department Head, or the CM.

5.1.3 Regular work hours are eight hours of a twenty-four-hour-day as determined by the Department Head or CM. Employees shall be in attendance at their work during their regular hours of work and shall not absent themselves during working hours for any reason without prior written approval of the Department Head or CM.

5.1.4 Any dispute as to what hours are assigned to an employee shall be decided by the Department Head or CM. That decision shall be final.

**5.2.0 On-Call** (As a general rule, the City does not require on-call for regular employees. The Police Department policy may differ.)

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5.2.1 "On-Call" is the term used for employees designated by job description and/or the Department Head to be available during off-work hours to respond to emergencies. Both the Police and Public Works Departments require employees to be "On-Call" and each Department will establish a written "On-Call" policy which is approved by the CM.

**Comment [rg1]:** Jay, the City should review these policies to make certain they are consistent with current law.

5.2.2 Compensation for "On-Call" assignments will be delineated in each Department's written "On-Call" policy and approved by the CM. The "On-Call" compensation schedules for each Department will also be included in the Salary Schedule approved by the City Council.

**5.3.0 Stand-By**

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5.3.1 "Stand-By" is the term used for employees designated by job description and/or the Department Head to be generally available during off-work hours to respond to and assist the "On-Call" employee if an emergency is significant and

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beyond the ability of the “On-Call” person to contain or resolve.

5.3.2 Compensation for “Stand-By” assignments will be delineated in each Department’s written “On-Call” policy and approved by the CM. The “Stand-By” compensation schedules for each Department will also be included in the Salary Schedule approved by the City Council.

Comment [rg2]: See Comment No. 1, above.

5.4.0 Overtime

5.4.1 ~~The City pays overtime for non-exempt employees at time and one-half for any hours worked in excess of 40 hours per week or 8 hours per day and for the first 8 hours worked on the seventh consecutive workday of a workweek, and at double time for any hours worked in excess of 12 hours per day or beyond 8 hours on the seventh consecutive workday of a workweek. All overtime must be approved in advance by the employee’s supervisor.~~

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5.4.2 ~~Overtime will be computed on actual minutes worked, adjusted to the nearest 15-minute increment.~~

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5.4.3 ~~Only those hours that are actually worked are counted to determine an employee’s overtime pay. “Hours worked” means time actually spent on the job. It does not include an unpaid meal period, makeup time, or hours away from work due to vacation, sickness, holiday, jury duty, or other absences from work. Exempt employees are not paid overtime, even if their hours exceed the normal work schedule.~~

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5.4.4 ~~A non-exempt employee may not work overtime without the express written documented prior approval of his/her supervisor.~~

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~~It may be necessary for employees to work more hours than they are scheduled. All non-exempt employees will be paid overtime one and one half (1 ½) times their regular straight time hourly rate of pay for all time worked in excess of forty (40) hours in any one (1) workweek. Their supervisor will approve all overtime in advance.~~

5.5.0 Compensatory Time

5.5.1 Normally the city does not offer compensatory time off.

Comment [rg3]: Compensatory time presents substantial liability concerns for wage and hour violations. If the City does not regularly use compensatory time off, I suggest the City delete it from its policies.

5.5.2 Reimbursement for overtime shall be calculated in units of compensatory time at one and one-half hours compensatory time for each hour of overtime worked in excess of forty (40) hours per week up to a total of 40 hours of compensatory time. Once an employee obtains 40 hours of compensatory time he will start receiving cash payments for any overtime worked above the 40 hours.

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5.5.3 Payment of Accumulated Compensatory Time

The City will issue a payroll check for compensatory time that has been accumulated by an employee for the following reasons:

1. The employee is experiencing extreme hardship circumstances and submits a written request to his Department Head and the Department Head and CM approves the request.
2. The Department Head with the approval of the CM determines that it is impractical to allow the employee to take compensatory time off due to the operational needs of the City and the employee agrees to take a cash reimbursement for some or all of the employee's accumulated compensatory time.

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- 3. An employee has accumulated compensatory time in excess of forty (40) hours and the Department Head has determined it is in the best interest of the City and with the approval of the employee agrees to take a cash reimbursement This payment requires the approval of the CM.
- 4. Termination of the employee by the City for any reason.
- 5. Layoff of the employee due to lack of work or funds.
- 6. Resignation or abandonment of employment by the employee.
- 7. Death of the employee.

**5.6.0 Flex Time**

5.6.1 "Flex Time" means a work schedule other than a standard work week. The practice and use of Flex Time cannot result in adverse performance of the employee's area or department of responsibility and should be used only if necessary to achieve the objectives of the City. The use of Flex Time requires the prior written approval of the CM. The accumulation of Flex Time does not become an ownership or vested right of the employee. Flex Time is never allowed to be converted to a cash reimbursement for any reason. If the employee leaves the employment of the City for any reason there is no reimbursement for any accumulated Flex Time.

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**5.7.0 Time Sheets**

5.7.1 With regard to all employees, time records must reflect the hours worked each day. An employee is allowed to record time only on his/her time record, and must be completed daily. Completing another employee's time record or falsifying any time record will not be tolerated and may result in immediate termination of employment.

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5.7.2 An employee's time record is confidential. Viewing another employee's time record, except by the Department Head or the City ManagerCM, is prohibited.

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5.7.3 Employees are required to verify the accuracy of their pay upon receipt of their check. The City wants to be sure you have been paid all amounts earned. Accordingly, if you disagree with the amount of your check, you are required to bring any concerns about the accuracy of your paycheck to the attention of your Department Head or the City Manager without delay. 5.7.1 Time sheets are due at the City office as directed by the CM. Each employee shall sign his time sheet

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~~verifying the hours worked. It is the responsibility of the employee to make certain his time sheet has been filled out correctly before submitting.~~The Department Head shall verify and approve each employee’s accumulated hours of work prior to submitting to the business office for payment. Records of hours worked, vacation time, compensatory time, sick leave, and holiday accumulated and used, shall be kept by the business office.

**5.8.0 Payroll Deductions**

5.8.1 Taxes

Federal and state laws require the City to withhold the following taxes from all employees’ wages:

1.	Federal Income Tax;
2.	California Income Tax;
3.	Federal Insurance Contributions Act (FICA), (Social Security and Medicare) Payroll Tax;
4.	California State Disability Insurance (SDI) Payroll Tax.

5.8.2 Garnishments

Wage garnishments against an employee’s pay can be a costly administrative burden for the City. Therefore, City employees are expected to meet their personal financial obligations without involving the City. If the City receives a court order to garnish an employee’s wages, the City must comply with that order. If the City receives excessive court orders to garnish an employee’s wages this may result in discipline, up to and including discharge.

**5.9.0 Paydays**

The City Clerk or Finance Director will issue paychecks. Paychecks will be issued according to the payday notice posted in the Employee Information Area located in City Hall. ~~+(See Section 4 of this Manual about Employee Information Area)-.~~ Employee paychecks will be released only to the employee unless the employee has provided the City with written authorization to give it to another individual.

If an employee does not work on the posted payday, the City’s business office will hold the employee’s check until the employee picks it up.

Employees who resign or are discharged by the City will be paid all amounts due to the

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employee in accordance with applicable law.

**6.0 EMPLOYEE PERFORMANCE**

**6.1.0 Job Description**

Each City position shall have a written job description and each employee shall be provided a copy at the time of hire. A copy of the current job description will become a permanent part of the ~~employee's~~ employee's file.

If an employee changes positions, the job description for the new position will be given to the employee and it will become a permanent part of the employee's file.

If the job description is revised, the revised job description will be given to the employee and that job description will become a permanent part of the employee's file.

Failure to meet performance requirements of the job description, either during or after the probation period, could result in some form of disciplinary action as described in Section 7.0 of this Personnel Policy Manual (Manual).

**6.2.0 Performance Review**

The City encourages all employees to develop their full potential as it relates to job performance. To assist the employee and City management in assessing and further developing an ~~employee's~~ employee's performance, capacity for increasing responsibility and promotion, as well as standards for a given position, performance appraisals will be conducted on a regular basis by the Department Head.

6.2.1 Evaluations will become a permanent part of the ~~employee's~~ employee's employment record and may be used in disciplinary actions, transfers, promotions and other personnel matters.

6.2.2 Evaluation Format

A formal evaluation will take place two weeks prior to the end of the probationary period and at least once annually thereafter. A performance review may also be conducted whenever the ~~employee's~~ employee's Department Head believes there has been a significant change, either positive or negative, in the employee's performance.

The Department Head will provide the employee with a written report -which will be reviewed with the employee during a confidential interview. After reviewing the report, the employee will be asked to sign it and acknowledge that ~~he~~ he/she either concurs or does not concur with the evaluation findings. If the employee

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does not concur, ~~he/she~~ may file a written statement within the next five working days indicating which aspects of the evaluation ~~he/she~~ contests. The employee's written statement will become part of the written record. The statement will be maintained in the employee's personnel file.

**6.3.0 Unsatisfactory Performance**

When a formal evaluation determines that an ~~employee's~~ employee's work performance is unsatisfactory, appropriate corrective effort, including counseling and training, shall be undertaken. If the ~~employee's~~ employee's performance continues to be unsatisfactory, disciplinary action shall be taken.

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**6.4.0 Salary Increase**

6.4.1 General Policy

It is the intent of City to establish and maintain rates of pay that fairly compensate employees for performance of their respective duties. Fair compensation is that which is consistent with the level of compensation for comparable positions in public and private organizations as determined by the ~~city~~ City council ~~Council~~ and reflects the level of responsibility assigned to the position.

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6.4.2 Completion of Probation

A new employee may become eligible for two types of salary adjustments after successful completion of the probationary period. The two types of salary increases are Merit Increases and/or Cost of Living (COLA) adjustments. All salary adjustments, whether a Merit Increase or COLA adjustment, are entirely discretionary in nature and the employee has no right or entitlement to an adjustment.

6.4.3 Cost of Living Adjustments (COLA)

The CM, during the preparation of the City Budget for the next fiscal year, may consider the effect of the Consumer Price Index (CPI) on the City's current Salary Plan, in the CM's discretion. The CM may, in his or her discretion, propose a Cost of Living (COLA) adjustment to the Salary Plan when the proposed Annual Budget is submitted to the City Council for approval. If a COLA is approved by the City Council, the Salary Plan will be adjusted to reflect this change. If a COLA adjustment is approved by the City Council, all city employees will receive the increase.

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**6.5.0 Advancement**

The City encourages all its employees to pursue job advancement. This can be accomplished by increasing understanding and proficiency in job skills used within their department and in any other areas. All current employees of the City are encouraged to apply for appointment to any vacant position. The ~~city~~ City will consider new skill acquisition and education when considering ~~an~~ advancement.

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**7.0 DISCIPLINARY POLICIES AND PROCEDURES**

**7.1.0 General**

Discipline refers to actions taken by the City to discourage or eliminate poor performance of an employee, including, but not limited to actions deemed as misconduct as specified in Section 4.9.0 of this ~~Personnel Policy~~ **Personnel Policy** Manual (**Manual**). Disciplinary action can range from verbal reprimands to dismissal.

There are two separate disciplinary policies and procedures for City employees. One policy and procedure is applicable to all City employees except sworn police officers. The other policy and procedure is applicable only to sworn police officers, including the Chief of Police. The disciplinary procedures used by the City for sworn police officers follows standards that comply with the "Peace Officers Bill of Rights." These two separate policies and procedures are clearly differentiated in this Section.

**7.2.0 Disciplinary Policy and Procedures for Sworn Police Officers**

Disciplinary policy and procedures for City employees who are sworn police officers are delineated in the ~~Ferndale Police Departmental Manual of Operations~~, in the section titled "Disciplinary Procedures" and are summarized and referenced in this Section of the ~~Personnel Policy~~ **Manual**.

7.2.1 Types of Disciplinary Actions. The types of disciplinary actions applicable to sworn police officers are delineated in the Ferndale Police Department Manual of Operations (and its successors).

7.2.2 Authorization of Disciplinary Action. Authority to administer disciplinary action is delineated in the Ferndale Police Department Manual of Operation (and its successors). However, section 7.3.2 of this ~~Policy~~ **Manual** is applicable concerning disciplinary action against the Chief of Police who functions as a Department Head.

7.2.3 Reasons for Disciplinary Action. Section 7.3.3 of this ~~Policy~~ **Manual** is applicable **to sworn police officers and the Chief of Police**.

7.2.4 Documentation of Disciplinary Action. Section 7.3.4 of this ~~Policy~~ **Manual** is applicable **to sworn police officers and the Chief of Police**.

7.2.5 Effective Date of Disciplinary Action. Section 7.3.5 of this ~~Policy~~ **Manual** is applicable **to sworn police officers and the Chief of Police**.

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**Comment [rg1]:** The City should have the Chief of Police review the Manual and consult with other law enforcement agencies/associations to determine if there are any significant policies and practices that other entities are using. If so, the Ferndale Police Department may want the City of Ferndale to review those policies/practices in the context of this Personnel Policy update.

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7.2.6 Provisions for Immediate Actions. Section 7.3.6 of this ~~Policy~~ Manual is applicable to sworn police officers and the Chief of Police.

7.2.7 Right to Appeal Disciplinary Action. Section 7.3.7 of this ~~Policy~~ Manual is applicable.

**7.3.0 Disciplinary Policy and Procedures for All Other City Employees**

Disciplinary policy and procedures for all City employees other than sworn police officers are delineated in this section of the ~~Personnel Policy~~ Manual.

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7.3.1 Types of Disciplinary Actions. A City employee may receive the following types of disciplinary action:

1.	Verbal reprimand
2.	Written counseling
3.	Letters of Reprimand
4.	Disciplinary probation
5.	Suspension with or without pay
6.	Reduction in pay
7.	Demotion
8.	Dismissal

7.3.2 Authorization of Disciplinary Action. Only Department Heads and the City Manager ~~CM~~ may administer all the listed disciplinary actions in 7.23.1. However, supervisors may issue verbal reprimands to City employees who report to that supervisor. Department Heads can only administer disciplinary action to City employees who report to that Department Head. Only the CM can administer disciplinary action to Department Heads. If the situation warrants the action, the CM may administer disciplinary action directly to a City employee who is not a Department Head when the ~~Department~~ Head position is vacant. The City Council may discipline the CM.

7.3.3 Reasons for Disciplinary Action. Disciplinary action can be for violations of laws and for those provisions listed ~~as "misconduct"~~ in Section 4 of this ~~Personnel Policy~~ Manual.

7.3.4 Documentation of Disciplinary Action. Every disciplinary action, except a verbal reprimand, will be documented and a copy placed in the City's personnel records for that employee and the original will be given to the employee. It is at the discretion of the Department Head or the CM, if a verbal reprimand is

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documented and filed in the employee's personnel file for future reference. (If a verbal reprimand is documented, it is considered to be "documented counseling" and will still be treated as a verbal reprimand and not a written reprimand). If a verbal reprimand is documented and filed, the original will be given to the employee.

