

CLOSED SESSION

Location:	City Hall	Date:	October 3, 2013
	834 Main Street	Time:	5:30 pm
	Ferndale CA 95536	Posted:	09/30/13

1. CALL CLOSED SESSION TO ORDER – Mayor
2. Pursuant to Government Code 54954.5, Public Employee Performance Evaluation, City Manager
3. ADJOURN STUDY SESSION

STUDY SESSION

Location:	City Hall	Date:	October 3, 2013
	834 Main Street	Time:	6:00 pm
	Ferndale CA 95536	Posted:	09/30/13

4. CALL STUDY SESSION TO ORDER – Mayor
5. Contract City Planner will present the Draft Sign Ordinance and solicit input.
6. ADJOURN STUDY SESSION

AGENDA

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

Location:	City Hall	Date:	October 3, 2013
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	09/30/13

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: John Maxwell; Ken Mierzwa; Stuart Titus;
Michael Sweeney; Daniel Brown
4. REPORT OUT OF CLOSED SESSION
5. CEREMONIAL
6. MODIFICATIONS TO THE AGENDA
7. STUDY SESSIONS
8. 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 2/3rds of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.)

- 9. CONSENT CALENDAR. (All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember, staff or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately under "Call Items.")
 - a. Acceptance of Accounts Payable Page 5
 - b. Approval of previous minutes:
 - i. September 5, 2013 Regular and Special City Council Meetings Page 13
 - ii. September 23, 2013 Special City Council Meeting..... Page 17
- 10. CALL ITEMS
- 11. PRESENTATION / Community Forum
- 12. BUSINESS
 - a. PUBLIC HEARING PG&E Undergrounding Continuation & Progress Report Page 20
 - b. First Reading of Ordinance 2013-02, Sign Ordinance Page 22
 - c. General Plan Update - Noise & Air Quality Element Scope of Work Page 45
 - d. First Reading of Ordinance 2013-03, Medical Marijuana Dispensary and Cultivation Ordinance Page 50
 - e. Update on the Property Acquisition of the "Old Nilsen Property" Page 56
 - f. Design Review Committee Appointment Page 57
- 13. CORRESPONDENCE Page 63
- 14. REPORTS
 - a. City Manager Staff Report Page 81
 - b. Commissions / Committees and others
 - i. Design Review Page 99
 - ii. Drainage Committee..... None
 - iii. Planning Commission..... Page 100
 - c. Council Reports and Comment
 - i. HCAOG Minutes Page 104
 - ii. HMRA Minutes None
 - iii. HWMA Abstract None
 - iv. RCEA Minutes None
 - v. RREDC Minutes Page 106
- 15. ADJOURN

**This notice is posted in compliance with Government Code §54954.2.
The next Regular Meeting of the Ferndale City Council will be held on November 7, 2013.**

Section 1

Call Meeting to Order

Section 2

Pledge Allegiance

Section 3

Roll Call

Section 4

Closed Session Report

Section 5

Ceremonial

Section 6

Modifications to the Agenda

Section 7

Study Sessions

Section 8

Public Comment

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction.

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

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

Section 9

Consent Agenda

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

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

City of Ferndale

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

Printed PayCheck Checks

General Checking - Date Range: From 08/21/13 To 09/21/13 - 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>
46717	08/22/13	1,214	NANCY S. KAYTIS-SLOCUM	819.00
46718	08/22/13	1,214	NANCY S. KAYTIS-SLOCUM	Void
46719	08/22/13	1,214	NANCY S. KAYTIS-SLOCUM	1,674.19
46735	09/03/13	6,115	MARY ELLEN BOYNTON	110.94
46736	09/03/13	5,281	WILLIAM O. BRIGGS	119.10
46737	09/03/13	5,220	STEVE L. COPPINI	1,619.24
46738	09/03/13	2,185	LINDSEY D. FRANK	1,366.55
46739	09/03/13	2,188	DMITRIY GAVRYUSH	910.24
46740	09/03/13	5,237	JOHNNY F. HOPPIS	803.23
46741	09/03/13	5,222	IAN E. IVEY	344.79
46742	09/03/13	5,235	TIMOTHY W. MIRANDA	1,074.71
46743	09/03/13	1,012	JAY D. PARRISH	2,458.79
46744	09/03/13	1,217	LACY L. PEDROTTI	826.97
46745	09/03/13	6,142	DIANNA L. RICHARDSON	55.46
46746	09/03/13	2,200	BRET A. SMITH	1,388.92
46747	09/03/13	2,186	ADAM D. STRICKER	1,738.38
46748	09/03/13	5,223	STEVE A. THRAP	1,144.02
46749	09/03/13	2,187	Christopher D. Williams	1,189.91
46750	09/01/13	1,510	MARIA A. ROSA	217.61
46792	09/17/13	6,115	MARY ELLEN BOYNTON	Void
46793	09/17/13	5,281	WILLIAM O. BRIGGS	119.09
46794	09/17/13	5,220	STEVE L. COPPINI	Void
46795	09/17/13	2,185	LINDSEY D. FRANK	1,235.39
46796	09/17/13	2,188	DMITRIY GAVRYUSH	1,021.04
46797	09/17/13	5,237	JOHNNY F. HOPPIS	882.48
46798	09/17/13	5,222	IAN E. IVEY	283.78
46799	09/17/13	5,235	TIMOTHY W. MIRANDA	1,096.94
46800	09/17/13	1,012	JAY D. PARRISH	2,458.80
46801	09/17/13	1,217	LACY L. PEDROTTI	813.89
46802	09/17/13	6,142	DIANNA L. RICHARDSON	101.70
46803	09/17/13	2,200	BRET A. SMITH	1,388.91
46804	09/17/13	2,186	ADAM D. STRICKER	1,488.22
46805	09/17/13	5,223	STEVE A. THRAP	1,156.24
46806	09/17/13	6,221	BONNIE K. VON BRAUN	33.16
46807	09/17/13	2,187	Christopher D. Williams	1,159.62
46808	09/17/13	6,115	MARY ELLEN BOYNTON	18.49
46809	09/17/13	5,220	STEVE L. COPPINI	1,765.00
Total				32,884.80

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General Checking - Summary - From 08/21/13 To 09/20/13
Check #: All - Vendor: All - Payee Name: All - By Payee Name - AP Pmt Distribution

Chk No.	Date	Pay Type	Vendor ID	Vendor Name \ Payee Name	Check Amount
46753	09/03/13		ARNKE	ARNOLD C. KEMP	1,336.81
Total for ARNOLD C. KEMP					1,336.81
46720	08/28/13		PHIAY	AYCOCK & EDGMON	Void
46754	09/03/13		PHIAY	AYCOCK & EDGMON	4,826.50
Total for AYCOCK & EDGMON					4,826.50
46755	09/03/13		BAKTA	BAKER & TAYLOR	326.77
46810	09/12/13		BAKTA	BAKER & TAYLOR Librar	Void
46820	09/12/13		BAKTA	BAKER & TAYLOR	44.84
Total for BAKER & TAYLOR					371.61
46756	09/03/13		BAYWE	BAY WEST SUPPLY, INC.	289.71
Total for BAY WEST SUPPLY, INC.					289.71
46764	09/05/13		BENAD	BENEFICIAL ADMIN COMPANY I	156.33
Total for BENEFICIAL ADMIN COMPANY INC.					156.33
46765	09/05/13		BRSMT	BRET SMITH	23.36
Total for BRET SMITH					23.36
46721	08/28/13		CWEA	CA WATER ENVIRONMENT ASS'	Void
46734	08/28/13		CWEA	CA WATER ENVIRONMENT ASS'	Void
46775	09/11/13		CWEA	CA WATER ENVIRONMENT ASS'	Void
Total for CA WATER ENVIRONMENT ASS'N					0.00
46766	09/05/13		CRWA	CALIFORNIA RURAL WATER AS	485.00
Total for CALIFORNIA RURAL WATER ASSOCIATI					485.00
46751	08/29/13		CALST	CALIFORNIA STATE DISBURSEM	139.38
46811	09/12/13		CALST	CALIFORNIA STATE DISBURSEM	Void
46821	09/12/13		CALST	CALIFORNIA STATE DISBURSEM	139.38
Total for CALIFORNIA STATE DISBURSEMENT UNI					278.76
46757	09/03/13		CITFO	CITY OF FORTUNA	1,016.66
Total for CITY OF FORTUNA					1,016.66
46722	08/28/13		COMAS	COMPUTER ASSISTANCE	401.69
Total for COMPUTER ASSISTANCE					401.69
46723	08/28/13		CRYST	CRYSTAL SPRINGS BOTTLED WA Polic	45.25
Total for CRYSTAL SPRINGS BOTTLED WATER CO.					45.25
46791	09/11/13		CWEA2	CWEA	148.00
Total for CWEA					148.00
46752	08/29/13		DVLNO	DAVE LENARDO	310.00
46776	09/11/13		DVLNO	DAVE LENARDO	260.00
Total for DAVE LENARDO					570.00
46724	08/28/13		DELOR	DEL ORO WATER CO., FDLE. DIS	669.07

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Chk No.	Date	Pay Type	Vendor ID	Vendor Name \ Payee Name	Check Amount
Total for DEL ORO WATER CO., FDLE. DIST.					669.07
46812	09/12/13		DOCST	DOCUSTATION INC. \ DOCUSTAT	108.23
Total for DOCUSTATION					108.23
46725	08/28/13		EELRI	EEL RIVER DISPOSAL	275.20
Total for EEL RIVER DISPOSAL					275.20
100	08/29/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT D	834.30
100	09/12/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT D	734.98
Total for EMPLOYMENT DEVELOPMENT DEPART					1,569.28
46813	09/12/13		FORIR	FORTUNA IRON \ FORTUNA IRON Sewe	559.76
Total for FORTUNA IRON CORPORATION					559.76
46726	08/28/13		FRONT	FRONTIER	945.26
Total for FRONTIER					945.26
46758	09/03/13		GECAP	GE CAPITAL	74.95
46777	09/11/13		GECAP	GE CAPITAL	221.34
Total for GE CAPITAL					296.29
46727	08/28/13		HUMAS	HUMBOLDT COUNTY ASSESSOR	6.30
Total for HUMBOLDT COUNTY ASSESSOR					6.30
46728	08/28/13		HUMMD	HUMBOLDT MEDICAL GROUP, I CH Rent	135.00
Total for HUMBOLDT MEDICAL GROUP, INC.					135.00
46729	08/28/13		HUMTE	HUMBOLDT TERMITE & PEST	49.00
46778	09/11/13		HUMTE	HUMBOLDT TERMITE & PEST	65.00
46814	09/12/13		HUMTE	HUMBOLDT TERMITE & PEST	49.00
Total for HUMBOLDT TERMITE & PEST					163.00
46779	09/11/13		HUMTI	HUMMEL TIRE & WHEEL, INC Polic	572.26
Total for HUMMEL TIRE & WHEEL, INC					572.26
46730	08/28/13		JAYPA	JAY PARRISH	78.48
46759	09/03/13		JAYPA	JAY PARRISH	400.00
Total for JAY PARRISH					478.48
46780	09/11/13		LMREN	L & M RENNER, INC.	2,146.80
Total for L & M RENNER, INC.					2,146.80
46815	09/12/13		LCWTM	LIEBERT CASSIDY WHITMORE Trainin	100.00
Total for LIEBERT CASSIDY WHITMORE					100.00
46767	09/05/13		LOSTC	LOST COAST PONY CLUB -FERND	Void
46774	09/05/13		LOSTC	LOST COAST PONY CLUB -FERND CC Rent	200.00
Total for LOST COAST PONY CLUB -FERNDALE					200.00
46781	09/11/13		MANHD	MANHARD CONSULTING LTD	6,949.25

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Total for MANHARD CONSULTING LTD					6,949.25
46768	09/05/13		MERFR	MERCER FRASER COMPANY Public	63.99
46816	09/12/13		MERFR	MERCER FRASER COMPANY	57.81
Total for MERCER FRASER COMPANY					121.80
46760	09/03/13		MIRRE	MIRANDA'S RESCUE	450.00
Total for MIRANDA'S RESCUE					450.00
46782	09/11/13		MISSN	MISSION UNIFORM & LINEN	67.92
Total for MISSION UNIFORM & LINEN					67.92
46783	09/11/13		MBDVZ	MITCHELL, BRISSO. DELANEY & V	1,341.00
Total for MITCHELL, BRISSO. DELANEY & VRIEZE					1,341.00
46784	09/11/13		NILCO	NILSEN COMPANY	455.51
Total for NILSEN COMPANY					455.51
46769	09/05/13		NORCO	NORTH COAST LABORATORIES L Sewe	160.00
Total for NORTH COAST LABORATORIES LTD.					160.00
100	08/29/13	EFT	NORVA	NORTH VALLEY BANK	5,655.44
100	09/12/13	EFT	NORVA	NORTH VALLEY BANK	4,834.69
Total for NORTH VALLEY BANK					10,490.13
46770	09/05/13		PACGA	PACIFIC GAS & ELECTRIC	1,200.30
46785	09/11/13		PACGA	PACIFIC GAS & ELECTRIC	6,122.54
Total for PACIFIC GAS & ELECTRIC					7,322.84
46786	09/11/13		PLANW	PLANWEST PARTNERS, INC.	7,534.60
Total for PLANWEST PARTNERS, INC.					7,534.60
46731	08/28/13		RESMA	RESTAURANT MATIAS Health Insp.	50.00
Total for RESTAURANT MATIAS					50.00
46761	09/03/13		ROBSM	ROBIN SMITH	153.47
Total for ROBIN SMITH					153.47
46787	09/11/13		SEQGA	SEQUOIA GAS COMPANY	397.81
Total for SEQUOIA GAS COMPANY					397.81
46788	09/11/13		SDRMA	SPECIAL DISTRICT RISK MANAGEM	11,140.21
Total for SPECIAL DISTRICT RISK MANAGEMENT A					11,140.21
46817	09/12/13		SPRSA	SPRINGVILLE SAFETY & SUPPLY Public	71.32
Total for SPRINGVILLE SAFETY & SUPPLY					71.32
46762	09/03/13		STACC	STAPLES CONTRACT AND COMME City	128.54
Total for STAPLES CONTRACT AND COMMERCIAL					128.54
46771	09/05/13		SYMBOL	SYMBOL ARTS Polic	425.00

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Chk No.	Date	Pay Type	Vendor ID	Vendor Name \ Payee Name	Check Amount
Total for SYMBOL ARTS					425.00
46789	09/11/13		TIMST	TIMES STANDARD Ad Francis/Euc	77.50
Total for TIMES STANDARD					77.50
46790	09/11/13		TIPMO	TIPPLE MOTORS, INC. Public	15.00
Total for TIPPLE MOTORS, INC.					15.00
46732	08/28/13		TOMFO	TOM FORD Polic	140.00
Total for TOM FORD					140.00
46772	09/05/13		VALLU	VALLEY LUMBER	1,288.35
Total for VALLEY LUMBER					1,288.35
46763	09/03/13		VERZN	VERIZON	274.01
Total for VERIZON					274.01
46818	09/12/13		WELF	WELLS FARGO FINANCIAL LEAS Polic	134.38
Total for WELLS FARGO FINANCIAL LEASING					134.38
46773	09/05/13		WENCO	WENDT CONSTRUCTION CO,INC. Sewe	250.00
Total for WENDT CONSTRUCTION CO,INC.					250.00
46819	09/12/13		WYCKO	WYCKOFF'S Sewe	660.46
Total for WYCKOFF'S					660.46
Total for the 71 checks					68,273.71