The documentation of disciplinary action (referred to in this Section as Written Notice of Disciplinary Action) shall contain at least the following information:

1. Employee's Name and the date of the Written Notice of Disciplinary Action is issued;
2. A clear and concise statement of the acts or omissions (misconduct) upon which the disciplinary action is based;
3. A description of the disciplinary action and the effective date or dates;
4. A statement that a copy of this Written Notice of Disciplinary Action will be placed in the employee's personnel record. In addition, if disciplinary action is based on other documents, a copy of those materials will be provided to the employee or made available for examination if requested by the employee;
5. A statement advising the employee of the right to appeal to the CM or City Council;
6. A statement that if the employee wishes to appeal the disciplinary action, the employee's request to appeal must be presented in writing within two (2) working days of the delivery date of Written Notice of Disciplinary Action, otherwise the employee shall be deemed to have waived all rights to the appeal procedure;
7. The Written Notice of Disciplinary Action shall be given to the employee by personal delivery or by registered mail with return receipt requested. If the notice is sent by registered mail, it shall be deemed received in three (3) calendar days after mailing.

#### 7.3.5 Effective Date of Disciplinary Action.

7.3.5.1 If the disciplinary action against a City Employee is: (1)

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Reduction in pay, (2) Suspension without pay, (3) Demotion, or (4) Dismissal, the employee's Department Head (or the CM in the case of a disciplinary action against a Department Head) shall provide the employee a Written Notice of Disciplinary Action and allow at least two (2) working days before the effective date of the disciplinary action. However, in these cases, the employee may be given a suspension with pay immediately while allowing at least two (2) working days before the effective date of the disciplinary action.

7.3.5.2 If the disciplinary action against a City employee is: (1) Written reprimand, (2) Disciplinary probation, or (3) Suspension with pay, the employee's Department Head (or the CM in the case of a disciplinary action against a Department Head) shall provide the employee a written notice, the effective date of the disciplinary action and if it can be effective immediately.

7.3.6 Provisions for Immediate Disciplinary Actions

7.3.6.1 If an employee reports for work under the influence of alcohol and/or drugs, or if the ~~employee's~~ employee's actions clearly indicate that the ~~employee's~~ employee's continued presence at the work site would constitute a threat to property or to the health and safety of the public or the City employee, the Department Head or the CM may suspend the employee without pay immediately and prior to giving the Written Notice of Disciplinary Action. The delivery of the Written Notice of Disciplinary Action (Section 7.3.4) shall be accomplished as soon as practicable, but not less than two (2) calendar days. This provision for immediate action is provided to protect the City and the employee from possible harm and injury.

7.3.7 Right to Appeal Disciplinary Action. All employees who are disciplined have the right to appeal the disciplinary action, except for a verbal reprimand.

7.3.7.1- \_\_\_\_\_ All appeals of disciplinary actions by a Department Head against an employee shall be heard by the CM. All appeals of disciplinary actions by the CM against a Department Head or in case where the CM also serves as the employee's Department Head shall be heard by the CM.

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7.3.7.2- \_\_\_\_\_ Requests of appeal to the CM shall be made in writing and submitted to the CM through the employee’s Department Head or directly to the CM in the case of disciplinary action against a Department Head. In the case where the CM also serves as the employee’s Department Head, the request for appeal will be submitted directly to the CM.

7.3.7.3- \_\_\_\_\_ The request for appeal must be submitted by the appellant employee within two (2) working days of the receipt of the Written Notice of Disciplinary Action. Failure to request an appeal within this time frame shall be a waiver of the employee’s right to appeal.

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7.3.7.4- \_\_\_\_\_ The written request for appeal shall include a statement of the facts of the appeal and the recommended solution in sufficient detail to enable the CM to understand the nature of the disciplinary action and proceedings and the parties concerned. The request for appeal shall include any relevant written information germane to the appeal.

7.3.7.5- \_\_\_\_\_ The CM will hear the appeal within five (5) working days after receipt of the request for appeal, unless there is an extension by mutual agreement of the appellant and the CM. If CM is absent from the City, the appeal will be heard by the CM within two (2) working days after his return. All appeals will be heard in private with the CM. The CM may request the employee’s Department Head to be present during the appeal hearing at the discretion of the CM. The employee may have another person of his choice attend the appeal hearing with the CM.

7.3.7.6 \_\_\_\_\_ The disciplinary action prescribed in the Written Notice of Disciplinary Action will not take effect until the CM has heard the employee’s appeal and issued a written decision. However, if the employee was suspended with pay or suspended without pay under the provisions of paragraph 7.3.2.6, those suspensions will remain in effect until a decision on the appeal is made by the CM.

7.3.7.7 \_\_\_\_\_ The CM may perform further relevant investigation(s) after hearing the employee’s appeal. The CM shall

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issue a written decision on the appeal of disciplinary action within two (2) working days after the appeal hearing, unless there is an extension by mutual agreement of the appellant and the CM.

7.3.7.8 \_\_\_\_\_ The CM's written decision on the appeal may: (1) Sustain the Written Notice of Disciplinary Action; (2) Reverse the disciplinary action and expunge the Written Notice of Disciplinary Action from the employee's personnel record; (3) Impose a different type of disciplinary action in lieu of the original disciplinary action and issue a revised Written Notice of Disciplinary Action.

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7.3.7.9 \_\_\_\_\_ After the CM has issued his written decision on the appeal, the appellant employee has the right to appeal the disciplinary action and the CM's decision to the City Council. The disciplinary action issued by the CM will be placed into effect while the request for appeal is deliberated and a decision issued by the City Council.

7.3.7.10 The request for the City Council to hear the appeal shall be in writing and delivered to the City Clerk by the appellant within five (5) working days after the employee was presented the CM's decision. Failure to submit a request within the prescribed time limit shall be a waiver of the employee's right to appeal. The written request shall include a statement of the facts of the appeal and the recommended solution in sufficient detail to enable the City Council to understand the nature of the proceedings and the parties concerned, and shall have as attachments any and all relevant written information developed during the pre-appeal stages.

7.3.7.11 Unless such time is extended by mutual agreement of the appellant and the CM, the City Council shall commence its hearing at its next regularly scheduled meeting for which notice of action can be reasonably given and posted as required by Sections 54954.2 and 54957 of the Government Code (Ralph M. Brown Act). Some personnel issues are protected from public disclosure for the benefit of the employee by Section 54957 of the Government Code (Ralph M. Brown Act). Therefore, all disciplinary appeal hearings by the City Council shall be heard in "closed session." However, the appellant employee can request the disciplinary hearing be open to the public.

7.3.7.12 During the disciplinary appeal hearing, the appellant employee may represent himself or be represented by any one of his choice. The CM shall represent his authority as provided by ordinance, however he may also delegate other employees, such as a Department Head to represent his authority. The City Council functions as the judge and final authority of the City. The City Council is not a party in disciplinary hearings.

7.3.7.13 The City Council shall render a decision within thirty (30) days after the conclusion of the disciplinary appeal

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| hearing. The decision shall contain a summary of the evidence, findings of fact, and a statement of the reasons underlying the decision. A copy of the decision shall be sent to the appellant employee and the CM. The City ~~Council's~~ Council's decision shall be the final and the City's binding administrative remedy.

**8.0 GRIEVANCE POLICY AND PROCEDURE**

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**8.1.0 General**

It is the intent of the City to equitably resolve employee grievances at the lowest level of administrative responsibility possible, and to provide an orderly procedure for reviewing and resolving grievances promptly.

The grievance procedure; allows an employee to:

1. Express a complaint;
2. Question a policy or its application;
3. Or otherwise express dissatisfaction on any matter affecting his or her employment which cannot be resolved by informal discussion and for which appeal or hearing procedure is not otherwise provided.

In the grievance procedure, each employee shall have the right to have someone ~~he~~ he/she chooses to represent him/her. No reprisals shall be invoked against any employee for initiating or participating in a grievance procedure.

**8.2.0 Definitions**

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8.2.1 A “grievant” shall mean an employee or group of employees that file a grievance.

8.2.2 A “grievance” shall mean a statement by a grievant, that a controversy, dispute, or disagreement of any kind or character exists for which an appeal is not provided by other policy or procedures. The grievance may be caused by:

1. The interpretation or application of any rule governing personnel practices;
2. Working conditions;
3. Decisions on wages, working hours, or other terms and conditions of employment.
4. Those items listed in Manual Section 1.2.1

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**8.3.0 Grievance Procedures**

8.3.1 The grievant initiates a grievance by filing a Grievance Letter. The

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grievance must be filed within thirty (30) days following knowledge of the act or condition which is the basis of the grievance. The Grievance Letter is submitted to the employee's direct supervisor. If the grievant does not present the grievance within the prescribed time frame or to his direct supervisor, the grievance may be declined.

8.3.2 The supervisor shall respond, in writing, to the employee within five (5) working days after receiving the grievance form.

8.3.3 If the grievant is not satisfied with the written decision of the immediate supervisor, he may, within ten (10) working days after receiving the written decision of the immediate supervisor, appeal the grievance, in writing, to the Department Head (or the City Manager (CM), if Department Head was the employee's direct supervisor who responded to the grievance).

8.3.4 The written appeal shall include a statement of the grievance, citing the relevant rule or procedure, a copy of the ~~supervisor's~~ supervisor's written decision, and the ~~grievant's~~ grievant's reasons for objecting to that decision. The Department Head (or CM, if applicable) will hold meeting(s) with the immediate supervisor and/or the grievant within five (5) working days after receipt of the written appeal.

8.3.5 The Department Head (or CM, if applicable) will issue a written decision within five (5) working days after the last meeting.

8.3.6 If the grievant is dissatisfied with the decision of the Department Head (or CM, if applicable) the grievant may appeal the decision to the City Council. The appeal must be submitted within ten (10) working days after the decision of the Department Head.

8.3.7 The ~~CM~~ City Council will hear the appeal within five (5) working days after the grievance is submit to the ~~CM~~ City Council. The ~~CM~~ City Council may use any process that is appropriate to resolve the grievance. The ~~CM~~ City Council will issue a written decision within twenty (20) working days after the appeal was presented. The decision of the ~~CM~~ City Council shall be the final and binding administrative remedy available to the grievant.

**Comment [CM1]:** Shouldn't this be City Council as the final and binding remedy?

**9.0 PERSONNEL COMPLAINT PROCEDURES**

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**9.1.0 General**

9.1.1 The purpose of this Section is to provide procedures to receive and promptly resolve public complaints concerning the conduct of City employees (including sworn police officers) and independent contractors who ~~function as employees~~ serve for the City. It also provides protection to City employees and independent contractors from slander and erroneous allegations.

9.1.2 Under ~~government~~ Government Code section Section 54957 (Ralph M. Brown Act), public agencies must protect their employees, including independent contractors ~~functioning as employees~~ serving for the City, from undue publicity or embarrassment specifically during or in public meetings. It is also the City's policy not to allow its employees to be publicly attacked, berated, or slandered.

9.1.3 This Section is not applicable to elected officials of the City.

9.1.4 Every practical means will be used to insure that no adverse consequences occur to any person or witness because of registering a complaint or providing information in any investigation of a complaint.

9.1.5 It is the purpose of these procedures to provide prompt and fair disposition of complaints concerning the conduct of City employees.

**9.2.0 Acceptance of Complaints**

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9.2.1 The public may file complaints against City employees (including sworn police officers) and independent contractors ~~functioning serving for as the~~ City employees in the following manner:

9.2.1.1 File a written complaint to the City Clerk's office to the attention of the City Manager (CM), or,

9.2.1.2 Make an appointment with the CM to present allegations, or,

9.2.1.3 Public complaints against sworn police officers can be made directly to the police chief and handled according the Ferndale Police Departmental Manual of Operations, Section 13-100.00, titled

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“Citizen Complaint Procedures.” Complaints against the police chief should be made directly to the ~~city~~ City Council.

9.2.2 Allegations will be promptly investigated. However, if the investigation discloses that the complaint was knowingly false, the person filing the complaint may be subject to both criminal prosecution and/or civil litigation.

9.2.3 Complaints about City employees or independent contractors ~~functioning as serving for the City employees~~ will not be accepted or heard in open session of the City Council as required by ~~government~~ Government Code §Section 54957 ~~of the Ralph M. Brown Act~~.

**9.3.0 Complaints Against Employees Reporting to Department Heads**

9.3.1 Citizen complaints against employees who report to a ~~department~~ Department head shall be referred to the ~~department~~ Department head by the CM for further investigation as discussed in 9.6.0 of this Manual, ~~below~~ section. Any disciplinary procedures against the employee arising from the complaint shall be governed by Section 7, Disciplinary Policy and Procedures.

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**9.4.0 Complaints Against Department Heads**

9.4.1 Citizen complaints against employees who are ~~department~~ Department heads shall be investigated as discussed in 9.6.0 of this section by the CM. Any disciplinary procedures against the employee arising from the complaint shall be governed by Section 7, Disciplinary Policy and Procedures.

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**9.5.0 Complaints Against the CM**

9.5.1 Citizen complaints against the CM shall be investigated as discussed in 9.6.0 of this section by the Mayor or Vice Mayor. Any disciplinary procedures against the employee arising from the complaint shall be governed by Section 7, Disciplinary Policy and Procedures and the Mayor shall take charge of those functions delineated for the CM to perform.

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**9.6.0 Investigation**

9.6.1 The employee under investigation shall be notified of the allegations as soon as possible and given an opportunity to assist. Investigations shall always be conducted in accordance with federal, state, and local statutes, provisions of the California Government Code, and this ~~Personnel Policy~~ Manual.

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9.6.2 Investigations will be conducted promptly and will be completed within thirty (30) days from the receipt of the complaint unless abnormal circumstances delay the completion of the investigation.

9.6.3 If the nature of the complaint is such that it is believed by the CM, that City staff can not conduct an objective and/or unbiased investigation, the CM may engage another agency or independent investigator to complete the investigation.

**9.7.0 Evaluation and Disposition**

9.7.1 Upon completion of the investigation, the CM will evaluate the investigation findings. The CM may determine the need for a further investigation.

9.7.2 The evaluation of the investigation is to determine if there is sufficient evidence to:

- 9.7.2.1 Sustain the complaint,
- 9.7.2.2 Establish the guilt or innocence of the accused employee, and
- 9.7.2.3 Make a proper and just disposition of the complaint.