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Account Distributions

Account No.	Account Description	Amount
10012250	Garnishments payable	278.76
10012260	Health insurance payable	974.59
10012301	Federal P/R Tax Deposits	10,490.13
10012302	State P/R Tax Deposits	1,569.28
10105007	Medical insurance	564.96
10115013	Advertising - Council	77.50
10125007	Insurance Med/Den/Vis	1,342.30
10125012	Office expense	536.53
10125044	Meetings and dues	248.00
10125063	Contract Services	2,019.45
10145052	Professional services	1,341.00
10155020	Building and ground maint.	138.01
10155030	Trash service	30.55
10155031	Water	79.82
10155034	Telephone	263.47
10165054	Audit and accounting	0.00
10165054.1	ACCOUNTING SERVICES	4,826.50
10165078	Copy machine expense	404.52
10165096	Car Allowance	400.00
10175024	Supplies - public restroom	166.18
10175031	Water - public restroom	191.72
10175032	Electric - public restroom	31.12
10175072.2	Employee appreciation	78.48
10215007	Medical insurance	4,324.89
10215012	Office expense	68.61
10215014	Vehicle expense	572.26
10215016	Fuel	1,137.80
10215020	Building and grounds maint.	98.00
10215024	Special department supply	559.38
10215029	Water	89.06
10215032	Utilities electric	136.49
10215034	Telephone	440.47
10215035	Dispatch service	1,016.66

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10215048	Training	140.00
10215051	Physical exams	135.00
10215063	Contract Services	25.56
10225096	Animal control	450.00
10245052	Professional services	203.47
10315007	Medical insurance	177.36
10415052	General planning services	852.00
10415053	Reimbursable fees	668.84
10415058	Special Planning Projects	3,457.50
10425052	General engineering	787.50
10425053	Developer engineering	3,139.90
10435052	Building regulation/inspectio	1,336.81
10615024	Books	371.61
10615031	Gas	144.14
10615032	Utilities	129.56
10615033	Water	26.34
10615034	Telephone	136.60
10625020	Building and ground maint.	449.39
10625024	Special department supply	71.32
10625032	Utilities - electric	45.49
10625033	Water	113.16
10635007	Medical insurance	151.53
10635020	Buildings and grounds maintenance	642.63
10635031	Water	77.66
10635032	Utilities	212.29
10635033	Gas	253.67
10635055	Contractual Services	76.69
21625020	Building and grounds maint	958.75
22315007	Medical insurance	279.61
22315058	Street lighting	1,221.87
22315063	Contract Services	25.56
24315007	Medical insurance	227.60
24315016	Fuel	751.38
24315020	Building & ground maintenance	21.26
24315021	Street maintenance	617.80
24315022	Street project	411.60

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24315024	Special department	245.39
24315032	Utilities	129.47
24315033	Water	33.23
24315034	Telephone	73.54
24315088	Equipment repair	15.00
25315007	Medical insurance	100.29
26315007	Medical insurance	183.41
26315063	Contract Services	25.56
30515007	Medical insurance	2,970.00
30515016	Vehicle gas	257.62
30515030	Garbage/sludge	494.65
30515032	Utilities - electric - plant	5,474.63
30515034	Telephone	305.19
30515044	Meetings and dues	485.00
30515055	Contractual services	953.44
30515094	Safety equipment	606.74
30515095	Capital outlay	996.50
30515121	Sewer plant maintenance	160.65
30515122	Sewer line maintenance	660.46
30515157	Testing and monitoring	160.00
48515095	Construction	655.00
		<hr/> 68,273.71 <hr/>

City of Ferndale, Humboldt County, California USA
City Council Minutes for September 5, 2013

Mayor Stuart Titus called the Regular City Council Meeting to order at 7:03PM. Present were Councilmen John Maxwell, Ken Mierzwa, Michael Sweeney and Daniel Brown along with staff City Manager Jay Parrish, Deputy City Clerk Christina Wile, Contract City Planner George Williamson, City Attorney Russ Gans, Police Chief Bret Smith, City Engineers Praj White and David Caisse. Those present pledged allegiance to the flag. The City Clerk called roll call.

Under modifications to the agenda: Address business item 11f before the Special City Council meeting, and items 11e – 11h after the Special City Council meeting.

Public Comment: No public comments.

Consent Calendar: Accept Accounts Payable. Approve the minutes as presented from the July 23, 2013 Council-Drainage Committee Study Session. Approve the minutes as presented from the August 1, 2013 meeting. **MOTION: (Mierzwa/Maxwell) Unanimous.**

No Call Items or Presentations.

Road Closure for Victorian Holidays: Ann Barbata presented background information. Staff requested a temporary closure of Main Street from Washington to Brown on November 23, 2013 to accommodate parade activity. **MOTION: Approve Resolution 2013-31 Authorizing Road Closure for the Victorian Holidays. (Titus/Sweeney) Unanimous.**

PUBLIC HEARING PG&E Undergrounding: Mayor Titus recused himself for the public hearing due to conflict of interest. Vice chair Ken Mierzwa opened the public hearing at 7:13 PM. City Manager, Jay Parrish gave a presentation on the topic and the history of undergrounding projects in the City. The proposed undergrounding project spans from the intersection of Francis and Eugene, to the end of Francis Street. PG&E has set 2016 as a tentative start date. The project would be entirely funded by Rule 20a tariff credits, some of which may come from the County. Councilman Sweeney asked if the County's contribution of credits would be contingent on project location. The County has not yet made a decision on participating in the project. Willis Hadley submitted photographs of overhead lines on Francis Street and Main Street.

The Council heard public comments from:

- Martin Tubb who is in favor of the Francis Street project.
- Willis Hadley's attorney, Tom Herman compared the Francis Street project to another possible location from Shaw to Fern on Main Street. Tom Herman considers Francis Street a misallocation of funds, and urged the Council to consider other options.
- Attorney Brian Gainer, also spoke of behalf of Willis Hadley. Brian Gainer was concerned that the project on Francis Street may not be exempt under CEQA if wetland features are found in the area.
- Caroline Titus supports the Francis Street project and.
- Willis Hadley was not in favor of the Francis Street project and believes that a project on Main Street would be the most beneficial to the public.
- Property owners expressed concerns over stalling the project for too long, and are in favor of going ahead with the Francis Street project.
- The public was also concerned that the overhead wires on Francis Street may pose a threat to public safety during winter holiday celebrations and the tractor parade.

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Vice chair Ken Mierzwa closed the public hearing at 7:47 PM.

Councilman Sweeney asked if the Francis Street project would lose exemption under CEQA. Contract Planner George Williamson reminded the Council that the public hearing was set to ask for direction, and that there is not yet a discretionary project. Attorney Russ Gans stated that the Francis Street project should be exempt under CEQA, and gave a firm recommendation that the resolution be reworded to include more definitive language.

Councilman Mierzwa acknowledged the existence of scattered wetlands in the Francis Street area, but does not believe they would be significant.

Councilman Sweeney believes the project should be further defined, and the resolution should be reworded before action is taken.

Councilman Maxwell stated that although there may not be as much traffic on Francis Street, the quality of use is higher. Councilman Maxwell commented on the large amount of foot traffic and the community events that happen annually on Francis Street. Maxwell would like to move forward with the Francis Street project immediately and has fully considered both options.

Councilman Brown expressed his desire to have an undergrounding project in the City. Councilman Brown favors the Francis Street project because he believes it has more support from PG&E and the County.

City Manager Jay Parrish reiterates that there will not be an undergrounding project at all without the County's support. There will not be a detailed analysis of the proposed project until the County has agreed to collaborate with the City.

Councilman Mierzwa would like to direct the City Manager to return with a reworded resolution that contains specific facts of finding. Councilman Mierzwa would also like to verify whether or not the Coastal Commission will be involved.

MOTION to continue the hearing to the next meeting **(Sweeney/Brown) AYE: Sweeney, Brown, Mierzwa NAY: Maxwell**

Mayor Stuart Titus returned at 8:10 PM

Payment Authorization for V&C Construction: City Engineer David Caisse gave background information. Councilman Maxwell asked if the project has met the specifications of the contract and if the work is acceptable. David Caisse informed the Council that the part of the concrete had shifted, and that V&C had repaired that portion at their own cost. **MOTION** to approve Resolution 2013-32 **(Titus/Maxwell) Unanimous.**

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Approval of Deputy City Clerk Job Description: City Manager Jay Parrish gave a brief introduction. Contract City Planner George Williamson stated that the transition period before Nancy Kaytis-Slocum retired was an opportunity to gather information about her job, as well as the relationship between city staff and contract staff. George Williamson believes sufficient information has been gathered, and recommends the City start recruiting for the position of Deputy City Clerk.

Councilmen asked questions about the organizational structure of the relationship between city staff and contract staff, and about modernization of day to day workflows at City Hall. The Councilmembers would also like some clarification about job titles and job descriptions: specifically concerning City Manager, City Clerk and Deputy City Clerk duties. **MOTION: (Maxwell/Brown) Unanimous.**

Agreement to Dedicate Property (Old Nilsen Barn): **MOTION: Accept Resolution 2013-33 (Maxwell/Sweeney) Unanimous.**

MOTION to continue regular City Council meeting pending completion of the special City Council meeting: **(Titus/Brown) Unanimous.**

Regular City Council Meeting was closed at 8:33 PM.

Mayor Stuart Titus called the Special City Council Meeting to order at 7:03PM.

“Old Nilsen Barn” Property Donation: City Engineer Praj White presented the results of an environmental report done by Blue Rock Environmental. The report fulfills Phase II of the environmental assessment required by CERQA. The report did find a concentration of diesel fuel oil in the soil. The source of the diesel fuel oil is unknown. There is no proposed project for this site, and the levels of diesel fuel are not high enough to trigger any additional action at this time. **MOTION** to adopt Resolution number 2013-35 **(Sweeney/Titus) Unanimous.**

MOTION to close the special City Council meeting and reconvene regular City Council meeting **(Titus/Sweeney) Unanimous.**

The special City Council meeting was closed at 9:03 PM.

The regular City Council meeting was opened at 9:03PM.

General Plan Update Next Element Selection: Contract City Planner George Williamson presented background information. The General Plan update is an ongoing process that is accounted for in the City's budget. Many of the General Plan elements are overdue for revision, and were last updated prior to 1987. The Planning Commission recommended that the City Council approve updating the Noise and Air Quality Element of the General Plan. **MOTION (Mierzwa/Maxwell) Unanimous.**

Appropriations Limit: **MOTION: Approve Resolution 2013-30** establishing the adjusted appropriation limitations of the City of Ferndale for fiscal years ending June 30, 2006 through fiscal year 2013-2014. **(Maxwell/Brown) Unanimous.**

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The Gann Report for fiscal year ending June 30, 2013 was received and filed.

The meeting was adjourned at 9:21pm. The next regular Council Meeting is scheduled for October 3, 2013 at 7PM.

Respectfully submitted,

Christina Wile, Deputy City Clerk

DRAFT

City of Ferndale, Humboldt County, California USA
Special City Council Meeting Minutes for September 23, 2013

Mayor Stuart Titus called the Special City Council Meeting to order at 8:00 AM. Present were Councilmen Michael Sweeney, and Daniel Brown along with staff City Manager Jay Parrish. Those present pledged allegiance to the flag and the City Clerk called roll.

There were no Modifications to the Agenda, or Ceremonial Items.

Public Comment: No public comments.

No Consent Calendar Items, Call Items or Presentations.

Resolution 2013-37 Annual Renewal of NVB Loan for FEMA Francis Creek Project Matching Funds:
MOTION (Sweeney/Brown) Unanimous.

The meeting was adjourned at 8:20 AM. The next regular Council Meeting is scheduled for October 3, 2013 at 7PM.

Respectfully submitted,

Jay Parrish, City Manager/City Clerk
Transcribed by Christina Wile, Deputy City Clerk

Section 10

CALL ITEMS

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

Section 11

PRESENTATIONS

Section 12
BUSINESS

Meeting Date:	October 3, 2013	Agenda Item Number	12a
Agenda Item Title:	PG&E Undergrounding Public Hearing Continuation & Progress Report		
Presented By:	Jay Parrish, City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Reiterate direction to staff to continue negotiations with PG&E, the County, and affected utility companies for undergrounding utilities from the intersection of Francis and Eugene Streets south to the end of Francis Street; and direct staff to set the matter for a Public Hearing to designate said area as an Undergrounding Utilities District once district boundaries have been set.		

CONDUCTING A PUBLIC HEARING

1. OPEN PUBLIC HEARING

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

2. CLOSE PUBLIC HEARING

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

RECOMMENDATION: Reiterate direction to staff to continue negotiations with PG&E, the County, and affected utility companies for undergrounding utilities from the intersection of Francis and Eugene Streets south to the end of Francis Street; and direct staff to set the matter for a Public Hearing to designate said area as an Undergrounding Utilities District once district boundaries have been set.

DISCUSSION: At the July 8th regular meeting, the City Council unanimously (with Mayor Titus recusing) authorized the City Manager to pursue an agreement with PG&E and the County for a collaborative Rule 20A project from the intersection of Francis and Eugene Street south to the end of Francis Street, and directed the City Manager to invite PG&E to the following meeting to discuss project parameters. Lizette Burtis, Rule 20A Program Liaison from PG&E, made a presentation at the August 1st meeting outlining the details of the project and the overall process involved. Ms. Burtis confirmed via letter to the City that PG&E has reviewed the potential undergrounding district at the location authorized by the City Council and supports the district. At the September 5th meeting, the City Council held a public hearing to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead

wires and associated overhead structures and the underground installation of wires and facilities along the section of Francis Street under consideration. The Council and public raised concerns regarding the California Environmental Quality Act (CEQA) as pertains to the proposed district and the findings required by the California Public Utilities Commission.

Prior to designation of the Undergrounding District, the California Public Utilities Commission and PG&E require that the City determine that a proposed undergrounding district, "is in the general public interest for one or more of the following reasons:

- 1) Such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
- 2) The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;
- 3) The street or road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public; and
- 4) The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines."

City staff feels confident the City can make findings to support reasons 1-3 above. However, Lizette Burtis has informed the City that the next step before the City can move ahead is to have a PG&E Rule 20A project estimator visit the site and determine the extent of the proposed district. The estimator will meet with the City Engineer and Director of Public Works to discuss project specifications and potential boundaries; specifically, the City has questions regarding undergrounding beyond the end of Francis Street and up the hill. The outcome of this site visit will help determine the proposed district boundaries. This site visit is tentatively scheduled for October 3rd; results of the visit will not be available until after agenda posting.

Until the boundaries of the proposed district are known, the City cannot make the CEQA determination or move ahead with the designation of the Undergrounding District. At the Council's direction, City staff will continue to coordinate with PG&E, other affected utilities as required, and the County. When staff has the required information to make the necessary findings and determination, the matter will be set for a Public Hearing to designate an Undergrounding District.

FISCAL IMPACT: None

Meeting Date:	October 3, 2013	Agenda Item Number	12b
Agenda Item Title:	First Reading of Ordinance No. 2013-02 Sign Ordinance		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve First Reading of Ordinance No. 2013-02 Sign Ordinance		

RECOMMENDATION: Approve the First Reading of Ordinance 2013-02 Sign Ordinance by title only, and direct staff to bring it to the November City Council meeting for a Second Reading and possible adoption.

DISCUSSION: In 2011, the current Sign Ordinance Committee (SOC) was formed to undertake a comprehensive sign ordinance update. The Committee began drafting a stand-alone Sign Ordinance and had completed all sections except for those concerning zoning, administration and permitting before two members of the five-member Committee resigned.

In completing the majority of the Draft Sign Ordinance sections, the SOC had laid the groundwork for a comprehensive ordinance that addresses signs common to Ferndale as well as signs that may be proposed in the future. In order to complete the remaining sections for a concise, consistent Sign Ordinance, the City Council directed Planning staff to review the completed sections, reorganize select sections, revise as needed for consistency and clarity, consolidate wherever possible, and prepare the missing sections.