9.7.3 Upon the completion of the evaluation of the investigation, the CM will make one of the following determinations:

- 9.7.3.1 Not Sustained - Unfounded: The investigation conclusively proved that the conduct alleged in the complaint did not occur, or the employee named in the complaint was not involved in the alleged misconduct.
- 9.7.3.2 Not Sustained - Exonerated: The conduct which provided the basis for the complaint occurred. However, the investigation revealed that such conduct was justified, lawful, and proper.
- 9.7.3.3 Not Sustained - Inconclusive: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegations made in the complaint.

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9.7.3.4 Sustained: The investigation disclosed sufficient evidence to clearly prove the allegations made in the complaint.

9.7.4 If the CM determines that the complaint is sustained and the employee(s) is guilty of misconduct as defined in Section 4, the disciplinary procedures in Section 7 are applicable.

9.7.5 Only complaints resulting in disciplinary action will be placed in the ~~employee's~~ employee's personnel file.

9.7.6 Notice to the complainant will be made at the time of final conclusion and disposition of the investigation.

9.7.7 Nothing contained herein shall preclude or prohibit any employee from pursuing civil litigation for false and/or malicious ~~personnel~~ complaints.

**10.0 PAID HOLIDAYS**

**10.1 City Holidays and Paid Personal Time Off (PPTO)**

10.1.1 Paid holidays and Paid Personal Time Off (PPTO) are benefits provided by the City and is not an employee right. All regular full-time employees are eligible for eight (8) hours of pay for each of the City's eleven (11) holidays and also eight (8) hours of Personal Paid Time Off (PPTO). Some regular part-time employees receive prorated paid holiday and PPTO benefits. The prorated schedule is shown in Appendix A of Section 12 of this Manual. Temporary employees do not receive paid holiday benefits.

10.1.2 The City recognizes eleven (11) holidays which are shown in Appendix A of this Section. The clerk's office at City Hall is closed to the public on City Holidays.

10.1.3 The use of Personal Paid Time Off (PPTO) is chosen by the employee and must be approved by the Department Head and scheduled so as not to interrupt City services. The PPTO can be used in increments of one (1) hour and must be used between July 1 and June 30 each fiscal year. Any PPTO not used within the fiscal year will be lost.

**10.2.0 Rescheduling City Holidays**

1. If a City holiday falls on Saturday, it shall be observed on the Friday preceding.
2. If a City holiday falls on a Sunday, it shall be observed on the Monday following.

**10.3.0 Work Performed on City Holidays**

10.3.1 Regular Non-Exempt Employees

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If a regular full-time or part-time non-exempt employee is required to work on a City holiday, the employee shall be paid for the City holiday according to Paid Benefits Schedule in Appendix A of Section 12 and receive overtime pay at the rate of 1 ½ for every hour worked. However, if holiday work is a requirement of the job description and part of the position’s normal workday, the employee will receive overtime pay for the hours. The use and management of compensatory time and employee’s compensatory time bank is delineated in Section 5 of this [Personnel Policy](#) Manual.

**10.3.2 Regular Exempt Employees**

If a regular full-time or part-time exempt employee is required to work on a City holiday, the employee shall be paid for the City holiday according to the Paid Benefits Schedule in Appendix A of Section 12 and also receive “flex time off” at the rate of one (1) hour for every hour worked on the holiday. The use and management of an exempt employee’s flex time bank is delineated in Section 5 of this Policy Manual.

**10.3.3 All Temporary Employees**

Temporary employees do not receive paid holiday benefits. If a temporary employee is required to work on a City holiday, they will be paid only for the hours worked.

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Appendix A – Section 10 – City Holidays and Paid Personal Time Off (PPTO)		
Number	Holiday	Date
1	New Year's Day	January 1
2	Martin Luther King Day	Third Monday of January
3	President's Day	Third Monday of February
4	Memorial Day	Last Monday of May
5	Fourth of July	July 4
6	Labor Day	First Monday of September
7	Veteran's Day	November 11
8	Thanksgiving Day	Fourth Thursday of November
9	Day after Thanksgiving Day	Day after Thanksgiving Day
10	Christmas Day	December 25
11	Day before or after Christmas	December 24 or December 26 <sup>3</sup>
	Personal Paid Time off (PPTO) – Eight (8) hours	See paragraph 10.1.0 for the use and limitations of PPTO

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<sup>3</sup> As appropriate and determined by the City Manager

**11.0 LEAVE TIME**

**11.1.0 Paid Vacation Leave**

11.1.1 General

Paid vacation leave is a benefit provided by the City and is not an employee right. Paid vacation leave time is earned by eligible employees in an “earn-as-you-work” (accrual) method according to the hours worked in each pay period. All regular full-time and some part-time employees are eligible to earn paid vacation leave according to the Paid Vacation Leave Schedule<sup>4</sup>. Temporary employees do not earn paid or unpaid vacation leave. Employees serving under an employment agreement shall earn vacation leave according to the Paid Vacation Leave Schedule unless the employment agreement specifies other provisions.

11.1.2 Authorized Use of Vacation Leave

The use of vacation leave will be scheduled one week unless exempted by the City Manager (CM) in advance and approved by the Department Head. Vacation leave for Department Heads must be approved by the City Manager (CM). Vacation leave will not be authorized if it interferes with the operation of the City as determined by the Department Head and/or CM. However, the City will make every practical effort to accommodate the employee’s request to take vacation leave. The employee will not lose any accumulated vacation leave if the employee is not allowed to use vacation leave due to the operational needs of the City.

If a City holiday falls during an authorized vacation leave day, that day shall not be-charged against the employee’s vacation leave time.

11.1.2.3 Catastrophic Leave Donations: An employee or their designee may request the establishment of a Catastrophic Leave Bank on behalf of the employee. The employee or designee shall make a request of the City Manager for the creation of a sick/vacation leave transfer bank, which includes sufficient information to establish a need. The following guidelines shall govern:

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Comment [CM1]: Per resolution 2010-10

<sup>4</sup> See Table titled Schedule for Earned Paid Vacation Leave in Appendix A of this Section

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An employee who has suffered a medical condition or injury not covered by Workers Compensation Insurance, which has caused an employee to take a medical leave, and who has exhausted their accumulated sick leave/vacation leave benefits shall qualify for the creation of a sick/vacation leave transfer bank (Catastrophic Leave). The need to use sick/vacation leave must be supported by a qualified medical opinion. A Catastrophic Leave Bank may also be established if an employee's immediate family member has suffered an injury or illness which is life-threatening, as is confirmed by competent medical authority, and there is a demonstrable need for the employee to attend the immediate family member.

A Catastrophic Leave Bank is subject to the following restrictions:

1. An employee may not receive Catastrophic Leave donations that exceed 160 sick/vacation hours in any 12-month period.
2. Any employee may voluntarily donate Sick/Vacation Leave to another City employee only if the donating employee retains 20 hours of Vacation Leave in their Vacation Leave bank at the time of any Vacation Time transfer.
3. Once a Catastrophic Leave Bank is established, the bank will be supervised by the City Finance Manager or their designee. The bank will have a published starting date, and expiration date and history of use.

### 11.1.3 Vacation Leave Accumulation

Paid vacation leave shall be earned starting at the date of hire and accumulated in the employee's Vacation Leave Bank as earned paid vacation leave hours. An employee must have one year of continuous service before eligible to use accumulated vacation leave from the employee's Vacation Leave Bank.

Employees who have completed one year in regular employment may request to take their vacation time all at once, or in increments as small as 2 hours with the approval of their Department Head. Department Heads require the approval of the CM. Paid vacation leave that has not been earned will not be approved. The ~~city's-city's~~ accrual cap policy limits ~~employees'-employees'~~ personal and vacation leave to that which is earned in two years.

Full Time Police Officers have 15 days earned Vacation Leave.

**Comment [CM2]:** This by Resolution 04-25 and by state law.

Vacation time may be accumulated by the employee under the following conditions and limits:

- 11.1.3.1 At least one-half (½) of the employee's earned vacation for

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the year must be taken in the year it is earned unless the employee requests to postpone the use of vacation leave.

11.1.3.2 Postponement of vacation leave requires CM approval.

11.1.3.3. Employees cannot transfer to the next fiscal year, more vacation leave than the amount the employee earned during the preceding twenty-four (24) month period. The employee's total accumulated vacation leave is calculated as of June 30 each fiscal year. The amount of accumulated (unused) vacation leave in the employee's Vacation Bank, if any, that exceeds the amount earned by the employee during the preceding twenty-four (24) month period will be lost.

11.1.3.4 The City will make every practical effort throughout the fiscal year to allow employees to use vacation leave to prevent employees from losing accumulated vacation leave that cannot be transferred into the next fiscal year. However, it is the employee's responsibility to schedule and request permission to use vacation leave and prevent the inadvertent loss of accumulated vacation leave.

11.1.3.5 Employees may receive a cash reimbursement for accumulated vacation leave under any of the following conditions with the approval of the CM:

1. The employee is experiencing extreme hardship circumstances and submits a written request to his Department Head and the Department Head approves the request.

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2. \_\_\_ The Department Head determines that it is impractical to allow the employee to take vacation leave due to the operational needs of the City and requests the employee to take a cash reimbursement for accumulated vacation leave.

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3. \_\_\_ Termination of the employee by the City for any reason.

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4. \_\_\_ Layoff of the employee due to lack of work or funds.

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5. \_\_\_ Resignation or abandonment of employment by the employee.

=

6. \_\_\_ Death of the employee.

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11.1.3.6 Vacation leave shall not accrue while an employee is on unpaid leave or while on disciplinary probation.

11.1.4 Increased Paid Vacation Benefits for Years of Employment

The City provides increasing amounts of paid vacation leave to eligible employees who have continuous years of employment with the City. There are three (3) classifications for earning paid vacation leave. The classifications are: 0 to five years; six to ten years; and eleven and more years. These paid vacation-earning classifications are shown in the Schedule for Earning Paid Vacation Leave in Appendix A at the end of this Section.

The years of continuous employment are calculated according to the City's fiscal year of July 1 to June 30 as follows:

1. \_\_\_ During the first fiscal year of employment with the City, if an employee works more than one-hundred-thirty (130) days, that year will be counted as the first year of employment for computing "Years of Continuous City Employment".

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2. \_\_\_ During the first fiscal year of employment with the City, if an employee works one-hundred-thirty (130) days or less, that year will not be counted as a year on employment for computing "Years of Continuous City Employment".

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3. In both case 1 and 2 above, all subsequent fiscal years of continuous employment by the employee will be counted as one (1) additional "Year of Continuous City Employment."

#### 11.2.0 Paid Sick Leave

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##### 11.2.1 General

Paid sick leave is a benefit provided by the City and not an employee right. All regular full-time and some part-time employees are eligible to earn paid sick leave in an "earn-as-you work" (accrual) method according to the hours worked in each pay period. All regular full-time and some part-time employees are eligible to earn paid sick leave according to the Benefits Schedule for All Regular Full-Time and Regular Part-Time Employees Classified by Hours Schedule to be Worked<sup>5</sup>. Temporary employees do not earn paid sick leave. Employees do not earn sick leave when the employee is on a leave of absence without pay for more than one-half (½) of the month or suspended without pay.

##### 11.2.2 Uses of Paid Sick Leave

Accumulated paid sick leave may be used in increments as small as one (1) hour for the following purposes:

11.2.2.1 Employee Illness: Absence from work due to employee illness or physical injury or absence required by the employee for medical, dental or optical appointments.

11.2.2.2 Family Illness or Injury: Absence from work due to illness in the employee's immediate family. See definition of immediate family in Section 1 of this Manual.

11.2.2.3 Maternity/Paternity or Foster Care Leave: Absence from work for the addition of a child to the employee's immediate family whether by birth, adoption or foster care placement for a maximum use of twenty-four (24) paid sick leave hours for each occurrence. This use of paid sick leave is limited to regular full-time or regular part-time employees who regularly work thirty (30) or more hours each week. See definition of immediate family in Section 1 of this Personnel Policy

<sup>5</sup> See Appendix A in Section 12

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11.2.2.4 Bereavement Leave: Absence from work for a death in ~~the~~ an employee's immediate family for a maximum use of forty (40) paid sick leave hours for each occurrence. This use of paid sick leave is limited to regular full-time or regular part-time employees who regularly work thirty (30) or more hours each week. See definition of immediate family in Section 1 of this Manual.

11.2.2.5 Catastrophic Leave Donations: An employee or their designee may request the establishment of a Catastrophic Leave Bank on behalf of the employee. The employee or designee shall make a request of the City Manager for the creation of a sick/vacation leave transfer bank, which includes sufficient information to establish a need. The following guidelines shall govern:

**Comment [CM3]:** Per Resolution 2010-10

An employee who has suffered a medical condition or injury not covered by Workers Compensation Insurance, which has caused an employee to take a medical leave, and who has exhausted their accumulated sick leave/vacation leave benefits shall qualify for the creation of a sick/vacation leave transfer bank (Catastrophic Leave). The need to use sick/vacation leave must be supported by a qualified medical opinion. A Catastrophic Leave Bank may also be established if an employee's immediate family member has suffered an injury or illness which is life-threatening, as is confirmed by competent medical authority, and there is a demonstrable need for the employee to attend the immediate family member.

A Catastrophic Leave Bank is subject to the following restrictions:

1. An employee may not receive Catastrophic Leave donations that exceed 160 sick/vacation hours in any 12-month period.
2. Any employee may voluntarily donate Sick/Vacation Leave to another City employee only if the donating employee retains 20 hours of Sick Leave in their Sick Leave bank at the time of any Sick Time transfer.
3. Once a Catastrophic Leave Bank is established, the bank will be supervised by the City Finance Manager or their designee. The bank will have a published starting date, and expiration date and history of use.

11.2.3 Notification

Any employee requesting sick leave shall notify his immediate supervisor at the beginning of the work day to be missed or not later than one hour after the scheduled start time unless the employee is physically unable to make notification in which case notification shall be made as soon as possible. In case more than one sick leave day is to be taken, the notification shall be made each day except when ordered by a doctor to stay off work until a specific date or when hospitalized.

11.2.4 Verification of the Use of Paid Sick Leave

An employee may be required to provide verification for using paid sick leave for absences from work that are more than three (3) consecutive working days. If paid sick leave is used for other than the authorized uses listed above, the employee may be disciplined or dismissed.

11.2.5 Sick Leave Accumulation

Paid sick leave shall be earned starting at the date of hire and accumulated in the employee's Sick Leave Bank as earned paid sick leave hours. An employee must have six months of continuous service before eligible to use accumulated paid sick leave. Employees cannot transfer more ~~then than~~ 192 hours of accumulated paid sick leave into the next fiscal year. No cash reimbursement will be made to the employee for any accumulated paid sick leave or any accumulated paid sick leave that cannot be transferred in the next fiscal year.