Drawing on the SOC's draft language and intentions, Planning staff completed an Initial Draft Sign Ordinance and forwarded it to the SOC for review and input. The Sign Ordinance Committee then held a public meeting on September 10, 2013 to review the revised draft, provide input, and make a recommendation to the Planning Commission. After providing further input, the Committee unanimously passed a motion to recommend the draft to the Planning Commission.

At the September 18, 2013 meeting, the Planning Commission conducted a Study Session to review the Draft Sign Ordinance and solicit public input. During the regular meeting the Commission unanimously passed a motion to recommend the draft to the City Council.

Prior to this October 3, 2013 meeting, the City Council conducted a Study Session to consider the draft ordinance and receive further public input. The Study Session was advertised in the Ferndale Enterprise, and flyers were posted at several locations in the City.

The attached Draft Sign Ordinance incorporates the input from the SOC and Planning Commission review. Revisions suggested during the October 3rd study session will be incorporated pending Council direction. The Ordinance as intended by the SOC and as written requires amendments to Zoning Ordinance 02-02 §6.05 Design Control Combining Zone to allow for certain signs to be exempt from Design Review as well as allow the Design Review Committee to act as Review Authority under certain circumstances. The Sign Ordinance and proposed Zoning Ordinance amendments will undergo final legal review after all revisions are incorporated and prior to the second reading of the Sign Ordinance. Zoning Ordinance amendments must be reviewed by the Planning Commission and forwarded to the City Council.

The adoption of the proposed ordinance is not a project subject to CEQA pursuant to Title 14, California Code of Regulations, Sections 15060(c)(2) and 15060(c)(3), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT: Staff time and materials authorized on June 6, 2013.

ORDINANCE NO 2013-02

AN ORDINANCE OF THE CITY OF FERNDALE STATE OF CALIFORNIA REGULATING THE USE, LOCATIONS, DIMENSIONS, TYPE, AND CONTENT OF SIGNS; SPECIFYING MAXIMUM DIMENSIONS AND TYPES OF SIGNS FOR VARIOUS LAND USES AND ZONES; DEFINING WORDS AND TERMS; PROVIDING FOR THE ISSUANCE OF USE PERMITS AND FOR RELATED STANDARDS AND CONDITIONS; SPECIFYING PROCEDURES FOR THE ADMINISTRATION AND AMENDMENT OF, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF, ANY OF THESE PROVISIONS; AND REPEALING ORDINANCE 02-02 §3.66 AND §7.23.

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

Article 1 ADOPTION, SHORT TITLE AND PURPOSE

§1.1 **Adoption:** There is hereby adopted a Sign Ordinance for the City of Ferndale, State of California, pursuant to California Government Code §65000 et seq., §65850(b), §38774, §38775, Business and Professions Code §5200 et seq. and §5490 et seq., Civil Code §713, and other applicable State laws. This Ordinance constitutes a precise plan for the regulation of signs and sign structures in conformity with the General Plan and General Plan Standards. The provisions of this Ordinance shall apply to all lands and all landowners within the incorporated areas of the City of Ferndale.

§1.2 **Short Title:** This Ordinance shall be known and cited as the “Sign Ordinance.” In any administrative

action taken by any public official under the Authority set forth in the Ordinance, the use of the term "Sign Ordinance," unless further modified, shall also refer to and mean this Ordinance.

- §1.3 **Purpose:** This Ordinance is adopted to protect community safety and values through the regulation of signs and sign structures. The regulations established by this Ordinance are intended to appropriately limit the placement, type, size, and number of signs allowed within the City, and to require proper sign maintenance. The purposes of these limitations and requirements are to:
- 1.3.1 Promote historic preservation of contributing structures and downtown Ferndale;
 - 1.3.2 Ensure that Ferndale signage conforms to the purposes and objectives of the Design Review Combining Zone as per Zoning Ordinance 02-02;
 - 1.3.3 Promote the community's aesthetic and economic values by providing for signs that do not impair the attractiveness of the City as a place to live, work, shop, and visit;
 - 1.3.4 Provide for signs as an effective channel of communication, while ensuring that signs are designed in a manner consistent with Ferndale's historical styles and aesthetically proportioned to the structures to which they are associated;
 - 1.3.5 Safeguard and protect the public health, safety and general welfare by allowing safe and effective signage while avoiding visual clutter, distractions and obstructions; and
 - 1.3.6 Defend and preserve the rights of freedom of association, speech and expression in all matters pertaining to signage.

Article 2 STATUTORY AUTHORITY / ENFORCEMENT AUTHORITY

- §2.1 The statutory authority for this Ordinance is California Government Code §65000 et seq., §65850(b), §38774, §38775, Business and Professions Code § 5200 et seq. and §5490 et seq., Civil Code §713, and other applicable State laws.
- §2.2 All departments, officers and public employees vested with the duty or authority to issue permits shall issue no sign permit within the City in conflict with these regulations, and any such permit issued in conflict with these regulations shall be null and void.
- §2.3 Any person whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any one of the provisions of these regulations shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 per violation or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- §2.4 Any sign installed or maintained contrary to the provisions of these regulations shall be a public nuisance subject to injunction and abatement.
- §2.5 The remedies provided herein shall be cumulative and not exclusive.
- §2.6 The City Manager (or in his/her absence the Mayor), or his/her designee shall be responsible for the enforcement of the provisions of these regulations.
- §2.7 In the event that any fee or charge is not paid within the time period specified by the City, the City shall retain the right to seek enforcement and/or collection in court, at the expense of the responsible party. Expenses shall be recoverable by the City whether by assessment by the City Council following a hearing at a regularly scheduled City Council meeting or by a court of competent jurisdiction and shall further include the actual costs of collection such as staff time,

administrative costs, court costs, attorneys' fees and penalties.

Article 3 APPLICABILITY

§3.1 **Signs Regulated.** Any alteration to the structure, area, height, or placement of an existing regulated sign, shall require that the existing sign be modified to comply with all applicable provisions of this Ordinance. The requirements of this Ordinance shall apply to all new signs and all changes to existing signs in all zones except the following:

3.1.1 **Art and Decorations.** A display designed and intended as a decorative or ornamental feature that does not contain advertising text or identifying symbols such as numbers, address, registered trademarks, or registered logos.

3.1.2 **Government and Required Signs.** Signs required and/or installed by a Federal or State governmental agency, the City, County, or local agency, including but not limited to the following. Such signs shall not require a Design Review Use Permit.

3.1.2.1 Emergency and warning signs necessary for public safety or homeland security;

3.1.2.2 Traffic control, directional, and street name signs erected and maintained by an authorized public agency;

3.1.2.3 Signs showing the location of public facilities (e.g., civic buildings and facilities, public telephones, restrooms, and underground utilities);

3.1.2.4 Any sign, posting, public notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect public health, safety, and general welfare;

3.1.2.5 Notices, licenses, permits, and other signs required by law; and

3.1.2.6 Service station fuel price signs no larger than required by State law.

3.1.3 **Historical Signs.** An existing sign older than 50 years or found to be of historical significance by the Planning Commission is exempt from the provisions of this Ordinance. The application for this exemption shall incur a fee to cover the costs of staff time and materials. Changes to such signs, including relocation but not including nonstructural modifications and nonstructural maintenance (e.g., painting, rust removal), shall nullify this exemption.

3.1.4 **Sign Content.** The provisions of this Ordinance do not regulate the message content of signs (sign copy), regardless of whether the message content is commercial or noncommercial. Nothing contained in this Ordinance is intended to favor commercial speech over noncommercial speech. Notwithstanding anything else contained in this Ordinance, protected noncommercial speech shall be permitted on any sign on which commercial speech is allowed under this Ordinance and any sign containing protected noncommercial speech shall be deemed to be an on-site sign.

3.1.5 **Sign Location.** Signs located on the interior of buildings or structures are not regulated by this Ordinance, unless such signs are located within five feet of a street facing window and oriented towards the window and not primarily designed for the information of persons within the structure or building. This exemption includes scoreboard signs, signs on the inside of ball field fences and signs located within the site of a special event such

as a fair, festival or carnival.

Article 4 DEFINITIONS

Unless defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

- §4.1 **ABANDONED OR OBSOLETE SIGN:** A sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.
- §4.2 **AFFILIATION SIGN:** A sign identifying membership in an association or network.
- §4.3 **ANIMATED SIGN:** A sign which uses movement, blinking, flashing, change or fluctuation of lighting intensity, color, motion or sense of motion, or sound to depict action or create a special effect, including programmable displays and rotating signs.
- §4.4 **AWNING, CANOPY OR MARQUEE SIGN:** A sign displayed on or attached flat against the surface or surfaces of an awning, canopy, or marquee.
- §4.5 **BANNER, FLAG OR PENNANT:** Cloth, bunting, plastic, paper, or similar non-rigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the State of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
- §4.6 **BILLBOARD:** Any freestanding off-site outdoor advertising sign and or panel independent of a building to attract the attention of those passing by.
- §4.7 **BULLETIN BOARD:** A permanent sign with posted messages that relay community information.
- §4.8 **CONSTRUCTION SIGN:** A sign advertising or identifying the persons or firms associated with a construction or development project.
- §4.9 **COPY:** The graphic content of a sign surface in either permanent or removable letters, images, symbols, figures or message format.
- §4.10 **DERELICT SIGN:** A sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the applicable Building or Electrical Codes.
- §4.11 **DIRECTIONAL SIGN:** A sign designed and erected solely for the purpose of directing those passing by.
- §4.12 **FLASHING SIGN:** A sign having a conspicuous and intermittent variation in lighting; a sign incorporating intermittent electrical impulses from a source of light or a light revolving in a manner which creates the illusion of flashing.
- §4.13 **FREESTANDING SIGN:** A sign permanently attached to the ground which is supported by one or more uprights, braces, poles or other similar structural components that is not attached to a building or buildings, nor has a building as its primary structural support. This includes ground signs, pole signs and monument signs.
- §4.14 **GARAGE AND YARD SALE SIGNS:** A sign with a message advertising the resale of personal property.

- §4.15 **GASOLINE PRICE SIGN:** A sign that announces the price of fuel to those passing by.
- §4.16 **HISTORIC SIGNIFICANCE PLAQUE:** A sign announcing the location of a feature, place or building found to be historically significant and authorized or erected by a state or nationally recognized historical preservation society, the City Council, or a federal or state authority.
- §4.17 **ILLUMINATED SIGN:** A sign with an artificial light source for the purpose of lighting the sign.
- 4.17.1 **INDIRECTLY ILLUMINATED SIGN:** A sign whose light source is exterior to the sign and which casts light onto the sign from some distance.
- 4.17.2 **INTERNALLY ILLUMINATED SIGN:** A sign that houses an internal lighting system.
- §4.18 **INCIDENTAL SIGN:** a small sign, emblem, or decal providing only information to those passing by regarding aspects of service available on the premises, such as credit cards accepted or open hours.
- §4.19 **INFLATABLE SIGN:** Any sign that is or can be enlarged with three cubic feet or more of air, liquid or gas.
- §4.20 **LOGO:** An established identifying trademark or symbol of an organization, business or business entity.
- §4.21 **MOVING SIGN:** Any sign or device which has any visible moving part, visible revolving part, or visible mechanical movement, including wind-driven signs but not including banners, flags, or pennants.
- §4.22 **MULTI-FACED SIGN:** A sign that has two or more sign faces.
- §4.23 **MURAL:** A display painted directly on a wall which is designed and intended as a decorative or ornamental feature. Murals do not contain advertising text, numbers, address, registered trademarks, or registered logos. A mural is generally not considered a sign.
- §4.24 **NAMEPLATE:** An on-site wall sign which gives only the name, contact information, address and/or occupation of an occupant or group of occupants.
- §4.25 **OFF-SITE SIGN:** A sign which directs attention to a business, product, service, industry or other activity not sold, offered or conducted on the premises upon which the sign is located.
- §4.26 **ON-SITE SIGN:** A sign which directs attention to a business, product, service, industry or other activity sold, offered or conducted on the premises upon which the sign is located.
- §4.27 **OPINION SIGN:** A temporary sign that directly relates to a candidate for public office or to a ballot issue, proposition, or a party in an election conducted by a governmental entity or a sign expressing political, social, religious, or other ideological sentiments that does not advertise a product or service.
- §4.28 **PORTABLE SIGN:** A sign located on or off a business premises which is intended to be moved or capable of being moved, whether or not on a motor vehicle, wheels or other special supports, including, but not limited to, "A-frame" type signs, placards and banners.
- §4.29 **PRODUCT SIGN:** A sign using logos, icons, shapes, or symbols to inform the public that a particular product or brand is sold at that location.

- §4.30 **PROJECTING SIGN:** A sign other than a wall sign that is suspended from, attached to, or projects more than 12 inches from a building face or wall or from a structure whose primary purpose is other than the support of the sign.
- §4.31 **REAL ESTATE SIGN:** A temporary sign announcing the offer to build on, sell, lease or rent real property and identifying the entity handling such sale, lease or rental. Includes signs announcing an open house for the property.
- §4.32 **ROOF SIGN:** A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof .
- §4.33 **SANDWICH BOARD SIGN:** A temporary portable A-Frame sign placed outside a business.
- §4.34 **SEASONAL SIGNS AND DECORATIONS:** Temporary seasonal, holiday and cultural observance decorations which do not include commercial advertising messages.
- §4.35 **SIGN:** Any device, structure, fixture, or placard displaying graphics, symbols, and/or written copy for the primary purpose of communicating with the public, when such image is visible from any public right-of-way, except the following:
- 4.35.1 Personal appearance. Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, wigs, costumes, masks, etc.;
 - 4.35.2 Manufacturers' marks. Marks on tangible products, which identify the maker, seller, provider or product, and which customarily remain attached to the product even after sale;
 - 4.35.3 Mass transit graphics. Graphic images mounted on duly licensed mass transit vehicles that legally pass through the City;
 - 4.35.4 Vehicle and vessel insignia. On street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel;
 - 4.35.5 Grave stones and grave markers;
 - 4.35.6 News racks and newsstands;
 - 4.35.7 Shopping carts, golf carts, and horse drawn carriages; and
 - 4.35.8 Vending machines which do not display off-site commercial messages or general advertising messages.
- §4.36 **SPECIAL EVENT SIGN:** A temporary sign used to announce community wide events which are not conducted in connection with the operation of a commercial enterprise.
- §4.37 **STREET ADDRESS:** Any series of numbers and/or letters used for describing the location of a building, apartment, or other structure or a plot of land on a street.
- §4.38 **SUBDIVISION SIGN:** A temporary sign advertising a subdivision and providing travel directions to properties therein offered for sale or lease.

- §4.39 **TEMPORARY SIGN:** A sign intended to display either commercial or noncommercial messages of a transitory or temporary nature.
- §4.40 **TIME AND/OR TEMPERATURE SIGN:** Any sign or portion of a sign which displays only the current time and/or temperature that carries no other copy.
- §4.41 **WALL SIGN:** A sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.
- §4.42 **WIND-DRIVEN SIGN:** A sign that moves freely in the wind.
- §4.43 **WINDOW SIGN:** A sign which is attached to or painted on a window or door.
- §4.44 **ZONE:** A distinct and separate district within which certain uniform regulations and requirements or combinations thereof apply under the provisions of Ordinance 02-02.