Accumulated paid sick leave hours, if any, which exceed the maximum amount of paid sick leave that is allowed to be transferred into the next fiscal year will be accumulated as service credit hours. Service credit hours will be used for calculating retirement benefits for eligible employees according to the rules and provisions of the applicable retirement program.<sup>6</sup>

**11.3.0 Unpaid Personal Leave**

A regular full-time or regular part-time employee who desires a leave of absence from

<sup>6</sup> A Deferred Compensation Program for eligible sworn police officers, and the California Public Employee Retirement System (PERS) for all other eligible employees.

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work without pay shall file a written request with the Department Head, stating the title of his position, the beginning and ending dates of the requested leave, and a full statement for the reasons for such a request. The Department Head may grant or deny such leave for a period not to exceed one workweek. Leave without pay for more than one week must be approved by the CM.

Absence without prior approval for not less than one (1) day or more than four (4) days during any calendar year shall be sufficient grounds for suspension without pay, and more severe discipline if warranted under the circumstances. An absence without prior approval for five (5) days or more during any calendar year shall be sufficient grounds for dismissal.

The Department Head or CM may require an employee returning after a leave of absence to pass such medical examination, at the City's-City's expense, as is deemed satisfactory for reinstatement.

**11.4.0 Unpaid Family Care and Medical Leave**

The City provides the following types of family care and medical leave for eligible employees:

- (1) Family care and medical leave for up to 12 weeks per year in accordance with California's Moore-Brown-Roberti Family Rights Act ("CFRA") and the federal Family and Medical Leave Act of 1993 ("FMLA"), as described below;
- (2) Disability leave as required to reasonably accommodate employees with a workplace injury or a qualified disability under the Americans with Disabilities Act ("ADA") or the FEHA; and
- (3) Leave for other legally required leaves of absence, as set forth below.

Employees having any questions regarding this policy should contact the City Manager.

**11.4.1 Family Care and Medical Leave ("CFRA"/"FMLA")**

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11.4.1.1. Eligibility

To be eligible for family care and medical leave, an employee must: (1) have worked for the City for at least 12 months prior to the date on which the leave is to commence; and (2) have worked at least 1250 hours in the 12 months preceding the leave.

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11.4.1.2 Permissible Uses of Leave

“Family Care Leave” may be requested for (1) the birth or adoption of an employee’s child; (2) the placement of a foster child with the employee; (3) to care for the serious health condition of an employee’s child, domestic partner, spouse, or parent; or (4) for a serious illness or injury suffered by the employee’s spouse, child, parent, next of kin, or registered domestic partner while in the line of duty on active duty. “Medical Leave” may be requested for an employee’s own serious health condition. A “serious health condition” is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a healthcare provider.

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In addition, leave may be granted for:

a. A “qualifying exigency” (as defined by federal regulation) because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation (FMLA only); or

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b. An employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a maximum of 26 workweeks of leave during a 12-month period to care for the service member (FMLA only).

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11.4.1.3. Amount of Leave

Provided all the conditions of this policy are met, an employee may take a maximum of 12 weeks of family care and medical leave in a rolling 12-month period measured backwards from the date the employee’s leave commences. Parents who are both employed by the City may take a maximum combined total of 12 weeks of family care leave in a 12-month period for the birth, adoption, or foster care of their child.

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The substitution of paid leave for family care or medical leave does not extend the total duration of family care and medical leave to which an employee is entitled beyond 12 weeks in a 12-month period. For example, if an employee has accrued four weeks of unused paid vacation time at the time of the request for family care or medical leave that paid vacation time will be substituted for the first four weeks of family care or medical leave, leaving up to eight additional weeks of unpaid leave.

Family care leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two weeks' duration. However, the City will provide employees with family care leave for birth, adoption, or foster care placement of less than two weeks' duration on occasion. Family care leaves for the birth, adoption or foster care placement of a child must be concluded within one year of the birth, adoption or placement.

Family care or medical leave for the employee's own serious health condition, or for the serious health condition of the employee's spouse or domestic partner, parent, or child, may be taken intermittently or on a reduced schedule where medically necessary. If leave is taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to alternative position with equal pay and benefits which better accommodates the employee's leave schedule.

11.4.1.4. Effect of Leave on Pay

Family care and medical leave is unpaid. Employees are required to use accrued vacation time and other paid personal leave (except sick leave) for all family care and medical leaves except for disability caused by pregnancy. Employees may choose to use accrued vacation time and other paid personal time (except sick leave) for leave due to a disability caused by pregnancy. Employees are required to use sick leave for medical leaves based on the employee's own medical condition, including disability caused by pregnancy. Employees may elect to use up to half of the sick leave they accrue on an annual basis to attend to the illness of a child, parent, spouse, or domestic partner of the employee or for other types of family care leave. Sick leave pay and vacation pay will supplement any State Disability, Workers' Compensation or Paid Family Leave Insurance benefits.

Employees may be entitled to paid family leave (PFL) for up to six weeks in any 12-month period. PFL provides a partial wage replacement for

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absences from work to care for a seriously ill or injured family member or for bonding with a minor child within one year of the birth or placement of the child in connection with foster care or adoption. PFL is administered like state disability insurance by the California Employment Development Department. PFL must be taken concurrently with family care and medical leave and does not entitle an employee to take any additional time off. In addition, an employee must use up to two weeks of any accrued but unused vacation before the employee will be eligible to receive PFL. Unless an employee qualifies for leave under the CFRA or the FMLA, he or she will have no right to continued employment, and no right to reinstatement after taking leave, except in the case of pregnancy as required by law.

11.5.5.5. Effect of Leave on Benefits

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During an employee’s family care or medical leave, for up to a maximum of 12 weeks in a 12-month period, the City will continue to pay for the employee’s participation in the City’s group health plans, to the same extent and under the same terms and conditions as would apply had the employee not taken leave, as required by law.

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If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee’s control, the City may recover any health premiums paid by the City on the employee’s behalf during any unpaid periods of the leave.

Employees on family care and medical leave accrue employment benefits such as sick leave, vacation benefits or seniority only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.

11.6.6.6. Procedure for Requesting Leave

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a. Notice Requirements.

Employees should notify the City of their request for family care or medical leave as soon as they are aware of the need for such a leave. For foreseeable events, if possible, the employee must provide 30 calendar days’ advance notice to the City of the need for family care or medical leave. For events that are unforeseeable, but are not emergencies, the employee must notify the City as soon as he or she learns of the need for the leave, ordinarily no later than

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one to two working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule a treatment so as to minimize disruption of the City's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for delay, the City reserves the right to delay the taking of the leave until at least 30 days after the date the employee provides notice of the need for family care or medical leave.

All requests for family care or medical leave should include the anticipated dates and duration of the leave. Any request for extensions of a family care or medical leave must be received at least five working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated dates and duration of the family care or medical leave.

b. Medical Certification.

Any request for medical leave for an employee's own serious health condition or for family care leave to care for a child, spouse, domestic partner or parent with a serious health condition must be supported by medical certification from a health care provider. For foreseeable leaves, employees must provide the required medical certification before the leave begins. When this is not possible, employees must provide the required certification within 15 calendar days after the City's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being requested to do so may result in a denial of the employee's continued leave. Any request for extension of the leave also must be supported by an updated medical certification.

The medical certification for a child, spouse, domestic partner, or parent with a serious health condition must include the following:

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- i. The date on which the serious health condition commenced;
- ii. The probable duration of the condition;
- iii. The health care provider’s estimate of the amount of time needed for family care;
- iv. The health care provider’s assurance that the health care condition warrants the participation of the employee to provide family care; and
- v. In the case of intermittent or reduced schedule leave where medically necessary, the probable duration of such a schedule.

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The medical certification for leave for the employee’s own serious health condition must include the following.

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- i. The date on which the serious health condition commenced;
- ii. The probable duration of the condition;
- iii. A statement that, due to the serious health condition, the employee is unable to perform the functions of his or her position; and
- iv. In the case of intermittent or reduced schedule leave where medically necessary, the probable duration of such a schedule.

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In addition, the certification may, at the employee’s option, identify the nature of the serious health condition involved. If the City has reason to doubt the validity of the certification provided by the employee, the City may require the employee to obtain a second opinion from a doctor of the City’s choosing at the City’s expense. If the employee’s health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City’s expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the City also may require the employee

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to provide medical certification that he or she is able to return to work.

11.7.7.7. Effect of Leave on Reinstatement

Employees returning from family care or medical leave within the time frames permitted by law are entitled to reinstatement to the same or a comparable position consistent with applicable law. The City retains the right to deny reinstatement to employees who are among the highest paid ten percent of the City's employees, and whose reinstatement would cause substantial and grievous economic injury to the City's operations.

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11.8.8.8. Relationship with Pregnancy Disability Leave

The provisions of the City's family care and medical leave policy are separate and distinct from those of the pregnancy disability leave to which an employee may also be entitled, as described in Section 11.5.0 of this Manual, below.

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The provisions of the City's family care and medical leave policy regarding the leave's effect on pay, notice requirements, medical certification requirements, and reinstatement also apply to all pregnancy-related disability leaves. However, for pregnancy-related disabilities, there is no process for obtaining more than one medical opinion, and there is no reinstatement exception for key employees (i.e., the highest paid ten percent). For the purpose of applying those provisions, an employee's pregnancy-related disability is considered to be a serious health condition.

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~~To be eligible for unpaid family care and medical leave under the California Family Rights Act (FRA) and the Federal Family and Medical Leave Act of 1993 (FMLA), an employee must have:~~

- ~~1. Worked for the City for at least 12 months prior to the date on which the leave is to commence; and~~
- ~~2. Worked at least 1,250 hours in the 12 months preceding the leave.~~

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~~11.4.1 “Family Care Leave”~~

~~Unpaid family care leave may be requested for:~~

- ~~1. The birth or adoption of an employee’s child; or~~
- ~~2. The placement of a foster child with the employee; or~~
- ~~3. The serious health condition of an employee’s child, spouse, or parent.~~

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~~11.4.2 “Medical Leave”~~

~~Unpaid medical leave may be requested for an employee’s own serious health condition. A “serious health condition” is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health-care provider.~~

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~~11.4.3 Family care leave taken for the birth, adoption, or foster care placement of a child must be concluded within one year of the birth, adoption, or placement and may not be taken intermittently or on a reduced schedule without the approval of the CM. Family care or medical leave for the employee’s own serious health condition, or the serious health condition of the employee’s spouse, parent, or child may be take intermittently or on a reduced schedule where medically necessary. If leave is taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee’s leave schedule.~~

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~~11.4.4 Employees must first use accumulated paid vacation time and other paid personal leave such as Paid Personal Time Off (PPTO), paid sick leave, compensatory time, or flex time for all family care and medical leave before unpaid family care and medical leave is used.~~

~~11.4.5 Provided all conditions of this policy are met, an employee may take a maximum of twelve (12) weeks of family care and medical leave in a 12-month period. The 12-month period commences on the first day on which the first family care or medical leave is taken. Parents who are both employed by the City may take a maximum combined total of 12 weeks of family care leave in a 12-month period for the birth, adoption, or foster care~~

~~of their child.~~

~~11.4.6 The substitution of paid leave for family care or medical leave does not extend the total duration of family care or medical leave to which an employee is entitled beyond twelve (12) weeks in a 12-month period. For example, if an employee has accrued four (4) weeks of unused paid vacation time at the time of the request for family care or medical leave, that paid vacation time will be substituted for the first four weeks of the family care or medical leave, leaving up to eight (8) additional weeks of unpaid leave.~~

~~11.4.7 Employees should notify their Department Head as soon as they are aware of the need for such leave. For foreseeable events, if possible, the employee must provide thirty (30) calendar days' advance notice to the City of the need for family care or medical leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the City as soon as the employee learns of the need for the leave, ordinarily no later than one or two working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the City's operations and business.~~

~~11.4.8 If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the City reserves the right to deny the taking of the leave until at least thirty (30) days after the date the employee provides notice of the need for family care or medical leave.~~

~~11.4.9 All requests for family care or medical leave should include the anticipated date(s) and duration of the leave. Any requests for extensions of a family care or medical leave must be received at least five working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.~~

~~11.4.10 — Any request for medical leave for an employee's own serious health condition or for family care leave to care for a child, spouse, or parent with a serious health condition must be supported by medical certification for a health care provider. For foreseeable leaves, employees must provide the required medical certification before the leave begins. When this is not possible, employees must provide the required certification with fifteen (15)~~

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~~calendar days after the City requests certification, unless it is not practical under the circumstances to do so. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within fifteen (15) days of being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated medical certification.~~

~~11.4.11 The medical certification for a child, spouse, or parent with a serious health condition must include:~~

- ~~1. The date on which the serious health condition commenced;~~
- ~~2. The probable duration of the condition;~~
- ~~3. The health care provider's estimate of the amount of time needed for family care; and~~
- ~~4. The health care provider's assurance that the health care condition requires family care leave.~~

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~~11.4.12 The medical certification for a leave for the employee's own serious health condition must include:~~

- ~~1. The date on which the serious health condition commenced;~~
- ~~2. The probable duration of the condition; and~~
- ~~3. A statement that, due to the serious health condition, the employee is unable to perform the functions of the employee's position.~~
- ~~4. The statement must be provided by an American Medical Association (AMA) board-certified physician.~~

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~~11.4.13 In addition, the City may require the employee to obtain a second opinion from the doctor of City's choosing at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make a final~~

~~determination. Before permitting the employee to return to work, the City also may require the employee to provide medical certification that the employee is able to return to work.~~

~~11.4.14 — Employees on family care and medical leave accrue employment benefits, such as vacation or seniority only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual.~~

~~11.5.0 Unpaid Leave For Pregnancy, Childbirth or Related Conditions~~ Pregnancy Leave

The City recognizes that employees may be unable to work for temporary, but extended periods of time due to pregnancy, childbirth, or related medical conditions (“pregnancy-disability”). Accordingly, for any employee who is disabled on account of pregnancy, childbirth, or related medical conditions, the City provides pregnancy-disability leave for the period of actual disability, up to a maximum of four months.

Pregnancy-disability leave may be taken intermittently, or on a reduced-hours schedule, as medically advisable.

Moreover, an employee is entitled to a reasonable accommodation for pregnancy, childbirth, or related medical conditions if she so requests and provides the City with medical certification from her health care provider. In addition to other forms of reasonable accommodation, a pregnant employee is entitled to transfer temporarily to a less strenuous or hazardous position or to less hazardous or strenuous duties if she so requests, the transfer request is supported by a proper medical certification, and the transfer is a reasonable accommodation.

11.5.1. Procedure for Requesting Leave

Whenever possible, an employee should submit a written request for pregnancy disability leave or pregnancy disability transfer to the City Manager as soon as she is aware of the need for such leave or transfer. If the leave or transfer is foreseeable, the employee must provide 30 calendar days’ advance notice to the City of the need for pregnancy disability leave or transfer. If it is not practicable for the employee to give 30 calendar days’ advance notice of the need for leave or transfer, the employee must notify the City as soon as practicable after she learns of the need for the pregnancy disability leave or transfer.

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If an employee fails to provide the requisite 30 days' advance notice for foreseeable need for leave or transfer, without any reasonable excuse for the delay, the City reserves the right to delay the taking of the leave until at least 30 days after the date the employee provides notice of the need for the leave or transfer.

Any request for a pregnancy disability leave must be supported by medical certification from a health care provider, which shall provide the following information:

- The date on which the employee became disabled due to pregnancy;
- The probable duration of the period or periods of disability; and
- An explanatory statement that, due to the disability, the employee is unable to work at all or is unable to perform any one or more of the essential functions of her position without undue risk to herself, her pregnancy, or to other persons.

In the case of a pregnancy-disability transfer, the medical certification must provide the following information:

- The date on which the need to transfer became medically advisable;
- The probably duration of the period or periods of the need to transfer; and
- An explanatory statement that, due to the employee's pregnancy, the transfer is medically advisable.

Upon expiration of the time period for the leave or transfer estimated by the health care provider, the City may require the employee to provide another medical certification if additional time is requested for leave or transfer. Any request for a leave of absence after disability has ended will be treated as a request for family care leave which will run consecutively with pregnancy disability leave.

#### 11.5.2. Substitution of Paid Leave for Pregnancy-Related Disability Leave

A pregnancy disability leave is unpaid, but employees must use any accrued sick pay during the leave and may, at their option, elect to use any accrued vacation time during the leave. Sick leave and vacation will supplement any State Disability or Paid Family Leave Insurance benefits. The City will maintain group

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health benefits during a pregnancy disability leave as required by law. The substitution of paid leave for pregnancy-related disability leave does not extend the total duration of the leave to which an employee is entitled.

11.5.3. Leave's Effect on Benefits

An employee who is on pregnancy-related disability leave will accrue employment benefits, such as sick leave, vacation leave, and seniority only when paid leave is being substituted for unpaid leave, and only if the employee would otherwise be entitled to such accrual.

11.5.4. Reinstatement

Unless the City and the employee have already agreed upon the employee's return date, an employee who has taken a pregnancy-disability leave or transfer must notify the City Manager at least two business days before her scheduled return work or, as applicable, transfer back to her former position. The City will reinstate the employee to her position unless:

- a. The employee's job has ceased to exist for legitimate business reasons;
- b. The employee's job could not be kept open or filled by a temporary employee without substantially undermining the City's ability to operate safely and efficiently;
- c. The employee has directly or indirectly indicated her intention not to return;
- d. The employee is no longer able to perform the essential functions of the job with or without reasonable accommodation;
- e. The employee has exceeded the length of the approved leave; or
- f. The employee is no longer qualified for the job.

If the City cannot reinstate the employee to the position she held before the pregnancy disability leave began, the City will offer the employee a comparable position, provided that a comparable position exists and is available, and provided that filling the available position would not substantially undermine the City's ability to operate safely and efficiently.

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Before returning to work, each employee who has taken a pregnancy-disability leave or transfer must be released by her doctor to return to work certifying that she is able to safely perform all of the essential functions of her position with or without reasonable accommodation. The release should be in writing and submitted to the City Manager on or before the employee's return from a pregnancy-disability leave or transfer.

~~Female employees are entitled to an unpaid leave of absence due to disability during the time actually disabled due to pregnancy, childbirth or related medical conditions. Such a leave will be granted up to a maximum of four months. Female employees may take this leave, as needed, for all bona fide disabilities related to a pregnancy. The leave does not have to be taken in one continuous period of time.~~

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~~Female employees requesting such leave are required to provide notice as soon as the employee knows, with reasonable certainty, the date on which the leave will begin. Female employees requesting such leave should submit a request for leave of absence, and must present a written certification from a licensed physician stating the anticipated delivery date, and the estimated duration of absence. This statement should include any period of time before or after delivery that the female employee requesting leave is expected to be disabled, assuming a normal delivery.~~

~~Female employees, at their choice, may use accumulated paid vacation leave, Paid Personal Time Off (PPTO), accumulated sick leave, compensatory time, or flex time for pregnancy, childbirth or related conditions.~~

#### 11.6.0 Paid Leave for Jury Duty or Legal Proceedings

Paid leave for jury duty or legal proceeding is a benefit by the City and not an employee right.

11.6.1 A paid leave of absence will be granted if any regular full-time or regular part-time employee who regularly works thirty (30) or more hours each week and receives a jury summons or is otherwise required by law to appear as a witness in court or other legal proceedings. The maximum amount of paid leave for this type of absence from work is equal to the hours which the employee would normally work in a five day period per fiscal year. Any additional time will be treated as an unpaid leave of absence in accordance with federal and state laws governing such leaves. In unusual circumstances the employee may appeal this rule directly to the ~~city~~ City Council.

11.6.2 Before any paid or unpaid court leave is granted, the employee must

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submit a copy of the official summons or order to the Department Head prior to the beginning of such duty or service.

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11.6.3 If the court appearance is related to official City responsibilities or business (such as Police Officer required to be a witness in court) the time spent in court by the employee will be paid as "on duty time" by the City.

**11.7.0 Unpaid Military Leave & Military Spouse Leave**

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Any regular full-time or regular part-time employee who is a member of the Armed Forces or Coast Guard of the United States or the California National Guard (including any reserve element of these Services) will be granted an unpaid military leave of absence in accordance with Federal and State laws governing such leaves. If the performance of ordered military duty is to extend beyond the time period covered by Federal and State laws, the CM may approve to extend the military leave. Employees, at their choice, may use accumulated paid vacation leave, Paid Personal Time Off (PPTO), compensatory time, or flex time for required military leave.

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Employees who work more than 20 hours per week on average and have a spouse in the Armed Forces, National Guard or Reserves who has been deployed during a period of military conflict are eligible for up to 10 unpaid days off when their spouse is on leave from military deployment. Employees must request this leave in writing to the City Manager within two business days of receiving official notice that their spouse will be on leave. Employees requesting this leave are required to attach to the leave request written documentation certifying that their spouse will be on leave from deployment.

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**11.8.0 Paid and Unpaid Volunteer Firefighters Leave**

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Paid leave time to perform volunteer firefighters duties is a benefit provided by the City and not an employee right. Any regular full-time or regular part-time employee who regularly works thirty (30) or more hours each week and is an active member of the Ferndale Volunteer Fire District will be granted ongoing paid short-term<sup>7</sup> leaves of absence to respond to fire calls and other immediate emergencies. Other official business of the Fire District which requires the absence of the employee from work will be granted as unpaid leave of absence in accordance with Federal and State laws governing such leaves. Employees, at their choice, may use accumulated paid vacation leave, Paid Personal Time Off (PPTO), compensatory time, or flex time for unpaid volunteer firefighters leave.

<sup>7</sup> Ongoing short-term leaves of absence means paid time off to respond and return from fire calls and emergencies that are normally short in duration (example: fifteen (15) minutes to two (2) hours in duration) Although these emergency events are seldom long in duration, they may be frequent, hence the term "ongoing short-term leaves of absence".

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### **11.9.0 Unpaid Leave for School Visits**

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Employees who are parents, guardians, or grandparents with custody of a child enrolled in kindergarten to grade 12, or attending a licensed child day care facility, may take unpaid time off to participate in school activities.

11.9.1 Absence for the purpose of participating in school activities is subject to the following provisions:

1. The total time off for school activities cannot exceed eight hours in any calendar month or 40 hours in any school year.
2. Employees must provide reasonable advance notice to the Department Head.
3. Employees must first use accumulated paid vacation time and other personal leave such as Paid Personal Time Off (PPTO), paid sick leave, compensatory time, or flex time for school visits before unpaid time off will be granted.
4. Employees must provide their Department Head with documentation from the child's school which indicated that the employee participated in a school activity on the day of absence.

11.9.2 If both parents are employed by the City, the parent who first gives notice to their Department Head will be covered by the above provisions. The other parent may take time off only if he or she obtains the approval of his Department Head.

11.9.3 If an employee is a parent, guardian, or grandparent with custody of a child who has been suspended from school and the employee receives notice from the child's school requesting that the parent attend a portion of a school day in the child's classroom, the employee may take unpaid time to appear at the school. The employee must, prior to the planned absence, give reasonable notice to their Department Head that he has been requested to appear at the child's school.

### **11.10.0 Paid Voting Time Off**

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All employees who are registered voters may claim time off without loss of pay to vote at statewide elections under Section 14350 of the California Election Code if the voter does not have sufficient time outside of working hours to vote. All employees must notify their Department Head at least two (2) working days prior to the Election Day if time off

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for voting is required. No more than two (2) hours of the time taken off for voting will be without loss of pay. The time for voting will be only at the beginning or end of the regular work shift, whichever allows the most free time for voting and the least time off from the regular work shift. If there is sufficient time for the employee to vote outside of working hours, -the City will not provide paid voting time off.

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**11.11.0 Bereavement Leave**

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This policy shall apply to full-time employees in all classifications. In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed three days, upon written approval of the employee’s supervisor and the City Manager. This is in addition to regular sick leave and vacation time. The employee’s supervisor or the ~~City Manager~~CM may require verification.

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If an employee requires more than three days off for bereavement leave, the employee may request additional unpaid leave or may request an opportunity to use any accrued sick leave or vacation time, with the ~~City Manager’s~~CM’s -prior approval.

Employees who are not eligible for paid bereavement leave benefits may receive necessary time off without pay, subject to the City’s prior approval.

“Immediate Family” is defined as being the employee’s spouse, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee. The term “spouse” includes registered domestic partner.

**11.12.0 Domestic Violence Leave**

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Consistent with applicable law, the City will provide time off to an employee who has been the victim of domestic violence or whose child has been a victim of domestic violence to help ensure the health, safety, or welfare of the domestic violence victim. This includes time off for court proceedings, counseling, medical attention, and participation in safety planning programs. The City requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence or within a reasonable period of time, provide the City with certification of the need for the leave such as a police report, court order, or documentation from a health care provider. Leave granted pursuant to this policy is unpaid.

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**11.13.0 Drug/Alcohol Rehabilitation**

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Employees being medically treated for acute drug-induced illness or acute alcoholism who enroll in a rehabilitation treatment program may take up to 45 days of unpaid time off to participate in the program, consistent with applicable law. Reasonable notice must be given to the ~~City Manager~~CM before taking time off, preferably at least two weeks' notice. -A physician's certificate of participation in a treatment program is required. Accrued, unused vacation time or unpaid time off may be used for this purpose.

**11.14.0 Crime Victims' Leave**

Consistent with applicable law, the City will provide time off to an employee to attend judicial proceedings related to a serious crime, if that employee is a victim of a serious crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The City requires that, where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the City with a notice within a reasonable time.

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Section 11 - Appendix A - Summary of Paid Vacation Leave

SCHEDULE FOR EARNING PAID VACATION LEAVE				
Years of Continuous City Employment <sup>8</sup>	Vacation Benefits Earned and Classified by Hours Scheduled to Work per Week			
	40	30 to 39	20 to 29	1 to 19
0 through 5	0.03846 hours per hour worked (80 hours per year)	0.03846 hours per hour worked	0.03846 hours per hour worked	none
6 through 10	0.05769 hours per hour worked (120 hours per year)	0.05769 hours per hour worked	0.05769 hours per hour worked	none
11 and more	0.07692 hours per hour worked (160 hours per year)	0.07692 hours per hour worked	0.07692 hours per hour worked	none

<sup>8</sup> The method for determining “years of continuous City employment” is discussed under Paid Vacation Leave in this Section. This schedule operates under the definition of the City’s fiscal year beginning on July 1 and ending on June 30 each year.

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**12.0 OTHER EMPLOYEE BENEFITS**

**12.1.0 General**

Employee benefits, sometimes called “fringe benefits” are an important part of the overall compensation the City provides to its employees. Besides the benefits discussed in Sections 10 and 11, this Section discusses the other benefits provided by the City.

Very few benefits are mandated by law. However, the City provides benefits to its employees to encourage a mutually beneficial and desirable association between the City and its employee.

**12.2.0 Social Security and Medicare Insurance (Employee benefit that is optional for municipal governments)**

All employees of the City are covered under the provisions of the Federal Insurance Contributions Act (FICA). The amount of deduction from the employee’s wages for social security and Medicare taxes is matched by the City. The benefit each employee may receive at retirement is a complicated matter based on the employee’s career earnings record, age, and date of retirement. Details can be provided by the local Social Security Office.

**12.3.0 Unemployment Insurance (Employee benefit required by law)**

Unemployment Insurance is provided at no cost to the employee through City contributions. Employees are not eligible for unemployment insurance if they voluntarily quit without good cause, or are discharged for misconduct connected with work.

**12.4.0 Workers’ Compensation Insurance (Employee benefit required by law)**

12.4.1 All City employees are covered by ~~Workers’~~ Workers’ Compensation Insurance at no cost to the employee. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers’ compensation insurance provides benefits after a short waiting period or, if hospitalized, immediately.

12.4.2 Employees who sustain work-related injuries or illness must inform their Supervisor immediately. No matter how minor the on-the-job injury may appear, it is important that it be reported immediately. Reporting procedures are critical to qualify for payment of workers’ compensation.

**Comment [rg1]:** Jay, you need to review this Section 12 and make certain it correctly recites the benefits the City currently provides.

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12.4.3 Worker’s compensation fraud is cause for immediate termination.

12.4.4 A release from the doctor providing care, stating that the employee is able to resume normal duties, is required before the employee can return to work after a work-related injury or illness.

12.4.5 Neither the City ~~or~~nor the City’s workers’ compensation insurance carrier will be liable for the payment of workers’ compensation benefits for injuries that occur during an employee’s voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

**12.5.0 State Disability Insurance (Employee benefit that is optional for municipal governments)**

All employees are covered under California’s State Disability Insurance Plan (SDI), which provides low-cost protection for loss of earnings due to non-work related illness or accident. Benefits begin on the first (1<sup>st</sup>) day of hospitalization or after the seventh (7<sup>th</sup>) day of illness or accident if the employee is not hospitalized.

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**12.6.0 Health Insurance (Paid employee benefit not required by law)**

12.6.1 The City offers a paid health insurance program for all regular full-time employees and all regular part-time employees working thirty (30) or more hours per week<sup>9</sup>. Health insurance coverage is a benefit provided by the City and is not an employee right. City employees may opt out of health insurance. The health insurance coverage may include the employees’ eligible dependents as determined by the insurance underwriter. Acceptance of coverage of the employee or eligible dependents by the health insurance underwriter is not guaranteed by the City. Each covered employee will be provided with a handbook which discusses the insurance program and covered health care costs.