Article 5 SIGN PERMITS

- §5.1 **Sign Permit Required:** No sign shall be constructed, installed, or modified, unless a sign permit is first obtained in compliance with this Section, or the sign is allowed without a sign permit by Article 6 (Exemptions from Sign Permit Requirements).
- 5.1.1 **Criteria for Approval:** No sign permit shall be approved for an existing or proposed sign unless the sign is in compliance with all applicable requirements of this Ordinance.
- 5.1.2 **Effect of Approval:** An approved sign shall be installed and maintained only in compliance with its sign permit.
- 5.1.3 **Design Review Use Permit:** A proposed sign may require a Design Review Use Permit in addition to a sign permit.
- 5.1.4 **Building Permit:** A proposed sign may require a Building Permit in addition to a sign permit.
- §5.2 **Review Authority.**
- 5.2.1 **City Staff:** City Staff, as directed by the City Manager, shall review and decide sign permit applications in compliance with the findings required by §5.4 (Findings for approval), except as provided by §5.2.2. City Staff may also refer any sign permit application to the Design Review Committee for review and decision.
- 5.2.2 **Design Review:** In addition to signs within the Design Control Combining Zone, a Design Review Use Permit as provided for by Ordinance 02-02 shall be required for:
- 5.2.2.1 Sign permit applications in any zone proposing signs over 20 square feet in area, or proposing a sign that will increase the total sign area on a site to over 20 square feet; and
- 5.2.2.2 All signs for nonresidential uses in residential zones unless exempt from sign permit requirements per Article 6.
- 5.2.3 **Conditions of Approval:** The review authority may require conditions of approval that it determines are necessary to achieve the purpose, intent, and objectives of this Ordinance.

§5.3 Sign Permit Procedures.**5.3.1 Application Requirements:** Each application shall include all of the following:

- 5.3.1.1 A site plan and building elevations, drawn to scale, accurately showing the proposed location of each sign in relation to other signs on the site and building, including each present and planned sign of any type, whether or not requiring a permit;
- 5.3.1.2 Plans for the sign, drawn to scale, accurately detailing the design and proposed appearance of the sign, including mounting and lighting details;
- 5.3.1.3 A complete color scheme for the sign;
- 5.3.1.4 Sufficient other details of the proposed sign to show that it complies with the provisions of this Ordinance;
- 5.3.1.5 Written permission from the property owner for the placement of the proposed sign on the site;
- 5.3.1.6 Computation of the total sign area, the area of each individual sign, the height of each sign, and the total number of existing and proposed signs on the parcel; and
- 5.3.1.7 Other information as required by the review authority.

§5.4 Findings for Approval. The approval of a sign permit shall require that the review authority make the following findings, as applicable:

- 5.4.1 The proposed sign complies with the standards of this Ordinance and is in substantial conformance with the design criteria in §8.7 of this Ordinance.

§5.5 Expiration and Extension of Sign Permit or Approval.

- 5.5.1 Sign permit and sign plan approval shall expire 12 months from the date of approval unless the sign has been erected or a different expiration date is stipulated at the time of approval. Before the expiration of a sign permit, the applicant may apply for an extension of an additional 12 months from the original date of expiration. The review authority may make minor modifications, or may deny further extensions of the approved sign at the time of extension.
- 5.5.2 The expiration date of the sign permit shall be automatically extended to concur with the expiration date of the companion Building Permit or other applicable permits.

§5.6 Administrative Appeals.

- 5.6.1 Administrative decisions, including determinations relative to application completeness, may be appealed to the City Council within 10 calendar days of staff's determination, as set forth in Zoning Ordinance 02-02 Article XI.

Article 6 EXEMPTIONS FROM SIGN PERMIT REQUIREMENTS

Unless otherwise specified in this Ordinance, the following signs and modifications are allowed in all zones without sign permit approval, provided they comply with Article 8 (General Requirements for All Signs), and any required Building Permit is obtained. No sign is allowed on a site if that sign, together with all other signs on the site, exceeds the maximum allowable sign area as specified in §8.4.

- §6.1 **Nonstructural Modifications and Maintenance.** Nonstructural modifications and maintenance of conforming signs, including modifications to sign copy or changes to the face or copy of changeable copy signs;
- §6.2 **Permanents Signs.**
- 6.2.1 **Historic Significance Plaque and Nameplate.** Nameplates, building cornerstones when cut or carved into a masonry surface or when made of noncombustible material and made an integral part of the building or structure, and historic plaques erected and maintained by non-profit organizations, provided:
- 6.2.1.1 Each building or structure shall bear only one such sign;
- 6.2.1.2 Nameplates shall not exceed two square feet in area;
- 6.2.1.3 Historic Significance Plaques shall not exceed four square feet in area;
- 6.2.1.4 Signs shall be constructed of historically significant and durable materials; and
- 6.2.1.5 The sign shall not be illuminated.
- 6.2.2 **Incidental and Affiliation.** Incidental and Affiliation signs are allowed without a sign permit provided that the signs do not exceed one square foot each in area and are attached to a window pane, transom or door. These signs shall not be illuminated and are exempt from design review.
- 6.2.3 **Official Flags.** Flags of national, State, or local governments, fraternal, or public service agencies, provided:
- 6.2.3.1 Only one flag pole is permitted per parcel;
- 6.2.3.2 A maximum of three flags shall be flown on one pole;
- 6.2.3.3 The length of the flag shall not exceed one-third the height of the flag pole;
- 6.2.3.4 The height to width ratio of the flag shall not exceed 1:1;
- 6.2.3.5 The height of the flag pole shall not exceed 20 feet within a residential zone, and 30 feet within a nonresidential zone; and
- 6.2.3.6 No private flag pole shall be located within a public right-of-way or required setback.
- 6.2.4 **Parking Information Signs.** Signs identifying accessible parking spaces, tenant parking, customer parking only, etc., and/or noting that unauthorized vehicles may be towed or any other parking restriction, provided that:
- 6.2.4.1 Such signs shall not be illuminated.
- 6.2.4.2 A maximum of four signs shall be permitted per parcel;
- 6.2.4.3 Each sign shall pertain to parking space(s) located on private property; and
- 6.2.4.4 No such sign shall exceed two square feet in area.
- 6.2.4.5 Such signs shall be exempt from Design Review.
- 6.2.5 **“No Trespassing”** or similar signs regulating the use of property, provided the signs do not exceed two square feet or a total aggregate area of four square feet.

- 6.2.6 **Street Address.** As required by the California Building Code, all buildings must have street address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property on buildings. Street address signs shall meet the following requirements:
- 6.2.6.1 The address sign shall meet the requirements of the adopted California Building Code.
 - 6.2.6.2 The address numbers shall:
 - 6.2.6.2.1 Contrast with their background;
 - 6.2.6.2.2 Be Arabic numbers and/or alphabetical letters;
 - 6.2.6.2.3 Not exceed 12 inches in height; and
 - 6.2.6.2.4 Shall not be smaller than four inches in height nor have a stroke of less than one-half inch.
 - 6.2.6.3 Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure.
- 6.2.7 **Time and Temperature Signs and Barber Poles** not exceeding 10 square feet in area.
- 6.2.8 **Window Signs.** In all zones except residential zones, (R- zones), window signs in compliance with §10.10 of this Ordinance are allowed without a sign permit and are exempt from design review provided the signs do not exceed two square feet per sign and do not exceed the aggregate signage allowed for the window.
- §6.3 **Temporary Signs.** The following do not require a sign permit or Design Review:
- 6.3.1 **Banners and Pennants.** Banners or pennants may be used for a period not to exceed 30 days per year after submitting a signed and dated notice to City Hall including dates of use, business name and address, and applicant name and contact information. The banner or pennants shall have a maximum height of 4 feet and a maximum length of 50 feet. See §10.8.1 for banners and pennants exceeding 30 days per year.
 - 6.3.2 **Construction Signs.** Construction signs, provided that the signs:
 - 6.3.2.1 Are erected no sooner than the date of Building Permit issuance and are removed within 30 days of Building Permit finalization;
 - 6.3.2.2 Shall not exceed a total aggregate area of ten square feet for individual lots or 32 square feet for a subdivision frontage. Sign height shall not exceed six feet for a single lot or eight feet for a subdivision;
 - 6.3.2.3 Shall be placed at minimum ten feet from any public right-of-way or 15 feet of any intersection;
 - 6.3.2.4 One such sign shall be allowed per public entrance to the site or subdivision;
 - 6.3.2.5 Shall not advertise for employment or other services;
 - 6.3.2.6 Shall not be illuminated.
 - 6.3.3 **Garage and Yard Sale Signs.** Garage and yard sale signs, provided that the signs:
 - 6.3.3.1 Shall not exceed five square feet in area and 48 inches in height

- 6.3.3.2 Shall not be illuminated;
- 6.3.3.3 Shall not be placed on public property;
- 6.3.3.4 No more than four off-site and one on-site sign shall be posted; and
- 6.3.3.5 Garage and yard sale signs shall be allowed for up to 48 hours before and after the sale.
- 6.3.4 **Opinion and Special Event Signs.** Opinion or special event signs shall not be prohibited by development restrictions (i.e., CC&R's), provided that the signs:
 - 6.3.4.1 Shall not be illuminated;
 - 6.3.4.2 Shall be placed on private property with the property owner's consent;
 - 6.3.4.3 Shall not exceed a total aggregate area of 12 square feet on a site within a residential zone, and 32 square feet within a nonresidential zone;
 - 6.3.4.4 Shall not be placed within 15 feet of a fire hydrant, street sign, or traffic signal, or interfere with, confuse, obstruct, or mislead traffic;
 - 6.3.4.5 Shall be placed no more than 60 days prior to the event or upon official announcement of candidacy for a public office and are removed within 48 hours after the conclusion of the political campaign or event to which they relate. A sign that is not removed may be removed by the City at the expense of the political candidate or organization involved. Opinion or social issue signs not related to an election or event that are intended to be posted for more than 60 days, will be regulated as permanent signs, require a sign permit, and are subject to design review.
- 6.3.5 **Real Estate Signs.** Real estate signs in compliance with California Civil Code §713, subject to the following requirements:
 - 6.3.5.1 **All Zones.** Real estate signs shall not be illuminated and shall be removed upon sale or rental of the property and/or close of escrow.
 - 6.3.5.2 **Commercial Zones.** A site within a commercial zone (C- zone) shall be allowed one on-site freestanding real estate sign and one off-site freestanding real estate sign for each parcel frontage. Signs shall not exceed 32 square feet, with a maximum height of six feet.
 - 6.3.5.3 **Residential Zones.** A site within a residential zone (R- zone) shall be allowed one on-site freestanding real estate sign and one off-site freestanding real estate sign for each parcel frontage. Signs shall not exceed six square feet, with a maximum height of five feet.
- 6.3.6 **Seasonal Signs and Decorations,** provided the signs are erected no sooner than 45 calendar days prior to the holiday and removed within 10 days following the holiday.

Article 7 PROHIBITED SIGNS

All signs not expressly allowed by this Ordinance shall be prohibited, including the following:

- §7.1 Abandoned or derelict signs, sign structures or empty frames;
- §7.2 Animated and moving signs, including electronic message display signs, and variable intensity,

blinking, or flashing signs, exposed illumination exceeding 15 watts, the use of flame as illumination or as a design feature, or signs that emit a varying intensity of light or color;

- §7.3 Signs that emit odor, noise, smoke, flame or visible matter other than light;
- §7.4 A sign attached to or suspended from a boat, vehicle, or other movable object that is parked within a public right-of-way, or located on private property but visible from a public right-of-way; except a sign painted directly upon, magnetically affixed to, or permanently affixed to the body or other integral part of a vehicle;
- §7.5 Signs containing obscene matter in violation of California Penal Code §311 et seq.;
- §7.6 Signs supported in whole or in part by cables or guy wires;
- §7.7 Billboards;
- §7.8 Inflatable signs;
- §7.9 Roof Signs;
- §7.10 Internally illuminated signs except product signs;
- §7.11 Signs that simulate in color, size, or design, any traffic control sign or signal, or that make use of words, symbols, or characters in a manner that interferes with, misleads, or confuses pedestrian or vehicular traffic, or creates a safety hazard;
- §7.12 Any sign not established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation; and
- §7.13 Temporary and portable signs, except as specifically allowed elsewhere in this Ordinance.

Article 8 GENERAL REQUIREMENTS FOR ALL SIGNS

- §8.1 **Sign Height Measurement.** The height of a sign shall be computed as the vertical distance from the lowest point of the base of the sign at normal grade, to the top of the highest attached component of the sign.
 - 8.1.1 **Grade.** Normal grade shall be construed to be the lower of either the:
 - 8.1.1.1 Existing grade before construction; or
 - 8.1.1.2 Newly established grade after construction, exclusive of any berming, filling, mounding, or excavating solely for the purpose of locating the sign.
 - 8.1.2 **Where Normal Grade Cannot be Determined.** If normal grade cannot reasonably be determined, sign height shall be computed on the assumptions that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the street curb, or where there is no curb, the crown a public street, whichever is lower.
- §8.2 **Sign Height Limits.** Sign height shall not exceed the limit established for the applicable zone by Article 9 (Sign Standards by Zone), or as required for a specific sign type by Article 10 (Standards for Specific Sign Types). Where maximum height is not specified, the height of a sign shall not exceed 20 feet.
- §8.3 **Sign Area Measurement.** The measurement of sign area to determine compliance with the sign

area limitations of this Ordinance shall occur as follows.

- 8.3.1 **Surface Area.** The surface area of a sign shall be calculated by enclosing the extreme limits of all framing, emblem, logo, representation, writing, or other display within a single continuous perimeter composed of squares or rectangles with no more than eight lines.
 - 8.3.2 **Sign Structure.** Supporting bracing or framework that is clearly incidental to the display itself shall not be computed as sign area.
 - 8.3.3 **Multi-faced Signs.** The sign area for a sign with more than one face shall include only the area of the largest side.
 - 8.3.4 **Three-dimensional Objects.** Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane.
- §8.4 **Sign Area and Quantity Limits.** Sign area and quantity shall not exceed the limit established for the applicable zone by Article 9 (Sign Standards by Zone), or as required for a specific sign type by Article 10 (Standards for Specific Sign Types). Where maximum area is not specified, the area of a sign shall not exceed 32 square feet for a single sign, and aggregate sign area per building frontage shall not exceed the lesser of the following: 90 square feet or 0.25 square feet for each foot of frontage on a public way, plus 0.125 square feet for each foot of building façade height.
- 8.4.1 **Frontage.** In the case of a building with frontage on more than one public way, each frontage shall be considered separately. For aggregate sign area, the total allowed per frontage may be distributed between the frontages (a building may use its combined area allowance on one side only, or may use some percentage on one side and the remainder on the other). Quantity limits pertain to each frontage (the total number of signs allowed cannot be combined and distributed between frontages).
 - 8.4.2 Unless otherwise specified in this Ordinance, signs exempt from permit requirements per Article 6 and Temporary signs per §10.8 of this Ordinance shall not be counted toward the aggregate area and quantity limit.
 - 8.4.3 Window signs shall not be counted toward aggregate area and quantity limits.
 - 8.4.4 A maximum of three permanent signs, one of which may be multi-faced, shall be allowed per business.
 - 8.4.5 A building with multiple businesses served by an interior mall shall be limited to one sign at each building entry identifying the building name and a directory not to exceed one square foot per business listed within the building. Individual businesses within the building shall be limited to one projecting sign not to exceed three square feet or one wall sign not to exceed six square feet.
 - 8.4.6 On any single parcel, temporary signs not including banners or pennants shall not exceed an aggregate area of 12 square feet within a residential zone 32 square feet within a nonresidential zone.
- §8.5 **Location Requirements.** Each sign location shall meet the following requirements, and all other applicable provisions of this Ordinance.
- 8.5.1 Each sign shall be located on the same site as the subject of the sign, except as otherwise allowed in this Ordinance.

- 8.5.2 Each sign location shall comply with setback requirements of the applicable zone, except where a different requirement is established in this Ordinance.
- 8.5.3 All signs shall comply with Americans with Disabilities Act restrictions for access.
- 8.5.4 No sign shall be placed so as to interfere with the operation of or obscure a door, fire escape, stairway, standpipe, window, or building design element including a cornice or other decorative detail.
- 8.5.5 Signs placed on private property shall have written permission from the property owner;
- 8.5.6 No sign shall be marked on or affixed to a rock, tree, or other natural landscape feature;
- 8.5.7 No sign shall be placed within 15 feet of a fire hydrant, on utility poles, traffic control signs or in the public right-of-way, except as allowed by this ordinance or government authority; and
- 8.5.8 No sign shall be placed where it will interfere with visibility or safety.