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- Comment [CM2]: According to Resolution 04-25 - Nancy

12.6.2 The City will select the health care program offered to employees and the amount of premium it will pay for the selected type of plan. If the health insurance plan allows the employee to select alternative types of coverage (as an example; a PPO health plan instead of a HMO health plan), and the alternate type of coverage selected by the employee is more expensive, the City will pay only the premium cost for the type of plan the City has selected. The employee will be

<sup>9</sup> See Appendix A in this Section

required to pay the additional premium cost for the alternative choice.

12.6.3 The type and extent of paid health care coverage the City will provide may be changed or revised from time to time. The City may elect to change health insurance programs which could change the provisions and terms of the program.

-Amendments to the coverage will be provided to each ~~participating~~ participating employee when coverage or benefits are changed.

**12.7.0 COBRA (Health Benefits Continuation) (Employee benefit not required to be provided by the City)**

12.7.1 The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their beneficiaries the opportunity to continue health insurance coverage under the City’s health plan when a “qualifying event” would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee’s hours or a leave of absence; an employee’s divorce or legal separation; employee becomes entitled to Medicare; or a dependent child no longer meets eligibility requirements.

12.7.1 Under COBRA, the employee or beneficiary pays the full cost of coverage at the City’s group rate plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City’s health insurance plan. The notice contains important information about the employee’s rights and obligations.

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**12.8.0 Dental and Vision Care Benefits (Paid employee benefit not required by law)**

12.8.1 The City offers a reimbursement dental and vision care plan for all regular full-time employees and all regular part-time employees working thirty (30) or more hours per week<sup>10</sup>. Dental and vision care is a benefit provided by the City and is not an employee right. This coverage may include the employees’ eligible dependents as determined by the City. Each covered employee will be provided with a handbook which discusses the reimbursement program and covered costs.

12.8.2 The type and extent of paid dental and vision care coverage the City will provide may be changed or revised from time to time. The City may elect to change the provisions and terms of the program or to participate in ~~an~~ dental

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<sup>10</sup> See Appendix A in this Section

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and/or vision care insurance program. Amendments to the coverage will be provided to each participating employee when coverage or benefits are changed.

**12.9.0 Retirement Benefits (Paid employee benefit not required by law)**

The City offers a paid retirement programs. The retirement program is a benefit provided by the City and is not an employee right. The program is outlined below. Paid retirement programs are a benefit provided by the City and not an employee right.

The type and extent of retirement benefits may be changed or revised from time to time. The City may elect to change the provisions and terms of the programs offered or to participate in different retirement programs. Applicable retirement program summaries and subsequent amendments to the retirement plans will be provided to each participating employee when they are changed.

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**12.9.1 Retirement Program for Eligible Employees**

The City participates in a retirement program for the benefit of the employee. Currently the City contributes an amount of money to a retirement fund for the employee. An employee becomes eligible for the City's retirement plan after completing one (1) year of employment with the City. The employee has full access to their retirement fund after the moneys have been paid and may withdraw the money. The City has no responsibility for management of the fund after making the payment as described in this Personnel Policy Manual.

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The City currently contributes an amount equal to 8% of the employee's base pay to their retirement fund. This payment will be made twice a year in two equal installments.

**12.10.0 Payroll Advances (Employee benefit not required by law)**

In special hardship circumstances, the City will allow all regular employees to request an advance on earned wages (salary) which are not yet due for payment by the City. Temporary employees cannot request advances on earned wages. Employees who request an advance of earned wages must complete the applicable request form and have it approved by their Department Head. Normal processing time is two working days after the completed form is submitted for payroll processing. However, due to work schedules, it may take longer to process the special request. The maximum number of requests per employee for an advance on earned wages is three (3) per fiscal year.

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City of Ferndale PERSONNEL POLICY MANUAL ~~September 9, 2002~~ May 1, 2013

Section 12 - Appendix A - Summary of Paid Benefits by Classification

Paid Benefits Schedule for all Regular Full-Time and Regular Part-Time Employees Classified by Hours Scheduled to be Work per Week				
	Hours	Per	Work	Week
Special Benefit	40	30 to 39	20 to 29	1 to 19
Paid Holidays (Section 10)	8 hours pay for each City Holiday	6 hours pay for each City Holiday	4 hours pay for each City Holiday	None
Paid Personal Time Off (Section 10)	8 hours pay	6 hours pay	4 hours pay	None
Paid Vacation (See Section 11 for earned vacation computations)	Pro-rated by years of service	Pro-rated by years of service	Pro-rated by years of service	None
Paid Sick Leave (Section 11)	0.04615 hours per hour worked	0.04615 hours per hour worked	0.04615 hours per hour worked	No
Paid Health Care Benefits (Section 12)	Yes	Yes	No	No
Paid Dental and Vision Care Benefits (Section 12)	Yes	Yes	No	No
Participate in City Retirement Plan (Section 12)	Yes	Yes	No	No

City of Ferndale PERSONNEL POLICY MANUAL ~~September 9, 2002~~ May 1, 2013

**13.0 CURRENT PAGES**

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Page Number	Effective Date	Ordinance
1-1	<del>13-September-99</del> <u>1 May 2013</u>	<del>99__-03_____</del>
1-2	<del>13-September-99</del> <u>1 May 2013</u>	
1-3	<del>13-September-99</del> <u>1 May 2013</u>	
1-4	<del>13-September-99</del> <u>1 May 2013</u>	
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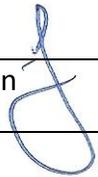
**Comment [CM1]:** These changes will warrant a resolution from the council.

City of Ferndale PERSONNEL POLICY MANUAL ~~September 9, 2002~~ May 1, 2013

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Meeting Date:	May 2, 2013	Agenda Item Number	11D
Agenda Item Title:	Financial Statements to be included in monthly packet		
Presented By:	Mayor Stuart Titus		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information 
Action Required:	Receive and file		

**RECOMMENDATION**

Receive and file

**DISCUSSION:**

This is to inform the council that we are now including the city's monthly financial statements in the council packet.

**FINANCIAL IMPACT:**

None

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Meeting Date:	May 2, 2013	Agenda Item Number	11E
Agenda Item Title:	Resolution 2013-15 Authorization of Planning staff time and materials not to exceed \$450 to conduct one Study Session for new Planning Commissioner and Design Review Committee Member Orientation prior to a regularly scheduled Planning Commission meeting.		
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 2013-15.		

**RECOMMENDATION:** Planning staff time and materials not to exceed \$450 to conduct one Study Session for new Planning Commissioner and Design Review Committee Member Orientation prior to a regularly scheduled Planning Commission meeting.

**BACKGROUND:** The City Council recently appointed two new Planning Commissioners. A third Commissioner has served for just over one year. The Design review Committee has in the last year acquired a new member and will soon acquire one more.

**DISCUSSION:** Planning staff proposes to host an orientation during a study session immediately prior to the May 15 2013 Planning Commission meeting. The purpose of the orientation is to provide Planning Commissioners and Design Review Committee Members with the following:

- An understanding of the importance of land use planning and community development;

A familiarity with:

- Planning Commission and Design Review roles and responsibilities;
- Relationship to City staff, consultants, City Council, the public, and other legislative bodies;
- Local planning process, including zoning, permitting, and subdivision of land;
- The General Plan framework;
- City ordinances and standards, i.e., Zoning Ordinance and Subdivision Ordinance;
- Permitting procedures, including hearings, deliberation, noticing, and decision making;
- Public Hearing and open meeting requirements, including the Brown Act; and
- Agenda Packets – what to expect prior to hearings and how to prepare.

Planning staff has hosted similar orientations for other jurisdictions. Since staff offers recent experience providing orientations and the presentation materials specifically for Planning Commission orientation is current, staff can prepare and deliver the orientation to the Ferndale Planning Commission and Design Review Committee for time not to exceed \$450.

**FISCAL IMPACT:** Work will be completed on a time and materials basis, not to exceed \$450.

(Account 10011101 Cash-unrestricted)

**Resolution Number 2013 - 15**

**THE CITY COUNCIL OF THE CITY OF FERNDALE**

**AUTHORIZATION OF PLANNING STAFF TIME AND MATERIALS NOT TO EXCEED \$450 TO CONDUCT ONE STUDY SESSION FOR NEW PLANNING COMMISSIONER AND DESIGN REVIEW COMMITTEE MEMBER ORIENTATION PRIOR TO A REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

**WHEREAS**, three new Planning Commissioners have been appointed since May 2012; and

**WHEREAS**, two new members have recently been appointed to the Design Review Committee; and

**WHEREAS**, Planning Commissioners and Design Review Committee Members play vital roles in City governance, represent the City on certain matters, and are bound by certain rules and regulations in the carrying out of these important duties; and

**WHEREAS**, the City Planner has submitted a proposal to the City Council to conduct a Study Session for new Planning Commissioner and Design Review Committee Member Orientation;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Ferndale authorizes Planning staff time and materials not to exceed \$450 (account 10011101 Cash-unrestricted) to conduct one Study Session for new Planning Commissioner and Design Review Committee Member Orientation prior to a regularly scheduled Planning Commission meeting.

**PASSED AND ADOPTED on this 2<sup>nd</sup> day of May 2013 by the following vote:**

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Stuart Titus, Mayor

**Attest:**

\_\_\_\_\_  
City Clerk / Deputy City Clerk

**Section 12**  
**CORRESPONDENCE**

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

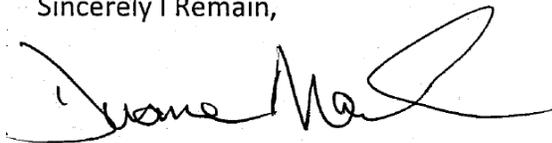
April 22, 2013

RECEIVED APR 23 2013  
*AP*

To: Mayor and City Council  
From: Duane Martin  
Subject: Council Meeting Item Request

I first requested at the January 3, 2013 Regular City Council Meeting that you add a section to the monthly packet that lists the revenues received for the prior month; similar to the checks paid listing. Again, I asked about this request at the the April 4, 2013 Regular Council Meeting with no response. Now, I am formally requesting in writing that this item be placed on the May 2, 2013 Regular Council Meeting for discussion and vote. My request is that the monthly council packet include both a listing of the prior month's revenues received along with a Balance Sheet of the prior month ending.

Sincerely I Remain,



Duane Martin, Ferndale Resident & Property Owner

## **Section 13**

# **REPORTS**

### ***Section 13a: City Manager Staff Report***

#### **CITY MANAGER:**

##### **Meetings:**

- Kiwanis meeting 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month at 4:30 pm
  - Hazard Mitigation Plan (HMP) meeting-Steering Committee – May 2<sup>nd</sup>- 1:00-3:00 pm
  - City Council meeting –May 2<sup>nd</sup> –Study session 6:00 – 7:00 pm- Regular meeting from 7:00 – 9:00 pm
  - Design Review meeting- April 11<sup>th</sup> 8:30- 9:00 am
  - Met with Tom Stephen to go over comments on THP up Francis Creek.
  - RCEA meeting- April 15<sup>th</sup> -2:30 – 5:00 pm
  - SRWC meeting-April 9th-2:30-4:00 pm
  - City Manager meeting April 18<sup>th</sup> - 3:00-5:00 pm.
  - Met with Fortuna and Rio Dell CM's to go over Eel Valley issues April 18th 7:00-9:30 am
  - Met with Martin Tubbs regarding a volunteer committee to paint interior of Community Center. Martin painted the interior with the help of the Mayor and looks very good. He painted it in a neutral shade of off-white and should be harmonious to more color schemes.
  - Daily meeting with staff to go over workload and efficiency. We are still holding down the fort until our financial supervisor returns.
  - Numerous meetings with Mayor Titus and council to go over myriad of City issues.
  - Number of conversations and meetings with Rio Dell CM and Fortuna CM to discuss solid waste issues, wastewater sludge issues and animal control issues.
  - Design Review, Planning Commission, Sign Ordinance Committee, CC meeting, RCEA, HMRS, HMP Steering Committee agenda and minutes review.
  - Several discussions with Gerald Silva regarding Russ Park LLA agreement.
  - Numerous conversations with Russ Gans, our attorney to go over personnel policy, procurement policy, and public information requests.
  - Check signing for City
  - Check review for RCEA.
  - Conversations with John Driscoll, Jared Huffman's representative.
  - Waiting for a call from Cal-fire regarding a bench at the end of Francis Street in the memory of Shirley Walker. Cal-fire is still waiting for parts to fix their sawmill and will not be able to make park benches for us or make a new sign at City Hall until they get those parts. We are on their waiting list and hope that we can get those items soon.
  - Number of conversations with Bocce board President Steve Dolfini regarding Bocce fund and budget items for next year. We are thinking about having a Ferndale Bocce tournament sometime in early summer. We will also have a maintenance party in the next few weeks to spruce up the courts and get them ready for use during the spring and summer season.
-

- Discussions with HSU engineering professors to go over study session with students and council. They will be giving a presentation during the next council meeting regarding sedimentation and flooding in Francis creek and their ideas on what projects we could do to reduce and mitigate problems associated with these events.
  - Met with PW regarding daily routine. Focus this month was on community Center and procedures we have developed to monitor and inspect the premises before and after rental so that we can give the best service we can while still making sure that people leave the facility in the same condition as when they received it. PW also helped with the preparation for the landscaping project.
  - The library is in need of a new flag pole. PW's is working on this. Tim is looking into a flagpole that is similar to the flag pole we put in front of the Police department. This may be part of next year's budget.
  - A number of meetings with Caltrans to go over the paving and sidewalk projects they will be conducting on 211. Caltrans received eight bids for this project. Bids were opened on 4/17/2013. An "apparent" low bidder has been identified. North Region Office Engineer submitted a Contract Award Recommendation to Contract Awards and Services on 4/23/13. Official "Contract Award" should be plus or minus about 30 days, pending review of certain submittals from the apparent low bidder such as proof of bonding, insurance information, etc.
  - Met with HSU Art director a number of times regarding the student contest to place a sculpture in the city green. The new sculpture will be within the new landscaped area in front of chimney in city green.
  - Several conversations related to the Drainage Fund and the loss of the Lytel annual funding. We will have a study session before regular council meeting and go over possible alternatives and strategies available to meet drainage maintenance short and long-term needs.
  - ERD contract negotiations: Numerous conversations with Karen Smith and Chuck Schager of ERD and Councilman Maxwell. These discussions have been occurring concurrently with conversations with Rio Dell and Fortuna.
  - Daily meetings with chief regarding police activities and community safety issues.
  - Numerous conversations with Garden Club about landscaping in City Green. I have received a design from a landscape company for a project on the City Green side of City Hall. We will have local church group here on Thursday the 25<sup>th</sup> to clear the ground and till in the grass, as well as put down the weed mat. We will then have Larry Martin position the plants on the mat and then the volunteers will plant the plants. When this is accomplished PW will apply the bark medallions.
  - Numerous conversations with Michael Bailey regarding questions related to Sign Ordinance. I am asking the council to approve an orientation presentation from George Williamson that is designed for the Planning Commission and Design Review. I am suggesting that this be noticed as a study session that the Council may also attend. We have new PC and DR members and this orientation would be helpful in getting everyone on the same page as far as to the expectations and responsibilities of the different entities.
  - Numerous conversations with other CM's regarding common issues. The CM's continue to get together once every month.
  - Daily interaction with New Chief Wastewater Operator, Steve Coppini regarding wastewater issues and Capital Improvement projects, and next year's budget.
  - Numerous conversations regarding Salt River Project with Watershed Council members, RCD representatives, council members and citizens. As chairman of the SRWC I have been concentrating on maintenance funding sources and an overall structure that identifies and monitors project areas.
  - 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. Met with Duane Rigge last week and he is exploring funding possibilities and we will get together with the Shining Light Foundation soon to give an update.