§8.6 Signs Placed Within the Public Right-of-Way.

- 8.6.1 No sign shall be allowed in the public right-of-way, including sidewalks, except for:
 - 8.6.1.1 Signs with an encroachment permit from the appropriate agency.
 - 8.6.1.2 Signs on structures located within the right-of-way which by tradition or designation are used for the purpose of communication by the general public. Such structures shall include kiosks, bulletin boards, benches upon which advertisement is authorized, and newspaper racks, provided that such structures shall have either been placed in the right-of-way by the City or have an encroachment permit from the appropriate agency;
 - 8.6.1.3 Public signs erected by or on behalf of a governmental agency to convey public information, identify public property, post legal notices, or direct or regulate pedestrian or vehicular traffic;
 - 8.6.1.4 Bus stop signs installed by a public transit company;
 - 8.6.1.5 Informational signs of a public utility regarding lines, pipes, poles, or other facilities; or
 - 8.6.1.6 Emergency warning signs installed by a governmental agency, public utility company, or contractor doing authorized work within the public right-of-way.
- 8.6.2 Any sign installed or placed within the public right-of-way other than in compliance with this Section shall be forfeited to the public and be subject to confiscation.
- 8.6.3 In addition to other remedies identified in Article 13 (Abatement and Removal), the City shall have the right to recover from the owner, or person placing the sign, the full costs related to the removal and disposal of any sign not complying with this section.

§8.7 Design Criteria. The following design criteria shall be used in reviewing the design of individual signs. Substantial conformance with each of the following design criteria shall be required before a sign permit can be approved.

8.7.1 Design and Construction.

- 8.7.1.1 A proposed permanent sign should be designed by a professional (e.g.,

architect, building designer, landscape architect, interior designer, or one whose principal business is the design, manufacture, or sale of signs), or others who are capable of producing professional results. The intent is to ensure public safety, to achieve signs of careful construction, neat and readable copy, and durability, to reduce maintenance costs and to prevent dilapidation.

8.7.1.2 Signs that could potentially create a public hazard shall require plans signed by an engineer prior to permit approval, and may require inspection by the City Building Inspector.

8.7.2 Materials and Structure.

8.7.2.1 Materials for permanent signs shall be durable and capable of withstanding weathering over the life of the sign with reasonable maintenance.

8.7.2.2 The size of the structural members (e.g. columns, crossbeams, and braces) shall be proportional to the sign panel they are supporting. In general, fewer larger supporting members are preferable to many smaller supports.

8.7.2.3 Materials for signs within the Design Control Combining Zone shall be consistent in appearance to materials of surrounding historic structures.

8.7.3 **Color.** Colors on signs and structural members should be harmonious with one another and relate to the dominant colors of the other structures on the site. Contrasting colors may be used if the overall effect of the sign is still compatible with the prevailing colors on the structure and in the surrounding neighborhood.

§8.8 **Copy and Typeface Guidelines.** The City does not regulate the message content (copy) of signs; however, the basic principles of copy design and layout can enhance the readability and attractiveness of signs. Copy design and layout consistent with these principles is encouraged, but not required.

8.8.1 For business signs, copy should relate only to the name and/or nature of the business or commercial center.

8.8.2 Permanent signs that advertise continuous sales, special prices, make claims, or include phone numbers, etc. should be avoided.

8.8.3 Information should be conveyed briefly or by logo, symbol, or other graphic manner. The intent should be to increase the readability of the sign and thereby enhance the identity of the business.

§8.9 **Lighting.** Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties. Illuminated signs are allowed provided they comply with all other provisions of this Ordinance, including the following:

8.9.1 External light sources shall be directed and shielded so that they do not produce glare on any object other than the sign. A maximum of 15 watts is allowed;

8.9.2 Lighting shall not be of an intensity or brightness that will interfere with the reasonable enjoyment of residential properties;

8.9.3 Lighting shall not blink, flash, flutter, or change intensity, brightness, or color;

8.9.4 The use of mirrors or highly reflective surfaces that direct or reflect natural or artificial light onto a public right-of-way or adjoining property shall be prohibited;

- 8.9.5 Neither the direct nor reflected light from primary light sources shall create hazards for pedestrians or operators of motor vehicles; and
- 8.9.6 Indirect light sources shall utilize hard-wired fluorescent, LED, or compact fluorescent lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent, xenon, metal halide, mercury vapor, and sodium vapor lamps shall be prohibited. Timers and photoelectric cells are encouraged.

§8.10 Sign Maintenance.

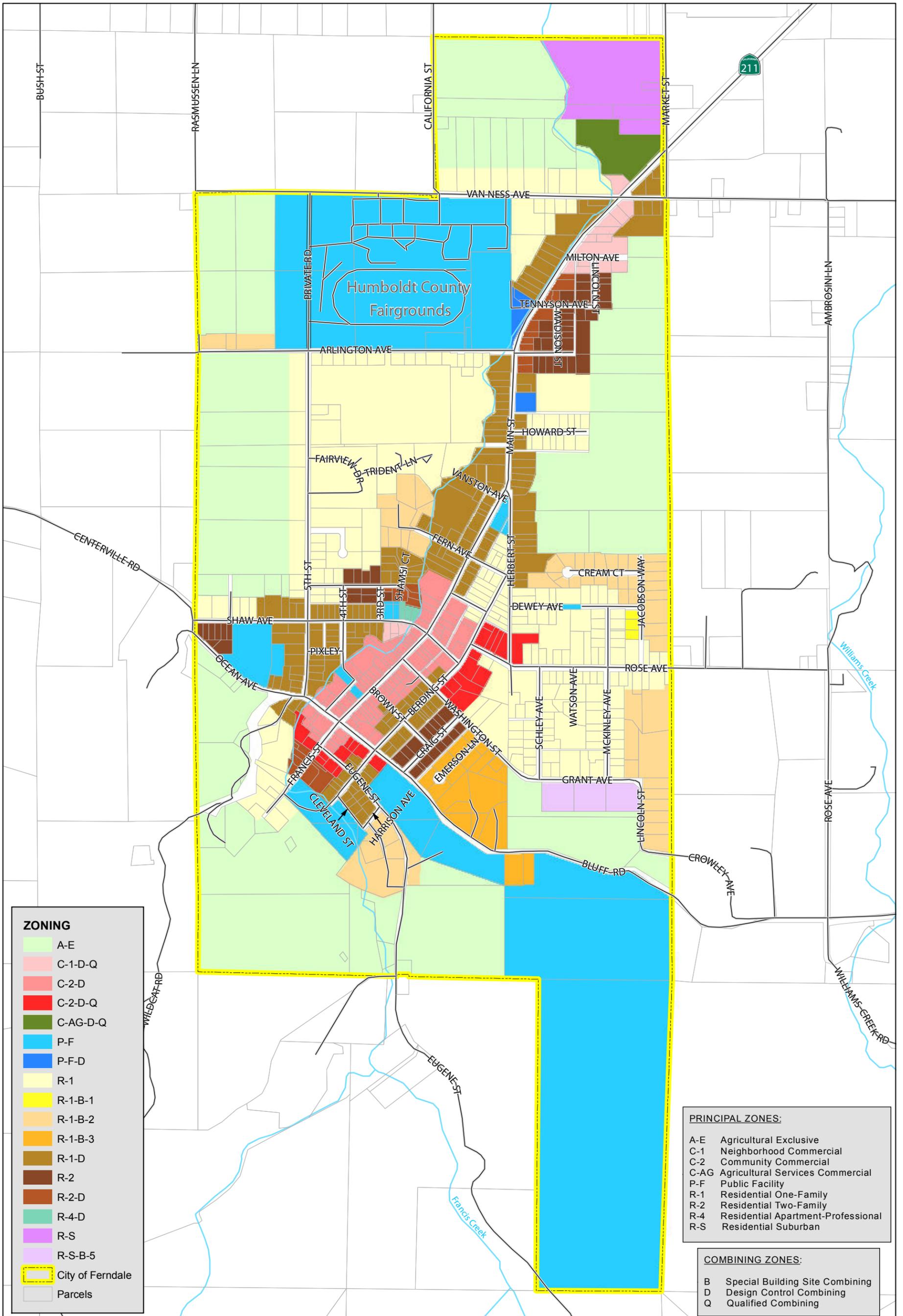
- 8.10.1 Each sign and supporting hardware, including temporary signs, shall be maintained in good repair and functioning properly at all times.
- 8.10.2 Any repair to a sign shall be of equal or better in the quality of materials and design as the original sign.
- 8.10.3 A sign that is not properly maintained and is dilapidated shall be deemed a public nuisance, and may be abated in compliance with the Nuisance Ordinance.
- 8.10.4 When an existing sign is removed or replaced, all brackets, poles, and other supports that are no longer required shall be removed, and unpainted areas shall be painted to match the adjacent portion of the structure.

Article 9 SIGN STANDARDS BY ZONE

Each sign shall comply with the sign type, area, height, and other restrictions provided by the following table except as otherwise expressly provided in this Ordinance. Signs exempt from permit requirements per Article 6 and Temporary signs per §10.8 are not listed in this table, as they are generally allowed in all zones. For the purposes of the following table, the term “affixed” shall include all signs attached to or painted on a building, including but not limited to wall, awning, projecting, and window signs.

Zone	Use	Allowed Sign Types	Maximum Sign Height	Maximum Aggregate Sign Area
R-S, R-1, R-2	Uses permitted with a Use Permit	One freestanding or one wall sign.	Wall: Below Eave Freestanding: 4 ft.	8 sq. ft./parcel
R-3	Permitted non-residential uses	One freestanding or one wall sign.	Wall: Below Eave Freestanding: 5 ft.	8 sq. ft./parcel
R-4	Permitted non-residential uses	One window sign and one freestanding or affixed sign.	Wall: Below Eave Freestanding: 5 ft.	8 sq. ft./parcel
C-1, C-2, C-AG, C-H, M-L, M-H, F-W, F-P, P-D, A-E, P-F	Permitted non-residential uses	Affixed, Freestanding, Sandwich Board	Affixed: Below Eave Freestanding: 8 ft.	See §8.4

City of Ferndale Land Use/Zoning Map



ZONING

- A-E
- C-1-D-Q
- C-2-D
- C-2-D-Q
- C-AG-D-Q
- P-F
- P-F-D
- R-1
- R-1-B-1
- R-1-B-2
- R-1-B-3
- R-1-D
- R-2
- R-2-D
- R-4-D
- R-S
- R-S-B-5

- City of Ferndale
- Parcels

PRINCIPAL ZONES:	
A-E	Agricultural Exclusive
C-1	Neighborhood Commercial
C-2	Community Commercial
C-AG	Agricultural Services Commercial
P-F	Public Facility
R-1	Residential One-Family
R-2	Residential Two-Family
R-4	Residential Apartment-Professional
R-S	Residential Suburban

COMBINING ZONES:	
B	Special Building Site Combining
D	Design Control Combining
Q	Qualified Combining

Map Compiled 6 September 2011
 Source: Imagery - USDA NAIP 2009
 City Boundary, Roads, Water features - Humboldt County CDSD,
 (<http://co.humboldt.ca.us/planning/maps>)
 *edited by Planwest Partners Inc.
 Land Use/Zoning - Planwest Partners Inc.



Article 10 STANDARDS FOR SPECIFIC SIGN TYPES

Proposed signs shall comply with the following standards applicable to the specific sign type. Each sign type listed in this Section shall be subject to the zone location requirements and included in the calculation of the total sign area allowed on a parcel by Article 9 (Sign Standards by Zone), unless this Section explicitly provides otherwise. Each sign shall also comply with the sign area, height, and other requirements of Article 8, and all other applicable provisions of this Ordinance.

§10.1 **Awning, Canopy or Marquee Signs.** These signs are limited to first or second story and shall not project beyond the face of the awning, canopy, or marquee.

§10.2 **Bulletin Board Signs.** One bulletin board may be permitted on the site of an institution, subject to the following;

10.2.1 Sign shall not exceed 20 square feet and not more than ten feet in height; and

10.2.2 Sign content must relate to an activity conducted at or sponsored by the institution.

§10.3 **Directional Signs.** Directional signs shall not be used for off-site advertising or advertising for hire and shall comply with all the following requirements:

10.3.1 **Content.** Directional signs shall not contain advertising copy. Business name or logo shall not exceed 20 percent of the total sign area.

10.3.2 **Sign Area.** Directional signs may not exceed an area of six square feet or height of 48 inches.

10.3.3 **Off-site Directional Signs.** An off-site directional sign may be approved only for sites where the review authority determines that a property owner has considered all permanent signs allowed by this Ordinance, and site visibility still remains impaired.

10.3.3.1 A maximum of two such signs, limited one per street, shall be allowed per use.

10.3.3.2 Such signs shall be placed only on private property.

10.3.3.3 Sign content shall be limited to name and directional arrow.

10.3.4 **On-site Directional Signs.** No more than two shall be permitted per public road entrance. Entities sharing an access may be permitted one on-site directional sign each along the access road.

§10.4 **Freestanding Signs.**

10.4.1 **Location Requirements.** A freestanding sign may be located within a required front or street side setback provided that it complies with the vision clearance area requirements of Ordinance 02-02 §7.08.1.

10.4.2 **Height Limit.** A freestanding sign shall not exceed a height of eight feet.

10.4.3 **Sign Area.** Sign area shall not exceed 24 square feet, with base structure area not exceeding $\frac{3}{4}$ of the sign area.

10.4.4 **Other Requirements.**

10.4.4.1 The bottom edge of a freestanding sign shall be no more than three feet above ground level.

10.4.4.2 Freestanding signs without a solid base shall be either hung from a bar

cantilevered off one post or supported by two wood, metal, or granite posts that are generally square in cross section.

§10.5 **Product Signs.** Businesses may be permitted a maximum of three Product signs, with a maximum of two per window, provided the signs:

10.5.1 Shall be located in the building interior but not on doors or second story windows;

10.5.2 Shall not exceed four square feet; and

10.5.3 May be illuminated only during business hours.

§10.6 **Projecting Signs.**

10.6.1 Shall project perpendicularly from the building to which they are mounted;

10.6.2 Shall have a ground clearance of no less than eight feet from the bottom of the sign to the finished grade below;

10.6.3 Shall project no more than 48 inches from the building face nor closer than 12 inches to the vertical plane of the street curb line;

10.6.4 Shall not exceed an area of nine square feet individually or 18 square feet per building in aggregate;

10.6.5 Shall require an Encroachment Permit if projecting over a public right-of-way;

10.6.6 Shall not extend higher than the lesser of 14 feet, eave height, parapet height, or sill height of a second floor window;

10.6.7 Shall not be permitted on the same frontage as a freestanding sign; and

10.6.8 Creative shapes, three-dimensional signs, and signs using icons, shapes, symbols uniquely suited to the business are encouraged.

§10.7 **Sandwich Board Signs.** These signs may be permitted annually when necessary to direct traffic to a location and are not covered by the restrictions in §10.3 (Directional Signs). These signs are highly discouraged, but may be permitted subject to the following requirements:

10.7.1 Such signs must be removed daily at the close of normal business hours;

10.7.2 A renewal application for such signs shall be submitted with annual business license renewal;

10.7.3 A maximum of one such sign, not to exceed six square feet in area and 48 inches in height, may be allowed per business; and

§10.8 **Temporary Signs.** Temporary signs are allowed in all zones subject to the following:

10.8.1 **Banners and Pennants.** A licensed business may be permitted to use a banner or pennants subject to the following requirements (see also Article 6 for exemption):

10.8.1.1 The use of a banner or pennants may be allowed for up to 120 days;

10.8.1.2 Horizontally oriented banners or pennants shall have a maximum height of four feet and a maximum length of 50 feet. Vertically oriented banners shall have a maximum size as determined by the Design Review Committee.

10.8.1.3 The application for a sign permit for banners or pennants shall include the

dates proposed by the applicant for scheduled use.

10.8.2 Subdivision Signs. Subdivision signs may be allowed subject to the following:

- 10.8.2.1 A maximum of two off-site signs per subdivision may be located on private property;
- 10.8.2.2 One on-site sign per street frontage, with a maximum of two separated by a minimum of 75 feet, may be located within a subdivision;
- 10.8.2.3 The area of each sign shall not exceed 24 square feet for an on-site sign and 12 square feet for an off-site sign;
- 10.8.2.4 The height of each sign shall not exceed six feet;
- 10.8.2.5 The signs shall not be illuminated; and
- 10.8.2.6 The signs may be displayed only 12 months following recordation of the final map, or until all of the units have been sold, whichever occurs first.

§10.9 Wall Signs.

- 10.9.1 A maximum of two wall signs per building frontage shall be permitted.
- 10.9.2 Wall signs shall not exceed the lesser of 32 square feet or 0.25 square feet for each foot of frontage plus 0.125 square feet for each foot of building façade height.
- 10.9.3 The aggregate area of all wall signs on a building shall not exceed 80 square feet.
- 10.9.4 Wall signs shall not project more than six inches from the wall.

§10.10 Window Signs.

- 10.10.1 **Maximum Sign Area.** Window signs shall not exceed 24 square feet individually or an aggregate area of 25 percent of the total window area. Window panels separated by muntins or mullions shall be considered as one continuous window area.
- 10.10.2 **Sign Location.** Signs shall be allowed only on windows located on the ground level and second story of a structure frontage.
- 10.10.3 **Second Story Window Signs.** The number of second story window signs shall not exceed 50 percent of the number of second story windows fronting on the same street (i.e., a building with six windows on a side may have three of those windows with a sign for three separate occupants). No second story window sign shall occupy more than 10 percent of the individual window area. Second story signs shall consist only of individual letters or symbols applied to, stenciled on or etched into the glass surface not exceeding six inches in height, and shall not contain logos or artwork.

Article 11 EXCEPTIONS

A variance from the strict application of the terms of these regulations, provided that such exceptions are not prohibited elsewhere in this Ordinance, may be granted pursuant to Ordinance 02-02 Article IX.

Article 12 NONCONFORMING SIGNS

A nonconforming sign is any permanent or temporary sign that was legally established and maintained in compliance with the provisions of all applicable laws in effect at the time of original installation but that does not now comply with the provisions of this Ordinance.

§12.1 **General Requirements.** A nonconforming sign shall not be:

- 12.1.1 Changed to another nonconforming sign with a greater degree of nonconformity;
- 12.1.2 Structurally altered;
- 12.1.3 Reestablished after on-premises business operations are discontinued for six months; or
- 12.1.4 Reestablished after damage or destruction to more than 50 percent of the replacement cost of the sign or components as determined by the Building Official.

§12.2 **Maintenance and Changes.** Nonstructural modifications and maintenance (e.g., painting, rust removal) of nonconforming signs are allowed without a sign permit. Changes shall not exceed 50 percent of the replacement cost as determined by the Building Official.

Article 13 ABATEMENT AND REMOVAL

If a sign is declared hazardous, dilapidated, derelict, abandoned, or is determined by the City Manager or review authority to be in violation of this ordinance, the sign shall be abated in compliance with Ordinance 06-04 (Nuisance Ordinance), except that, in the case of a hazardous sign, the sign is considered a "structure" with respect to the "Uniform Code for the Abatement of Dangerous Buildings" and shall be abated in compliance with that code.

Article 14 AMENDMENT

This Ordinance may be amended pursuant to Ordinance 02-02 §8.02 et seq.

Article 15 ENACTMENT

§15.1 **Severability.** If any section, sub-section, paragraph, sentence, or word of this ordinance shall be held to be invalid, either on its face or as applied, the invalidity of such provision shall not affect the other sections, sub-sections, paragraphs, sentences and words of this Ordinance, and the applications thereof; and to that end the sections, sub-sections, paragraphs, sentences and words of this Ordinance shall be deemed to be severable

§15.2 **Effective Date.** This Ordinance shall become effective 30 days after the date of its enactment.

PASSED AND ADOPTED on this Xth day of XXXX 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

City Clerk / Deputy City Clerk

Stuart Titus, Mayor

First Reading:	Amended:	
Second Reading:		
Enacted:		
Amended:		

Meeting Date:	October 3, 2013	Agenda Item Number	12c
Agenda Item Title:	General Plan Update - Noise & Air Quality Element Scope		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Review Scope and Direct Staff to Begin Element Preparation		

RECOMMENDATION: Review the following Scope for the Ferndale General Plan Noise & Air Quality Element Update, provide input, and direct Staff to begin Element preparation.

BACKGROUND: The Ferndale City Council has allocated funds and the Planning Commission has guided a multi-year General Plan Update process. The Housing Element Update and new Historical & Cultural Resources Element are complete and adopted. The Safety Element Update is complete and awaiting environmental review. At their September 5th meeting, the City Council concurred with the Planning Commission recommendation on the next Element for the General Plan update, Noise & Air Quality. At their September 18th meeting, the Planning Commission reviewed the following scope and brief discussion of Noise & Air Quality Element content and recommended that it be forwarded to the City Council for review. This scope has and will continue to evolve as new information comes to light; it is intended to be a flexible document to allow the Element to reflect the best and most up-to-date information available.

DISCUSSION: The existing City of Ferndale General Plan Noise Element is included with the Public Safety and Scenic Highway Elements from 1975. The City currently has no Air Quality Element. The Noise Element is one of the seven mandated general plan elements per the State Office of Planning and Research (OPR) Guidelines. Air Quality is considered an optional element in the OPR Guidelines. For the purposes of this discussion and scope of services, this new element is referred to as the Noise & Air Quality Element. These two topics address quality of life issues for the community. The Noise & Air Quality Element will address ways to improve air quality and reduce noise, especially for sensitive receptors such as: schools, medical facilities, and certain residential uses.

The Noise component of the Element will also define types of noise including, but not limited to, mobile sources (vehicle noise) and stationary sources (commercial and industrial). This task will include preparation of a noise contour map for State Route 211 (Main Street) through Ferndale, using available County and Caltrans trip volume and noise contour data.

The air quality data and analysis will include an Emissions Reduction Plan to reduce greenhouse gas emissions. AB 32 calls for emission level rollbacks which can be accomplished by reducing both stationary and mobile levels. While AB 32 doesn't require cities to complete Climate Action or Emissions Reduction Plans, the Attorney General's Office has confirmed that such plans constitute acceptable mitigation for cities conducting General Plan Updates. When prepared in conjunction with a General Plan Update and incorporated into each Element, Climate Action or Emission Reduction Plans expedite CEQA review.

During Element preparation, the city will collaborate with agencies, districts, and organizations including but not limited to the North Coast Unified Air Quality Management District, Caltrans and the Redwood Coast Energy Authority. The Element will be reviewed for consistency with other relevant plans such as the North Coast Unified Air Quality Management District's Particulate Matter Attainment Plan and Humboldt County Noise Element Update and Air Quality Element Update. The City will rely on existing studies and available data for the Element. No new technical studies are included in this Scope. The

The adoption of the proposed ordinance is not a project subject to CEQA pursuant to Title 14, California Code of Regulations, Sections 15060(c)(2) and 15060(c)(3), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT: Staff time and materials authorized on June 6, 2013.

Proposed Noise & Air Quality Element Scope:

Introduction

This section will discuss the Noise & Air Quality Element purpose and introduce the organization and content of the entire Element. The introduction will also address how the Noise & Air Quality Element will be internally consistent with other General Plan element, goals, policies and implementation programs. All General Plan Elements are interdependent and related to each other. No single Plan element of should be used in isolation without consideration of all other component elements as an integrated General Plan. The Noise & Air Quality Element directly correlates to the Land Use, Circulation, and Housing Elements.

Definitions

This section will provide definitions of terms used throughout the Element.

Setting & Context

This Element section will include identification and overview of noise and air quality conditions in the Ferndale Planning Area. Conditions in the greater Eel River Valley will also be discussed. Applicable regional air basin, state, and federal standards will be listed for context. For air quality, criteria pollutants (i.e., particulate matter smaller than or equal to 10 microns (PM10)) will be identified. For noise, threshold measurements used by the state (community noise equivalent level (CNEL) and Day Night Average Sound Level (LDN) will also be identified for context and use in setting applicable noise levels in the element. Applicable legislation will be referenced.

Noise Characteristics and Sources

This section will include a noise contour map for State Route 211, identification of major noise sources, analysis of the local noise environment, definition and identification of sensitive receptors, and a discussion of ways to minimize noise exposure.

Air Quality Characteristics

This section will include a description of local and regional air quality conditions, a discussion of the area's current air quality designation, a summary of applicable federal and state standards and laws, a summary of air pollution sources in the Planning Area, and an emissions inventory. RCEA is developing inventories for a climate change action plan for each city and the county. Applicable inventory benchmarks and sources will be documented as characteristics.

Air Basin Requirements - This section will discuss the North Coast Unified Air Quality Management District's (NCUAQMD) regulations, plans and programs, including the PM-10 attainment plan adopted in 1995 and the most current basin plan. A summary of applicable rules, such as those for Greenhouse Gas Mitigation & Control with appropriate web links, will be provided.

Emissions Reduction Plan – A Greenhouse Gas Emissions Reduction Plan often comprises the first phase of an overall Climate Action Plan. The Emissions Reduction Plan will lay the basis for a City-wide Climate Action Plan and will involve the following tasks:

1. Develop Outline, Review Emissions Inventories & Determine Reduction Target.
2. Identify and Evaluate Emission Reduction Measures.
3. Disclose Costs/Benefits /Challenges of Various Emission Reduction Measures.

4. Refine Emission Reduction Measures.
5. Prioritize Measures and Develop Implementation Timeline.
6. Develop Greenhouse Gas Reduction Monitoring and Verification Recommendations.
7. Prepare Draft Emissions Reduction Plan & Hold Public Hearings.
8. Respond to Comments & Prepare Final Emissions Reduction Plan.
9. Adopt Emissions Reduction Plan as part of the Noise & Air Quality Element.

City staff will work with RCEA and incorporate appropriate climate action plan components.

Goals, Policies and Implementation Programs

The contract planner and City staff will work with the Planning Commission and City Council to craft goals, policies, and implementation programs providing a policy basis for measures Ferndale can take to reduce noise exposure and improve air quality. A broad set of goals will be developed to reduce harmful emissions and noise levels in the community.

Noise policy topics proposed for the element will include:

- Overall noise reduction – mobile and stationary sources
- Land Use
- Design review & construction
- Transportation
- Monitoring

Air quality policy topics proposed for the element will include:

- Overall emissions reduction – area and stationary sources
- Land Use
- Energy conservation
- Transportation and circulation
- Hazardous materials
- Temporary measures - construction
- Monitoring

Implementation programs will be developed for each policy topic, consistent with the format used in other elements.

Study Sessions and Public Hearings

Public involvement is an integral part of the General Plan update process. City staff will work with the Planning Commission to organize and schedule study sessions and public hearings to gather public input for integration into the Element.

Environmental Compliance

An Environmental Impact Report (EIR) was prepared in 1986 for the Ferndale General Plan. At minimum, this document must be supplemented to comply with the California Environmental Quality Act (CEQA). Environmental review for the Element update may be coordinated with other General Plan Element Updates, including the Safety Element Update and/or other related discretionary actions of the City.

CC Meeting Date:	October 3, 2013	Agenda Item Number	12d
Agenda Item Title:	First Reading of Ordinance No. 2013-03 Medical Marijuana Dispensary and Cultivation Ordinance		
Presented By:	Chief of Police Bret Smith		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Approve First Reading of Ordinance No. 2013-03		

RECOMMENDATION: Approve the First Reading of Ordinance 2013-03 Medical Marijuana Dispensary and Cultivation Ordinance by title only, and direct staff to bring it to the November City Council meeting for a Second Reading and possible adoption.

BACKGROUND: At the March 2012 City Council meeting, the Council adopted Interim Urgency Ordinance No. 2012 establishing a temporary moratorium on the establishment and operation of medical marijuana dispensaries within the City. The interim ordinance expired March 30, 2013.

To date staff has taken the following measures:

- Reviewed the City’s General Plan, including the Land Use Element Goals and Policies;
- Researched and reviewed the City’s ordinances relative to pharmacies, drug stores and other similar service/retail businesses;
- Consulted with the City’s Building Inspector regarding regulations which may affect health and safety;
- Consulted with other cities to understand how they have or will be responding to requests for establishment and operation of medical marijuana dispensaries and outdoor cultivation;
- Consulted with other cities concerning permitted uses or prohibitions on the establishment of medical marijuana dispensaries and medical marijuana outdoor cultivation;
- Obtained medical marijuana dispensary ordinances from other agencies that may include information useful to the City’s ongoing study of this issue.
- Monitored recent case decisions involving medical marijuana dispensaries and outdoor cultivation.
- Prepared the attached Medical Marijuana Dispensary and Cultivation Ordinance.

The attached ordinance has undergone legal review. City staff recommends the Council adopt the attached ordinance prohibiting outdoor medical marijuana cultivation and the establishment and operation of medical marijuana dispensaries and regulating indoor medical marijuana cultivation.

The adoption of the proposed ordinance is not a project subject to CEQA pursuant to Title 14, California Code of Regulations, Sections 15060(c)(2) and 15060(c)(3), as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT: None

ORDINANCE NO 2013-03

AN ORDINANCE OF THE CITY OF FERNDAL PROHIBITING THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES AND OUTDOOR CULTIVATION AND REGULATING INDOOR CULTIVATION OF MEDICAL MARIJUANA WITHIN THE CITY OF FERNDAL.

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

ARTICLE 1. SHORT TITLE, FINDINGS, AND PURPOSE

Section 1.01 **Short Title.** This Ordinance shall be known and cited as the “Medical Marijuana Dispensary and Cultivation Ordinance” (hereinafter this “Ordinance”).

Section 1.02 **Findings.**

- (a) The City Council of the City of Ferndale, based on evidence presented to it in the proceedings leading to the adoption of this Ordinance hereby finds that the cultivation, processing and distribution of medical cannabis has the potential to cause ongoing impacts to the community. Potential impacts include damage to buildings containing indoor grows, including improper and dangerous electrical alterations and use, inadequate ventilation leading to mold and mildew, increased frequency of home-invasion robberies and similar crimes. Impacts associated with outdoor cultivation include increased crime rates, noxious odors and environmental concerns associated with water quality violations and use of herbicides and rodenticides. Many of these impacts may fall disproportionately on residential neighborhoods. These impacts may create an increase in response costs, including code enforcement, building, land use, fire, and police staff time and expenses.
- (b) The City Council of the City of Ferndale also acknowledges that the voters of the State of California have provided a criminal defense to the cultivation, possession and use of cannabis for medical purposes under the Compassionate Use Act, but that the Compassionate Use Act does not address land use or building code impacts or issues arising from the resulting increase in cannabis cultivation within the City.

Section 1.03 **Purpose.** The purpose and intent of this Ordinance is to regulate the cultivation and dispensing of medical marijuana in a manner that protects the health, safety and welfare of the community. This Ordinance is not intended to interfere with a patient's right to medical marijuana, as provided for in California Health & Safety Code Section 11362, nor does it criminalize medical marijuana possession or cultivation by specifically defined classifications of persons, pursuant to state law.

ARTICLE 2. STATUTORY AUTHORITY

§2.1 The statutory authority for this Ordinance is California Health and Safety Code Section §11362.5 et seq., and California law recognizing the authority of municipalities to regulate land uses within its jurisdiction in order to protect the health, safety and welfare of the community.