- 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 Silva 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 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 have recently had conversations with Gerald and Russ Gans as to an agreement that will substantiate the expectations of both sides. I have also had discussions with Jim Stretch the chairman of the Russ Park committee to go over RP issues and strategies.
  - Numerous meetings with individual councilmen and the mayor regarding City issues, and updates about representation on the various joint power authorities and issues that relate to our membership on those organizations.
  - The Sign Ordinance Committee is still moving forward. I have met with members of the Sign Ordinance committee and discussed strategies to explain to the community, staff, PC, and CC the proposed ordinance and why the new ordinance that they have been working on for a year and half is better than the current ordinance. We are hoping to schedule a study session in the coming months for the CC, PC, DR, and public that will explore a number of different scenarios that will give the committee and opportunity to show how the new ordinance is intended to work in a business/staff friendly way.
  - Several conversations with Cybelle Immitt who is a senior planner for the County. Cybelle led a coalition of cities and agencies back in 2008 through a process to develop Hazard Mitigation Plans (HMP) for those agencies and the County. Those 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. The first kick-off meeting was February 7<sup>th</sup> and I represented the Cities 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. The Council approved last meeting to fund activities related to the HMP and the Safety Element.
  - Many conversations with Gerald Silva to include some sediment basins on his property to reduce sedimentation in Francis Creek. Most people involved have recognized that sediment reduction upstream would be the best scenario for the long-term success of the Salt River Restoration Project. I have been working with Donna Chambers on this and RCD is in the process of determining the necessary scope of work to move forward on analyzing the parameters identified sites.
  - Months ago we in collaboration with Leland Rock and Gerald Silva we initiated 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. Tom Stevens is planning on inspecting and developing a report for the council as soon as the weather improves.

- 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 and staff is using the new process and applications. I have been working closely with Planwest on a number of projects and developing in conjunction with finance department ways to improve the transparency of our billing system.
- Many discussions and conversations with our Planner and City Inspector and staff about the Kinetic building downtown where stucco was removed. The project was given the green light to put siding on at the January PC meeting. The property has gone through an owner transfer, but it is unclear what is holding up any construction by the new owner. Staff will be contacting new owner to make sure timeline is in compliance.
- Several discussions with Jo Ann Rennie, executive director of Parsac, related to risk management issues, and programs instituted through them.
- 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. Karen Pingitore and I met on February 9<sup>th</sup> to go over the two phases of the project with the Cal-trans engineer here at city hall. I have also had some conversations with Tom Grinsell who has some fire hydrants that he may want to add to Main Street. I have passed this along to Caltrans.
- Number of conversations and discussions with Karen Pingitore regarding sign ordinance update, farmers market, film commission interaction, and prettiest painted places sign and whether we should put it in the City Green instead of trying to get a permit to go in Caltrans right-of-way.

### **CITY CLERK ACTIVITY**

#### ***Meetings***

- Daily meetings with City Manager regarding work schedule.
- Planning Commission meeting 4/17/13.

#### ***Projects***

- Counter and phones
  - Reconcile deposits
  - Filed "Report on Municipal Initiative Measures" with Secretary of State, Elections office
  - Reposted 2/20/13 and 3/20/13 Planning Commission packets to show DRAFT on sign ordinance proposal.
  - Updated Master Mailing List addresses from cards returned on three APN's
  - Filled Public Information Request regarding Claims against the City from HSU journalism student
  - Prepared City Council Agenda packet for 4/4/13
    - Reviewed Deputy City Clerk minutes
  - Planning Commission
    - Transcribed minutes from the 3/20/13 meeting
    - Printed and filed the February 20, 2013 minutes
-

- Filed Resolution No. PC 2013-07 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B, and allow for vacation rental use of the existing residence located at 176 Francis Street.
  - Collected information from Fire Department and Building Inspector on inspections at 176 Francis Street for file.
  - Issued Business License for a Vacation Rental at 176 Francis Street
- Prepared Planning Commission Agenda packet for 4/17/13
  - Met with Planning Chair for additional items on agenda
  - Transcribed minutes from the 4/17/13 meeting.
- Continue to train deputy city clerk on procedures.
- City Council Meeting Follow-up
  - Reviewed Deputy City Clerk’s minutes
  - Filed Resolutions from the meeting

<i>Building Permits</i>		
1035	Rose	Fire Damage
430	McKinley	Replace Propane Water Heater
191	Shaw	Reroof
543	Cleveland	Replace 100amp Panel
660	Berding	Renovate inside and out
<i>Land Use Permits</i>		
1226	Main	reroof, addition, remodel
660	Berding	replace windows and doors
1226	Main	reroof, addition, remodel
665	Main	Merger

**ADMINISTRATIVE ASSISTANT/DEPUTY CITY CLERK:**

***Meetings***

- Meeting with City Manager on Office Issues
- Attended City Council Meeting
- 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
- Assisted at front counter
- Reconcile Bank Account
- Put Design Review Packets together

- Posted Agenda Items
- Worked on 2013-14 Budget
- Wrote Minutes for Design Review and City Council Meetings
- Received and File January Financial Reports
- Sort Mail

### **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.
- Coordinated with City Engineer on proposal to update permit processes. Initiated preparation of authorization of Planning AND Engineering staff time and materials to review and assess current processing procedures and fees and devise a plan to efficiently implement necessary revisions.
- 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. Prepared and presented authorization of Planning staff time and materials to assist the City Manager as needed in updating the HMP, serve as Energy Assurance Coordinator to facilitate Energy Assurance Plan (EAP) preparation, and ensure consistency in the Safety Element Update, HMP Update, EAP, Ferndale General Plan, and Emergency Operations Plan at 4/4 City Council meeting.
- Continued coordination with City Clerk on Vacation Rental Use Permit application at 176 Francis Street. Sent Notice of Planning Commission Action to applicant.
- Coordinated with City Clerk on parking requirements for Building Permit application at 1126 Main Street.
- Prepared authorization of Planning staff time and materials to prepare a General Plan Housing Element Implementation Plan for Housing Element and State housing regulation compliance. Initiated preparation of plan.
- Prepared General Plan Annual Progress Report as required by California Government Code Section 65400 and presented at 4/4 City Council Meeting.
- Conducted environmental review for Pedestrian Improvement Project Phase 2.
- Met with Mayor and City Manager to discuss ongoing City planning projects and upcoming proposals.
- Initiated review of Hadley Merger. Directed application materials to City Engineer.
- Researched PC inquiry about vacation rental use permit revisions. Prepared staff report outlining options for requiring that applicants obtain verification of compliance from the Ferndale Fire Chief and Building Inspector before submitting an application for a Vacation Rental Use Permit.
- Coordinated with staff and City Manager on correspondence and inquiries regarding approved 580 Main Street Design Review Use Permit.

#### ***Projects***

- General Plan Update
    - Prepared Draft General Plan Safety Element Chapter 10.0 Goals, Policies, and Implementation Programs. Noticed and conducted Public Hearing at 4/17 Planning Commission meeting. Initiated incorporation of Commissioners' input.
-

- Prepared General Plan Update Scope and staff report to assist the Planning Commission's selection of an element to recommend to the City Council for updating next.
- Hazard Mitigation Plan Update
  - Assisted City Manager in completing HMP Progress Report required of all jurisdictions participating in the update.
  - Initiated contact with CaLEAP representatives. Began data gathering for Energy Assurance Plan preparation.

### **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.
- Working with Chief Plant Operator to determine the problems with the sewer line on Main Street (in front of the High School).
  - The problems are being reviewed and evaluated.
  - Once the cause and extent of damages are known, the appropriate repair method will be employed. If needed, the City Engineer will assist in bids for the work (in accordance with the Purchasing Ordinance).

#### ***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.
  - The Environmental Document, NEPA CE and allocation request have been completed and the project is on schedule to begin Construction in September or October.
  - A public meeting was held on April 17<sup>th</sup> to solicit input. The results will be discussed at a study session prior to the City Council meeting on May 2<sup>nd</sup> where the suggested route will be discussed and if Council has no objections or suggestions, the changes will be used as the base bid.

#### ***Applications –***

- Renfer LLA – Public hearing was held and Planner's comments have been submitted. The owner has been contacted and is in the process of submitting the required information in order to complete the approval process.
- Hadley Merger – The application submittal information was incomplete. A letter was sent to the applicant requesting the additional information. Still waiting for response.
- 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.

#### ***General Engineering –***

- 5<sup>th</sup> Street Flooding in front of Ferndale Housing –
  - 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 4<sup>th</sup> 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 a later date.
  - Working on a proposed capital improvement report (roads and drainage)
    - Met with Public Works Crew Leader 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.
    - Met with Public Works Crew Leader to discuss possible alternatives. A conceptual plan and rough estimate was submitted and waiting for approval. Once approval is received, a survey, plans and specs will be completed and advertised.
  - Francis St Undergrounding of Utilities
    - Met with PG&E representative. PG&E is screening the project prior to making recommendation to proceed. Proposed project was estimated to cost more than what is available.
  - Cal Trans Maintenance on SR 211 (Review of SHOPP drawings)
    - Met with the Cal Trans design team on Jan. 9<sup>th</sup> to discuss the upcoming projects. Reviewed drawings, expressed concerns and waiting for additional review as the design progresses.
  - Misc. Document review.
    - Prepared a project description for a new PSR project to do a safety and ADA accessibility study for the pedestrian corridors throughout the City. We would review the existing facilities (sidewalks, curb ramps, handicap parking, crosswalks, etc...), prepare a report and then prioritize the deficiencies based on expected use and recommendations from the City. The request was discussed at the TAC meeting and the HCAOG board approved the use of \$7,500 for this study.
  - Boy Scouts building erosion –
    - Met with Public Works Crew Leader on-site to review the problem. The erosion appeared to be coming from the roof drains. The solution was to tight line the roof drains to and discharge directly to the creek.
  - Misc correspondence –
    - Had multiple discussions with City staff and Matt Allen regarding the 30' easement/right-of-way parallel to Main St.
    - Responded to Field Observation Report regarding property located at 1050 Van Ness submitted by Carl Havener. Called Mr. Havener and also mailed a letter of response informing him that a Grading Permit Application is necessary and would need to be submitted to City Hall.

***Meetings and Committees –***

- City Council
  - Attended April Meeting
- Public Meeting
  - Attended public meeting regarding the Rose Ave sidewalk project
- HCAOG
  - Attended April Meeting

***Reporting and Correspondence –***

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

**WASTEWATER OPERATIONS:**

- Paperwork completed for new operator in training Thrap. He officially begins work
- Manage flows from pond manually throughout month until motorized valve is repaired
- OIT Ivey cleans basin walls and RAS troughs
- Address sink hole on Main Street by attempting to camera sewer main. Determined hole not by the sewer main
- CPO and OIT Thrap pull INF pump 2 to check for plug. Pump cleared
- OIT Ivey and Thrap grease and clean belt press
- Prepare and send samples to North Coast Labs, including yearly Dioxin sample
- Continuous training of OIT Thrap by CPO regarding day to day operations
- Contract Jay West Mobile Repair to maintain generator. RFP for service completed by former CPO Culbert
- Turn sludge at drying facility
- Dewater throughout the month for approximately 36 total hours
- OIT Ivey weedeats around old facility
- Monthly eSMR submitted
- Educate OIT Thrap on in- house sampling and testing
- Maintain gravel road for Wyckoff and Rotorooter drivers
- Filed online SSO report
- Biosolids transported to Hank Brenard Environmental (HBE) 30 yards
- CPO, OIT Thrap and OIT Ivey manually clean disc filters
- CPO and OIT Thrap pull module from UV bank C to replace 2 bulbs
- Coliform tests to Fortuna each Tuesday and BOD/TSS samples to Fortuna each Thursday
- Staff performed routine process tests throughout the month to maintain operation of facility
- CPO enrolled OIT Thrap in Ken Kerri course for educational points
- Work on upcoming budget. Request estimates for replacement UV bulbs and disc filters
- The facility received a total of 22 septic dumps from Roto Rooter & Wyckoff's totaling 26,900 gallons and generating \$7,358 in revenue for the facility.
- Total flows through the collection system were 16.2 MG. Of that, 1.8 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 14.4 MG for the month of March. The average flow was .466 MGD.
- Effluent flows totaled 14.7 MG for the month of March. The average flow was .475 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.
    - Power wash dugouts, bleachers, sidewalks at ball field.
    - Replaced lights in scoreboard
-

- 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
  - Worked with Martin Tubb
  - Installed non-slip surface at entrance to Community Center.
  - Removed tree branches overhanging Community Center, trimmed surrounding trees around propane tank.
- Childcare Center
- Police Department - Routine mowing and weed eating
- Scout Hall - Routine mowing and weedeating
- Roadsides - Routine mowing and weed eating
- Public Works
  - Installed security netting over office and shop
  - Ordered replacement locks and keys for building and grounds maintenance.

#### ***STREETS, SIDEWALKS and STORMDRAINS***

- Routine maintenance: Regular maintenance of roadside mowing.
- Routine picking up trash at the edge of town.
- Routine maintenance: Continuing to pick-up piles around town as resident call and request removal.
- Routine maintenance: Sweep Main St., Monday, Wednesday and Friday mornings.
- Cleaned 5<sup>th</sup> Street gutters
- Cleaned Craig St, Washington St, Dewey and McKinley.
- Filling holes in City alleys
- Mowed alleys throughout town
- Remove fallen trees and branches from Bluff Street
- Continuing to patch the roads as needed.
- Removed debris from all the drains and grates around town.
- Inventory Street signs throughout town to determine if any need to be replaced.

#### ***VEHICLE / EQUIPMENT MAINTENANCE***

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

#### ***MISCELLANEOUS***

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

**POLICE DEPARTMENT:**

- Officers provided traffic monitoring for the Foggy Bottom Milk Run event.
- We have been placing the radar trailer at various locations where we have received speeding complaints.
- Chief Smith attended Kiwanis meetings/functions.
- Chief Smith attended the monthly LECAH meeting.
- Chief Smith attended the monthly Community Corrections Partnership Executive Committee.

***Police Statistics – February 2013***

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	0	
Assault	0	
Burglary	1	
Vehicle Theft	0	
TOTAL	1	
SECONDARY CRIMES	1	
Calls for Service	32	
Reports Written	10	
Traffic Citations	9	
Other Citations	0	
Parking Citations	0	
Warnings	30	
ARRESTS	0	
AGENCY ASSISTS	5	
TRAFFIC COLLISIONS	0	

## ***Section 13b: Commissions, Committees and Other***

### **City of Ferndale, Humboldt County, California USA**

Design Review Minutes for the 3/28/13 - 8:30am meeting

Chairman Dane Cowan opened the meeting at 8:30 a.m. Committee Members Michael Bailey and Mark Giacomini were present along with City Manager Jay Parish and Deputy City Clerk Lacy Pedrotti. Lino Mogni was absent. The Planning Commission has yet to appoint another representative from the Planning Commission to the Design Review Committee.

MOTION: (Giacomini/Mogni) Accept the minutes from the February 28, March 14 and March 21, 2013 meetings as presented. All in favor.

1226 Main Street: Niel Holgersen of Holgersen Construction was present at the meeting. Holgersen informed the Design Review that the roof design has changed from a gable to a hip. Design Review asked that Holgersen Construction resubmit with plan changes for next meeting.

Final Previously Approved Design Review Projects: Chairman Cowan asked staff to review the applications and check with City property files to make sure they have not been previously finalized by Design Review.

Time Limit after Design Review Approval: Chairman Cowan asked staff to research the policy on the building permit time limit of 180 days with one extension (180 days) to see if Design Review Applications are mentioned in the guidelines. If not then work with Planwest (City Planners) do develop in writing a draft policy about Design Review Time Limit being 180 days. Chairman Cowan also asked staff to add at the bottom of the Design Review Application the actual date (180 days/6 months) from application date.

Change Design Review Regular Meeting Date: Chairman Cowan expressed that the Design Review Committee is at the mercy of the applicants and when they apply. The Design Review already meets on the fourth Thursday of each month and any Thursday in between as needed due to the flow of applications. No change will be made at this time.

Meeting adjourned at 9:52 am

Respectfully submitted,

Lacy Pedrotti

Deputy City Clerk

City of Ferndale

**City of Ferndale, Humboldt County, California USA**

## Design Review Minutes for the 4/11/13 - 8:32am meeting

Chairman Dane Cowan opened the meeting at 8:32 a.m. Committee Members Michael Bailey and Lino Mogni were present along with Deputy City Clerk Lacy Pedrotti. Mark Giacomini was absent. The Planning Commission has yet to appoint another representative from the Planning Commission to the Design Review Committee.

Modifications: Remove 1226 Main Street project (5B) from the agenda per applicant request. Project on hold. Deputy City Clerk sent a letter to owner and contractor informing them that the City of Ferndale has stopped all processing of the application.

660 Berding Street: Thomas Guyer owner of property was unable to attend the meeting. MOTION: (Mogni/Bailey) Approved the application as is to replace five windows on Rose Ave. side of building and replace the side entrance door. The windows will not have the muntins.

Correspondence: Department of Fish and Game issued a CEQA Filing Fee No Effect Determination Form on 580 Main Street project (replacing stucco with redwood siding) has no impact on the wildlife habitat.

City Engineers Manhard issued a letter to residents on Herbert Street, McKinley and Rose Avenue about a meeting happening Wednesday April 17, 2013 at 6:00pm Town Hall on the Pedestrian Improvements Project.

Meeting adjourned at 8:47 am

Respectfully submitted,

Lacy Pedrotti  
Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**  
Minutes for Planning Commission Meeting of March 20, 2013

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:00pm. Commissioners Uffe Christiansen, Lino Moggi and Dean Nielsen along with staff City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheame were present. Those in attendance pledged allegiance to the flag.

MOTION: (Nielsen/Christiansen). The February 20, 2013 minutes were unanimously approved. There was no public comment.

Public Hearing opened 7:05pm: 176 Francis Street - Request for a Use Permit to allow for vacation rental use of the existing residence located at 176 Francis Street (APN 031-043-016). The project site is zoned Residential Two-Family Design Review (R-2-D). The Public Hearing was closed. MOTION (Nielsen/Christiansen) Adopt Resolution No. PC 2013-07 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B, and allow for vacation rental use of the existing residence located at 176 Francis Street. All in favor.

Building and Planning Applications: There were no comments from the commissioners.

Sign Ordinance Draft: Chairman Michael Bailey of the Sign Ordinance Committee talked about the Sign Ordinance draft. Since there is so much information in the Ordinance the Planning Commission asked that this item be brought back to the Commission in sections to approve. Section 1000, 1001, 1002, 1004.1, 1004.2 in April; 1004.3, 1004.4, 1004.5, 1004.6, 1004.7 in May; 1005.1; 1005.2, 1005.3, and 1005.4 in June.

General Plan Safety Element Update: Chapter 10.0 Goals, Policies and Implementation: The Safety Element will go to Public Hearing at the April 17 meeting.

Planning Reference Book: City Clerk Kaytis-Slocum distributed the "Handbook for City Council Appointed Commissioners, Committee Members and Board Members and explained that this item will be on the agenda until every commissioner is updated on the Reference Book.

Duties of the Planning Commission, Design Review Committee and Sign Ordinance Committee: City Clerk Kaytis-Slocum reviewed the duties. The Chair asked for proof of when 724 Main Street was first brought to the Commission's attention.

Planning Commission Terms: Chair thanked the secretary for the list of all the commissioners and their term dates.

Planning Commission Applicants: Commissioner Uffe Christiansen agreed to serve another term at the Council's pleasure. A special meeting will be set up for 3/25/13 to interview any additional applicants that have come in, and the commission will recommend City Council appointment to the Planning Commission.

The next regular meeting will be April 17, 2013 at 7pm. The meeting was adjourned at 8:47 pm.

Respectfully submitted,

Nancy Kaytis-Slocum  
City Clerk

**City of Ferndale, Humboldt County, California USA**

Minutes for Planning Commission Meeting of April 17, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

Call to Order: Chair Jorgen Von Frausing-Borch called the Regular Planning Commission meeting to order at 7:05pm. Commissioners Uffe Christiansen, Lino Mogni and Dean Nielsen along with staff City Clerk Nancy Kaytis-Slocum and City Planner Melanie Rheaume were present. Those in attendance pledged allegiance to the flag. The Oath of Office was given to Uffe Christiansen. Marc Daniels was not in attendance and this item was postponed.

MOTION: (Christiansen/Nielsen). The March 20, 2013 minutes were unanimously approved, as were the April 2, 2013 (Christiansen/Nielsen). There was no public comment.

Public Hearing opened 7:15pm: General Plan Safety Element Draft. Planner Melanie Rheaume gave an overview. There was no public comment. Commissioners ask for clarification on the number of hazardous contamination sites in Ferndale (see pages 3-4 and 7-3). Commissioners determined that, once the number of hazardous contamination sites was clarified the initial draft Safety Element could be considered complete and ready for environmental review. The Public Hearing was closed at 7:30, with no action on this first public hearing.

Selection of next General Plan Element: Planner Melanie Rheaume discussed the four remaining required General Plan elements: Land Use, last updated in 1986; Transportation (Circulation) & Public Facilities Element, last updated in 1967 and 1975; Conservation & Open Space Element, last updated in 1986; and Noise & Air Quality Element, noise element last updated 1975, Air Quality is a new element. There was much discussion about the elements. MOTION (Mogni/ ) Table this until the next meeting. Motion died for lack of a second. MOTION (Christiansen/Nielsen) Recommend to the City Council Noise & Air Quality Element. Motion carried with three yeas, and Mogni abstaining.

Potential Changes to Vacation Rental Use Permit Process: Planner Melanie Rheaume presented the two options available, and after some discussion, the Commission decided to leave the process as is with no further direction to staff.

General Plan Progress Report: Planner Melanie Rheaume discussed the progress report. Commissioner Dean Nielsen questioned the regional housing allocation, and the planner explained that the County-wide allocation comes from the State Department of Housing and Community Development.

Draft Sign Ordinance review: Sign Ordinance Chair Michael Bailey was present to answer questions. Commissioner comments included: belief that the new draft sign ordinance as presented is overregulation; a brief discussion of why the sign ordinance update began; belief that the City needs a new or clarified sign ordinance because the current sign section of the Zoning Ordinance is not comprehensive; and that the existing sign ordinance is not enforceable without proper definitions. Commissioner Nielsen requested a list of the signs that would be out of compliance if the proposed ordinance were adopted. The Planner and City Clerk advised that creating a list of those businesses that

are out of compliance with the existing ordinance should be discussed with the City Manager and City Attorney. The City Clerk suggested that the Commissioners review sections 3.66 and 7.23 of the Zoning Ordinance which deal with signs before the next meeting. There was no further action on this item.

Design Review Committee Report: Chairman Jorgen von Frausing-Borch explained that when we have two members of the Planning Commission assigned to the Design Review Committee, the Planning Commission will have a permanent agenda item that one of the two PC members of the Design Review Committee give a report on items they have discussed during the month, in addition to the Design Review minutes, which are included in every Planning Commission packet.

724 Main Street: City Clerk Kaytis-Slocum read from the previous Planning Commission packets that had mentioned 724 Main Street. They included the June 20, 2012, July 18, 2012, January 16, 2013 and February 20, 2013 Planning packets. Discussion ensued about whether the Design Review minutes have enough detail in them and whether the Planning Commission can have renderings of what the projects look like. The City Clerk explained that the City Council and the City Manager have directed staff to take "Action" minutes, which are not verbatim but capture the spirit of the pertinent conversation. Chairman von Frausing-Borch agreed that if the commissioners have questions beyond what is mentioned in the Design Review minutes, one of the two Commissioners assigned to the Design Review Committee could report details.

Postponed to next meeting: Appointment to the Design Review Committee; Election of Chair and Vice-Chair of the Planning Commission.

Under Building and Land Use Permits, the City Clerk explained that she will bring the Building Permit book to the commission meetings in case anyone wants to know about permits that have been issued after this item was created and published.

Under Planner and City Clerk staff reports, City Clerk Kaytis-Slocum mentioned that Planner George Williamson wanted to set up a 2-3 hour meeting for Orientation of the Planning Commissioners and Design Review Committee Members. The City Clerk will contact commissioners and design review committee members regarding the date.

The next regular meeting will be May 15, 2013 at 7pm. The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Nancy Kaytis-Slocum

City Clerk

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**Section 13c: Council Reports and Comments**

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## HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

611 I Street, Suite B

Eureka, CA 95501

(707) 444-8208

<http://www.hcaog.net>

## Board of Directors FINAL MEETING RECORD

Regular Meeting  
March 21, 2013, 4:00 p.m.  
HCAOG Conference Room  
611 I Street, Suite B, Eureka

### Present:

Councilmember Susan Ornelas, Chair  
Mayor Doug Strehl, Vice Chair  
Mayor Frank Jäger  
Councilmember Lana Manzanita (Alternate)  
Mayor Julie Fulkerson  
Mayor Jack Thompson  
Mayor Stuart Titus

City of Arcata  
City of Fortuna  
City of Eureka  
City of Blue Lake  
City of Trinidad  
City of Rio Dell  
City of Ferndale

### Policy Advisory Committee Members:

Rex Jackman  
Linda Atkins

Caltrans District 01  
Humboldt Transit Authority (HTA)

### Staff:

Marcella Clem  
Debra Dees  
Debbie Egger  
Siana Watts

Executive Director  
Associate Planner  
Administrative Services Officer  
Executive Assistant

### Absent:

Supervisor Ryan Sundberg

County of Humboldt

### 1. Call to Order

Chair Susan Ornelas called the meeting to order at 4:00 p.m.

### 2. Public Participation

There was no public participation.

### 3. Adjournment of the HCAOG Board; Convening of the Policy Advisory Committee (PAC)

4:03 p.m.

### 4. Approval of Meeting Record – February 21, 2013

**Motion was made** (Strehl/Thompson) to approve the meeting record of February 21, 2013 as submitted.

#### Motion carried by the following votes:

**AYES:** Ornelas, Strehl, Jäger, Manzanita, Fulkerson, Thompson, Titus, Jackman

**NOES:** None

**ABSTENTIONS:** Atkins

- 
5. **Information Items/Member Communication**
- a. **101 Corridor Improvement Update**  
Caltrans Project Manager Kim Floyd provided an update on the 101 Corridor Improvement Project.
6. **Consent Calendar**  
**Motion was made** (Jäger/Thompson) to approve the consent calendar.  
**Motion carried unanimously.**
- a. Letter of support for the City of Arcata's transportation planning grant applications.
- b. Letter of support for James Mastin for appointment to the California Transportation Commission.
7. **Items pulled from Consent Calendar (Manzanita)**
- c. **Local Transportation Fund (LTF) Fund Allocation**  
**Motion was made** (Jäger/Strehl) to adopt Resolution 13-10 as amended, authorizing the Executive Director to execute the City of Blue Lake's claim for \$22,207.  
**Motion carried unanimously.**
- d. **FFY 2013 Federal Transit Administration (FTA) Section 5311 Regional Apportionment Program of Projects (POP)**  
**Motion was made** (Manzanita/Jäger) to approve the amended staff report and adopt Resolution 13-08.  
**Motion carried unanimously.**
8. **Action Items**
- a. **FY 2012-13 Overall Work Plan (OWP) Amendment #2**  
**Motion was made** (Atkins/Jäger) to approve FY 2012-13 OWP Amendment #2.  
**Motion carried unanimously.**
9. **PAC Member Reports**  
There were no PAC member reports.
10. **Reconvening of the HCAOG Board (4:26 p.m.)**  
**Motion was made** (Strehl/Thompson) to approve the recommendations taken by the PAC and reconvene as the HCAOG Board.  
**Motion carried unanimously.**
11. **HCAOG Board Membership**  
**Public Comments on Item 11**  
Jacque Hostler, Trinidad Rancheria  
**Motion was made** (Jäger/Thompson) to continue membership criteria discussion to the next HCAOG Board meeting.  
**Motion carried unanimously.**
12. **Adjournment**  
The meeting adjourned at 5:09 p.m.

Individuals requiring special accommodations, accessible seating, or documentation in alternative formats are requested to contact the HCAOG office at 444-8208 prior to the meeting.

**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.

**Section 14: Adjourn**

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