ARTICLE 3. APPLICABILITY

§3.1 The provisions adopted in this Ordinance shall not be exclusive but shall be cumulative and complementary to any other provisions of City of Ferndale regulations and State and Federal laws. Nothing in this Ordinance shall be read, interpreted or construed so as to limit any existing right or power of the City.

§3.2 No part of this Ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. Section 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation. The cultivation, processing and distribution of medical cannabis in the City of Ferndale is controlled by the provisions of this Ordinance. Accessory uses and home occupations, where medical cannabis is involved shall be governed by the provisions of this Ordinance.

§3.3 Nothing in this Ordinance is intended, nor shall it be construed, to burden any defense to criminal prosecution otherwise afforded by California law.

§3.4 Nothing in this Ordinance is intended, nor shall it be construed, to preclude a landlord from limiting or prohibiting cannabis cultivation, smoking or other related activities by tenants.

§3.5 Nothing in this Ordinance is intended, nor shall it be construed, to exempt any cannabis related activity from any and all applicable local and state construction, electrical, plumbing, land use, or any other building or land use standards or permitting requirements.

§3.6 Nothing in this Ordinance is intended, nor shall it be construed, to make legal any cultivation, transportation, sale, or other use of cannabis that is otherwise prohibited under California law.

§3.7 All cultivation, processing and distribution of medical cannabis within city limits shall be subject to the provisions of this Ordinance and its subparts, regardless if the cultivation, processing or distribution existed or occurred prior to adoption of this Ordinance.

ARTICLE 4. ADMINISTRATION AND ENFORCEMENT

§4.1 The Chief of Police of the City of Ferndale, or his/her designee, shall be responsible for the administration and enforcement of the provisions of this Ordinance.

§4.2 Any violation of this Ordinance is subject to administrative, civil, or criminal penalties, in addition

to being subject to other remedies provided by law, including but not limited to, injunctive relief, a nuisance abatement action, summary abatement of immediately hazardous conditions, and all other applicable fines, penalties and remedies.

- §4.3 This is an Ordinance adopted to address public health and safety issues, and as such, carries with it an express legislative intent to be interpreted and enforced with an emphasis on public and community safety, and enforced rigorously in a manner such as to deter further violations.

ARTICLE 5. DEFINITIONS

As used in this Ordinance, the following terms shall have the definitions assigned:

- §5.1 **Medical Marijuana Cultivation:** The planting, growing, harvesting, drying, or processing of marijuana plants, or any part thereof.
- §5.2 **Medical Marijuana Dispensary (“Dispensary”):** Any profit or not-for-profit facility or location, whether permanent or temporary, where the owner(s) or operator(s) intends to or does possess and distribute marijuana for any purpose. A Dispensary includes a marijuana club as describe in *People v. Peron*, (1997) 59 Cal. App. 4th 1383, facilities of the type and nature described in *City of Riverside v. Inland Empire Patients Health and Wellness Center*, (2013) 56 Cal. 4th 729, and further includes medical marijuana cooperatives. A Dispensary shall not include the following uses, as long as the location of such uses are otherwise regulated by the City’s Municipal Code: a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code; a residential hospice; or a home health agency licensed pursuant to Chapter 8 of the California Health and Safety Code, as long as such use complies strictly with applicable law including, but not limited to, California Health and Safety Code section 11362.5 et seq.

ARTICLE 6. MEDICAL MARIJUANA REQUIREMENTS AND REGULATIONS

- §6.1 Medical Marijuana Dispensaries and outdoor Medical Marijuana Cultivation shall be prohibited in any zoning district of the City, even if located within an otherwise permitted use.
- §6.2 An individual qualified patient shall be allowed to cultivate medical marijuana within his/her private residence. A primary caregiver shall only cultivate medical marijuana at the residence of a qualified patient for whom he/she is the primary caregiver. Medical marijuana for personal use shall be in conformance with the following standards:
- §6.2.1 Cultivation of medical cannabis for personal use shall occur only on the parcel either within the residence occupied by the qualified patient, or in a self-contained accessory building that is secured, locked, and fully enclosed and which is for the exclusive use of the qualified patient;
- §6.2.2 Cultivation of medical cannabis for personal use shall not displace required off-street parking;
- §6.2.3 The Medical Marijuana Cultivation area shall not exceed thirty-two (32) square feet measured by the canopy and not exceed ten feet (10') in height per residence. This limit

- applies regardless of the number of qualified patients or persons with an identification card residing in the residence. The cultivation area shall be a single designated area;
- §6.2.4 Medical Marijuana Cultivation lighting shall not exceed one thousand two hundred (1,200) watts;
- §6.2.5 The use of gas products (CO₂, butane, etc.) for medical marijuana cultivation or processing is prohibited;
- §6.2.6 Medical Marijuana Cultivation and sale shall be prohibited as a home occupation;
- §6.2.7 Medical Marijuana Cultivation and sales shall not be considered a permitted accessory use of property;
- §6.2.8 The sale or dispensing of medical marijuana for personal use shall be prohibited;
- §6.2.9 From a public right of way, there shall be no exterior evidence of Medical Marijuana Cultivation either within or outside the residence;
- §6.2.10 The qualified patient shall not participate in Medical Marijuana Cultivation at any other location within the City of Ferndale;
- §6.2.11 The residence shall maintain kitchen, bathrooms, and primary bedrooms for their intended use and not be used primarily for Medical Marijuana Cultivation;
- §6.2.12 A copy of a qualified patient physician recommendation or identification card shall be posted in a conspicuous place in the cultivation area for each patient residing in the residence that is cultivating medical marijuana. For rental properties, a copy of the owner's written authorization to cultivate marijuana shall be posted in the same manner (assuming cultivation is not precluded by the Landlord or property owner);
- §6.1.13 The Medical Marijuana Cultivation area shall be in compliance with the current, adopted edition of the California Building Code § 1203.4 Natural Ventilation or § 402.3 Mechanical Ventilation (or its equivalent(s)); and
- §6.2.14 The Medical Marijuana Cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes.
- §6.3 Any proposed Medical Marijuana Cultivation by an individual qualified patient or primary caregiver that does not meet the grow area standard of Section 6.2.3 shall require a Variance pursuant to this Section 6.3. Documentation, such as a physician's recommendation or verification of more than one qualified patient living in the residence, shall be submitted with the Variance application showing why the cultivation area standard is not feasible. The application shall include written permission from the property owner, if the property owner is not the applicant. The Building Official may require additional specific standards to meet the California Building Code and Fire Code, including but not limited to installation of fire suppression sprinklers. An approved Variance for Medical Marijuana Cultivation for personal use that exceeds thirty-two (32) square feet shall conform to the following standards:
- §6.3.1 The Medical Marijuana Cultivation area shall not exceed an additional fifty (50) square feet for the total of eighty-two square feet (82') and not exceed ten feet (10') in height per residence; and

§6.3.2 At a minimum, the Medical Marijuana Cultivation area shall be constructed with a 1-hour firewall assembly of green board; and

§6.3.3 Cultivation of medical marijuana for personal use is limited to detached single family residential properties, or the Medical Marijuana Cultivation area shall be limited to a garage or self-contained outside accessory building that is secured, locked, and fully enclosed.

ARTICLE 7. NON-MEDICAL USE

§7.1 Personal use cultivation, processing, and distributing. The personal cultivation, processing and distributing of cannabis or marijuana for non-medical purposes, to the extent provided by law, shall comply with the Requirements and Regulations prescribed in this Ordinance.

ARTICLE 8. AMENDMENT

§8.1 This Ordinance may be amended from time to time by duly authorized action by the City Council for the City of Ferndale.

ARTICLE 9. ENACTMENT AND EFFECTIVE DATE

§9.1 Enactment. 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.

§9.2 Effective Date. This ordinance shall become effective 30 days after the date of its enactment.

ARTICLE 10. POSTING REQUIREMENT

§10.1 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.

PASSED AND ADOPTED on this Xth day of XXXX 201X by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

Christina Wile / Deputy City Clerk

Stuart Titus, Mayor

First Reading:	Amended:	
Second Reading:		
Enacted:		

Meeting Date:	October 3, 2013	Agenda Item Number	12e
Agenda Item Title:	Update on the property acquisition of the "Old Nilsen Barn Property" (APN 031-083-002)		
Presented By:	Jay Parrish, City Manager/City Clerk		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	No action required.		

RECOMMENDATION:

Staff will present updates on the property acquisition process and schedule a public community meeting to accept input on potential uses of the "Old Nilsen Barn Property".

BACKGROUND:

With the adoption of Resolutions 2013-33 and 2013-35, the City agreed to accept the Grant Deed to the property generally known as the "Old Nilsen Barn Property" (APN 031-083-002). The City has completed the Environmental Site Assessment, Phase I and Phase II. The contingencies to dedication included in the "Agreement to Dedicate Property to the City of Ferndale" have also been satisfied. The Preliminary Title Report was completed on August 16, 2013 and staff is currently processing the Preliminary Change of Ownership Report, the Escrow Instructions to Humboldt Land Title Company and the Certificate of Acceptance. City Manager has made arrangements to secure liability and fire protection insurance from Parsac and Becker Insurance Companies. The Environmental Report, Phase I and II, as well as the Preliminary Title Report have been filed at City Hall, and are available for review upon request.

Staff would like to recommend the City go through a process to decide the highest and best use of the property once the Deed is recorded. A project has not yet been proposed, but preliminary options include a parking lot, open space and/or a small park. At this time, Staff would like to discuss preliminary options and schedule a meeting to accept input from the community on potential uses of the "Old Nilsen Barn Property".

FISCAL IMPACT:

- \$150/month fence rental fee
- 2 months of property taxes
- \$495 policy and limited escrow fee (Humboldt Land Title Co.)

Meeting Date:	October 3, 2013	Agenda Item Number	12f
Agenda Item Title:	Design Review Committee Appointment		
Presented By:	Christina Wile, Deputy City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	Confirm the Planning Commission's appointment of Doug Brower to the Design Review Committee.		

RECOMMENDATION: Confirm the Planning Commission's appointment of Doug Brower to the Design Review Committee.

BACKGROUND: With the resignation of Michael Bailey from the Design Review Committee, the Planning Commission directed City staff to advertise to fill the vacancy. Staff placed an advertisement in the Ferndale Enterprise and posted notices on the bulletin boards at Ferndale City Hall and near the Post Office. The deadline for receiving applications was set at September 16, 2013. The Design Review Committee applicant recruitment and appointment process was done in accordance with the following sections of Zoning Ordinance 02-02:

- §6.05.4 Design Review Use Permits for structural or Building alterations, remodeling or improvements so as to change the outward appearance of the structure of building, including changes in exterior paint color, shall be subject to the following procedures:
- a. The Planning Commission shall appoint two of its members as Design Review Committee members.
 - b. The Planning Commission shall interview and recommend to the City Council appointment of three members from the 95536 zip code, preferably with design background in planning, architecture, landscape architecture, historical restoration, or other similar experience related to the design of physical improvements and buildings in the following manner:
 - i. The City Clerk shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact the City Clerk for an application, which can be picked up at City Hall or mailed to the applicant.
 - ii. Applications must be received by the City Clerk by ten (10) calendar days from the date of posting of the vacancy. Applications must be forwarded to the members of the Planning Commission by the next regular or special meeting. The Planning Commission will interview applicants and make appointments at their next regular or special meeting.
 - iii. A priority ranking of the Commission's recommendations as well as reasons supporting the ranking will be forwarded to the City Council for their next regular or special meeting.

- iv. The first person(s) that receives a majority will be selected to fill the vacancy. If a majority is not obtained, or if there are no applicants, the vacancy will be re-advertised and the clock resets.

The Planning Commission received letters of interest and interviewed applicants. On September 18, 2013 the Commissioners appointed Mr. Doug Brower to the Design Review Committee to fill the seat left vacant by Michael Bailey. Attached are the letters of interest from the applicants and the Planning Commission rankings.

FISCAL IMPACT: None

To whom it may concern,

I am interested in serving on the Ferndale Design Review Committee. My name is Doug Brower and my family has been a part of Ferndale since the late 80's. In August 2112 my wife Bonnie and I purchased our home at 550 Eugene St. in Ferndale. In June of 2113 my wife and I opened the Ferndale Pie Company located at 543 Main St also in Ferndale.

I am a proud citizen of Ferndale as well as an active member of the Ferndale Chamber of Commerce. It is my intention to use my experience as a business owner and my business management degree as well as my experience serving on other boards that involved building projects and non-profits to serve the City of Ferndale.

I look forward to the opportunity to be an active member of this committee should I be selected.

Sincerely,

Doug Brower

Paul Gregson
P.O. Box 883
Ferndale, CA 95536
(415) 244-0450

September 12, 2013

To whom it may concern:

Ten months ago I moved to Ferndale from Shasta County when I was hired as an engineer by LACO Associates. I have a Bachelors of Science degree in Civil Engineering and a Master of Science degree in Environmental Engineering from U.C. Berkeley, with an emphasis in water and wastewater treatment, as well as environmental chemistry. Since graduating my fields of expertise have been water/wastewater treatment as well as collection and distribution systems. I also have performed flood analysis studies.

Since relocating to the area I have attended Ferndale's City Council Meetings fairly regularly to become better acquainted with the community, and to develop a better understanding of politics and policies in Humboldt County. I have also been attending several water and wastewater District Board meetings in Humboldt to expand my awareness regarding the needs of small utility districts. While attending these meetings I have developed a respect for the people who volunteer their time and energies to serve on District and City Boards, and also come to realize the value they provide to their communities. Therefore, I have elected to donate some of my time to serve my community in some capacity, and serving on the Design Review Committee would appear to be a good place to begin.

Serving on the Design Review Committee appears to be a good fit for me in that it is unlikely to lead to any conflict of interest between my work and my service. Furthermore, I should be able to use some of my engineering background to contribute to the committee, and serving on the Committee will provide me with an opportunity to learn more about Victorian era architecture, local politics, and my community.

I hope you will give my application serious consideration.

Sincerely,

Paul Gregson

July 11, 2013

RECEIVED
JUL 11 2013

BY:.....

Planning Commission

Gentlemen:

I'm interested in sewing on the design review committee.

Please accept this letter as my application.

Charles Collins
1319 MAIN ST
PO BOX 208
FELNDALE, CA 95536
208-651-6247

very articulate and
clear on his reasons for
wanting to serve.

#2 Doug Brower
Very active new
citizen

#3 Charles Collem
not enough into.

1 of 1

1. Doug Brower
Should interest enough
to show up
2. Charles Collem
3. Paul Gregson

1. CHARLES COLBOM
2. DOUG BROWER
3. PAUL GREGSON

Doug Brower is
qualified & interested
enough to be at work
Paul Gregson is
professionally qualified
Charles Collem

Section 13

CORRESPONDENCE

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

City of Ferndale INCORPORATED 1893



August 21, 2013

Nancy Trujillo
Gable Properties
P.O. Box 1044
Ferndale, CA 95536

Re: Building Permit Requirement and Tyvek® Replacement at 580 Main Street, Ferndale, CA.

Dear Ms. Trujillo,

It has come to the City's attention that the DuPont™ Tyvek® on the building at 580 Main Street has been exposed longer than the manufacturer's specifications allow. It is the duty of the City Building Inspector to administer and enforce the Building Standards and Regulations of the City of Ferndale, insure that appropriate materials are utilized, and that construction occurs in a manner compliant with applicable Building Codes. Please note, your failure to complete this project in a timely manner is compromising the integrity of the Tyvek®, and thus jeopardizes the City's approval of the work.

The Design Review Use Permit for 580 Main Street was approved more than seven months ago. It is time for you to apply for a Building Permit.

Please feel free to call if you have questions or need clarification.

Sincerely,

Arnie Kemp
City Building Official

File: 580 Main Street - Correspondence
Cc: City Clerk
City Manager
City Planner

Aug 19 13 10:35a Annie Kemp
08/19/2013 5:17PM FAX 101123391

707-764-5043

p.3

Technical Specifications

DuPont™ Tyvek® water-resistive barriers used in construction products is made from 100% flash spunbonded high density polyethylene fibers which have been bonded together by heat and pressure, without binders or fillers, into a tough, durable sheet structure. Additives have been incorporated into the polyethylene to provide ultraviolet light resistance. DuPont requires that DuPont™ Tyvek® water-resistive barriers be covered within four months (120 days) of installation.

DuPont™ Flashing Systems products are made from a synthetic rubber adhesive and a laminate of polyethylene film, elastic fiber, synthetic rubber adhesive, polyurethane adhesive, and a top sheet of flash spunbonded high density polyethylene fibers. Additives have been incorporated into these materials to provide ultraviolet light resistance. DuPont requires that DuPont™ Flashing Systems products be covered within four months (120 days) of installation.

Warning

DuPont™ Tyvek® water-resistive barriers are slippery and should not be used in any application where it will be walked on. In addition, because it is slippery, DuPont recommends using kickjacks or scaffolding for exterior work above the first floor. If ladders must be used, extra caution must be taken to use them safely by following the requirements set forth in ANSI Standards 14.1, 14.2 and 14.5 for ladders made of wood, aluminum, and fiberglass, respectively. DuPont™ Tyvek® is combustible and should be protected from a flame and other high heat sources. DuPont™ Tyvek® will melt at 275°F (135°C) and if the temperature of DuPont™ Tyvek® reaches 750°F (400°C), it will burn and the fire may spread and fall away from the point of ignition. For more information, call 1-800-44-Tyvek.

DuPont™ Flashing Systems products and their release paper are slippery and should not be walked on. Remove release paper from work area immediately. DuPont™ Flashing Systems products will melt at temperatures greater than 250°F (121°C). DuPont™ Flashing Systems products are combustible and should be protected from flame and other high heat sources. DuPont™ Flashing Systems products will not support combustion if the heat source is removed. However, if burning occurs, ignited droplets may fall away from the point of ignition. For more information, call 1-800-44-Tyvek.

Note

When installed in conjunction with other building materials, DuPont™ Flashing Systems products must be properly shingled with these materials, such that water is diverted to the exterior of the wall system. DuPont™ Tyvek® products are water-resistive barriers not the primary water barrier (the outer facade is the primary barrier). Contamination of any DuPont™ Tyvek® water-resistive barriers and building papers with building site chemicals which increase their wettability (e.g., surfactants) will adversely affect their water resistance and therefore, their contribution to the overall water resistance of the wall system. DuPont™ Tyvek® Weatherization Systems products are to be used as outlined in this installation guideline. DuPont™ Flashing Systems products are not suggested for use on roof windows. For superior protection against bulk water penetration DuPont suggests a system combining a quality exterior facade, a good secondary water-resistive barrier and an exterior sheathing, appropriate flashing materials and details; and high quality windows and doors with particular attention to proper installation of each component. In a system where no exterior sheathing is used and DuPont™ Tyvek® is installed directly over the wall studs, exterior facade materials should be selected to ensure maximum protection against water intrusion. Careful workmanship and proper installation of each component is very important.

DuPont believes this information to be reliable and accurate. The information may be subject to revision as additional experience and knowledge is gained. It is the user's responsibility to determine the proper construction materials needed.

For complete warranty information please see the full Warranty at www.Construction.Tyvek.com. To submit a warranty claim, please contact DuPont at www.Construction.Tyvek.com or call 1-800-44-Tyvek. Warranty coverage requires submission of proof of purchase of the DuPont™ Tyvek® at issue.

This information is not intended to be used by others for advertising, promotion or other publication for commercial purposes.

re 580 Main Tyvek

J. 19.4

For more information about DuPont™ Tyvek® Weatherization System products, please call 1-800-44-Tyvek or visit us at www.Construction.Tyvek.com



The miracles of science™

DuPont™

Flashing Systems

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*CM
580 MAIN
DR, PC, CC*

RECEIVED
SEP 17 2013

BY:.....

9.16.13

Gable Properties
P O Box 1044
Ferndale, CA 95536

City of Ferndale
P O Box 1095
Ferndale, CA 95536

Re: Invoice 2201 dated 9.11.13

Dear City:

I am in receipt of invoice # 2201 the amount of \$290.46 with the description of Planner Reimbursement.

The attached data shows that these charges are from Planwest as of 8.31.13 and are charges to read written correspondence submitted to the City of Ferndale with regards to the project at 580 Main Street.

It would seem to me that the City has an obligation to interact with Gable Properties, with regard to this building and my questions in the same manner as the City has with others in the past, on any issue of City business. And that the application of "different rules" just for this property borders on both violations of Equal Protection rules and may also be causing personal injury to myself and loss of my good will in the community because I can no longer communicate and work toward resolution, without being charged. This just does not ring well.

I am enclosing Gable Properties check # 1146 in the amount of \$290.46 And I ask that you reconsider this bill and open back up the lines of communication. Seriously, is this really what the City wants to do?

Yours,



Nancy Trujillo
Member, Gable Properties, LLC

Encl (Ck #1146)

CORRES.
580 Main
CM

Gable Properties, LLC
P O Box 1044
Ferndale, Ca 95536

9.13.13

RECEIVED
SEP 17 2013

BY:.....

City of Ferndale
Attn Arnie Kemp, Inspector
P OBox 1095
Ferndale, CA 95536

Dear Mr. Kemp:

Let me start out with this disclaimer. Recent correspondence from the City Planner clearly stated that should I correspond any more with anyone from the City, regarding this project, Gable would be charged by the City of Ferndale for the time it takes to read and respond to my correspondence. Since this a response to your letter, I expect that there will be no charges to Gable. If there will be then please disregard this letter and throw it AWAY.

For the record- your letter was dated August 21, 2013. Yet it was postmarked September 5, 2013. And I did not receive it until September 10th. As a side note: The Ferndale Enterprise was able to publish comments and cartoons about this letter in its September 12th edition. Perhaps even making the paper's deadlines for submission on or before I even received the letter. And the paper asked for comments from me in an e mail dated September 10, which was the reason for my checking the PO Box. To see what they were talking about. It is odd that they had this information in time for their deadline and for Mr. Mays to have the time to do a cartoon before I even saw it. A cartoon that I will go on record as saying contains comments from my mouth that I DID NOT SAY.

There was a 15 day delay from the date of the letter to the postmark. So in realty the newspaper was able to review this correspondence before the recipient did. This is very odd, and in this person's opinion not very good business practices. No doubt, the paper would have printed something in a future edition, but to be this timely makes me wonder if the correspondence was held till it was convenient for the Enterprise.

Never the less – let me respond to your question.

There seems to be some misunderstanding about the Tyvex sheeting on the outside of the building. This application was only meant to weatherize the building and to not ever be a final sheeting application between sheer wall and siding. We could have chosen to put up clear plastic for weatherization, or

Corres.
580 MAIN
CM

some other material, however, since Tipples put Tyvex on their building (a different type) that sat for 3 years it was a decision, at the time, to put Tyvex on this building as well.

I have spoken to the Building Engineer in casual conversation; he has advised me that the building is fine as it is, if it needs to sit through another winter.

Arnie, you have also called and spoken to my Contractor, multiple times, letting him know that whenever the siding is put on the building we will have to remove the existing Tyvex and replace it with fresh. Something we ALL knew would have to be done at the very onset of this application. I get it. The Tyvex that is on the building must come down and be replaced when the siding goes up. This was always understood.

Thank you for providing the "warranty" information. But it is simply not applicable in this case since all this application was meant to do was weatherize. Nothing more. Perhaps we should have chosen another material at the time but, again, all seemed OK with all parties involved to use the Tyvex last July.

If there was any type of warranty concern it should have been brought up and discussed then since it was very clear the building would sit "as is" thru the winter months and early spring rains, at a very minimum of 6 to 8 months waiting on the Environmental, CEQUA and Design Review Permitting processes to be completed and the rains to stop.

We all know that the City Planner's paperwork process could not be completed last year. And we all know that this was an "emergency" situation and only taken as far as was necessary to stabilize and repair the building while waiting upon the CEQUA process to be completed to allow for the application of wood siding. Even if the prior owner had wanted to, the siding could not have gone back up last year. It was not yet approved. We all know that.

So again, Gable is fine. Gable understands that the Tyvex will be removed and replaced at the time of the siding application.

Thank you again for your concern.



Nancy Trujillo

Gmail - Tyvek

<https://mail.google.com/mail/u/0/?ui=2&ik=5119e47110&view=pt&...>



HumBooks, LLC - Nancy Trujillo <humbooks@gmail.com>

Tyvek

1 message

Caroline Titus <editor@ferndaleenterprise.us>

Tue, Sep 10, 2013 at 4:03 AM

To: Humbooks Trujillo HumBooks <humbooks@gmail.com>

Hi, Nancy,

I noticed letter you were sent from city regarding Tyvek. Do you have plans to install siding soon?

Thanks,

c.

Caroline Titus
Publisher/Editor
The Ferndale Enterprise
Weekly since 1878
707-786-3068
editor@ferndaleenterprise.us
Subscribe at
<http://www.ferndaleenterprise.us>
Follow us on Twitter @frndenterprise

City of Ferndale INCORPORATED 1893



September 19, 2013

Nancy Trujillo
Gable Properties
P.O. Box 1044
Ferndale, CA 95536

Re: Invoice dated 9.11.13

Dear Ms. Trujillo,

Thank you for your correspondence dated September 16, 2013. We have looked into the invoice in question and determined that the charges, although incurred for staff time spent on matters pertaining to the building at 580 Main Street, were not at your behest and therefore should not have been passed on to you. Please find enclosed your returned check #1146.

The City's intention is and has always been to assist you in securing the proper permits so you can apply siding as soon as possible. To that end, the City remains open to communication. You will not be charged for simple correspondence. If responding to your inquiries will require considerable staff time, you will be duly notified that such response will incur a fee and staff will not proceed without having received your consent in the form of a fee deposit.

The siding was removed from the building last September and all permitting except for the building permit completed last January. The City requests that you file the building permit application as soon as possible.

Sincerely,

Handwritten signature of Christina Wile in blue ink.

Christina Wile,
Deputy City Clerk

File: 580 Main Street - Correspondence
Cc: City Clerk
City Manager
City Planner



DATE: September 16, 2013

TO: Mr. Shannon Martin
P.O. Box 608
Ferndale, CA 95536

RE: Building Permit Application for 031-071-015: 319 Milky Way, Ferndale CA.

Dear Mr. Martin,

This office has reviewed the letter from Mr. Stephen Nesvold at Omsberg and Preston, in response to the City's request for additional information dated August 15, 2013. With regard to the first part of item 2., the previously submitted Drainage Report (dated July 15, 2011) addressed the stormwater flows for the Hamper subdivision. Additionally, Mr. Nesvold's response letter verifies that the grassed swale was constructed properly and operates as intended.

With regard to the second part of item 2., the Drainage Ordinance (No. 94-01) requires that the finish floor shall be a minimum of 1.0 foot above the street or curb grade (or any local experience flood level). Unless there are any locally known cases of flooding, the finish floor should be placed a minimum of 1.5 feet above the road grade in front of the property. *Even though the gravel road does not have a curb, there are curbs in the area therefore the finish floor elevation should be based on 1.0 foot above the curb grade.*

Given the information provided by your Engineer, and the determination of the minimum finish floor elevation as described above; this office feels that item 2. (from the City's request for information) is complete and has been adequately addressed.

If you have any questions regarding this matter, please contact me at 444-3800, extension 7440.

Sincerely,

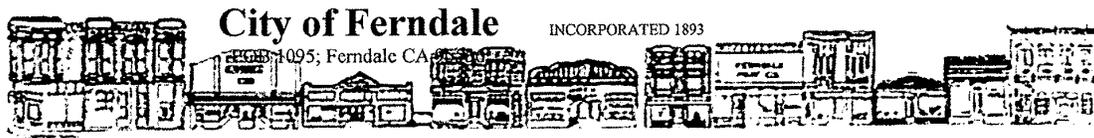
A handwritten signature in blue ink, appearing to read "Praj White", is written over a faint, larger signature.

Praj White, P.E.

City Engineer

Enclosed: City of Ferndale's letter requesting additional information, August 15, 2013.

Steven Nesvold's response letter, September 11, 2013.



August 15, 2013

Mr. Shannon Martin
P.O. Box 608
Ferndale, CA 95536

Re: Building Permit Application for 031-071-015; 319 Milky Way, Ferndale CA

Dear Mr. Martin:

In processing your building permit, we discovered that we don't have all the information we need. Please provide the following as listed in the conditions of approval for the Hamper subdivision, the subdivision that created your lot.

1. The Subdivision applicant, Chrys Hamper, has yet to provide the city with proof that an approved joint maintenance agreement has been recorded with the County Recorder.
2. The building permit applicant shall have an approved Hydrology and Drainage Report addressing on-site and off-site stormwater flows for the pre-development and post-development site conditions. Additionally, the applicant shall demonstrate finish floor elevations will be set in conformance with the City of Ferndale Ordinance NO. 94-01 to the approval of the City Engineer. All on-site stormwater management facilities shall be privately maintained.

We cannot issue the building permit without this information. Please call if you have any questions.

Regards,


Nancy Kaytis-Slocum
City Clerk

File: Correspondence
319 Milky Way
Cc: Brian Reilly, barco@suddenlink.net

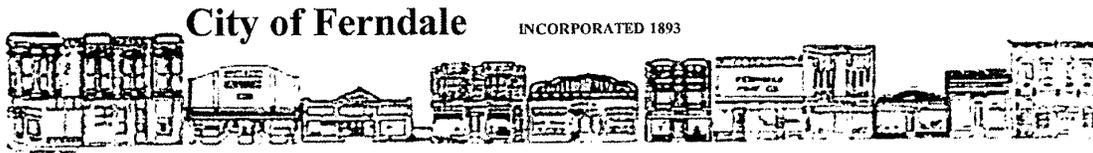
INTERNAL CONDITIONS OF APPROVAL – COMPLIANCE CHECK

HAMPER MINOR SUBDIVISION – Resolution 2009-26

Note: The following requirements and standards are applicable to this parcel map and are to be complied with as stated below. If condition compliance results in a substantial change in the project, an amended Tentative Parcel Map must be submitted to the City of Ferndale. Upon consideration of the Planning Commission hearing record of July 7 and 14, 2009, and discussions by City Staff, several conditions have been modified and three original conditions deleted (original condition 1, 13, and 14).

No.	Condition	Date Complete	Notes
	Notations to be shown on final map and conditions to be complied with prior to recordation		
1	Applicant shall clarify the location and purpose of the existing easement identified in the Preliminary Title Report as Instrument No. 1990-3913-3, Humboldt County Records (original condition 3).	8/6/09	
2	The width, alignment, and orientation of Milky Way Court shall be approved by the City of Ferndale Volunteer Fire Department Fire Chief and the City Engineer. An irrevocable offer of dedication of Milky Way Court (Parcel A) for public right of way shall be recorded. Until such time as this offer is accepted, the title of Parcel A shall include a deed restriction that prohibits the conveyance of Parcel A separately from Parcel 1. A public access, utility, and drainage easement shall be conveyed to the City for Parcel A until the offer of dedication is accepted (original condition 4).	8/6/09	
3	The final Parcel Map shall show and identify all effective FEMA Flood Hazard Zones encumbering all proposed parcels (original condition 7).	8/6/09	
4	Prior to the approval of the final Parcel Map, the applicant shall submit and have approved a joint maintenance agreement for Parcel A. <u>The applicant shall record the approved agreement with the deeds of all parcels concurrently with the recordation of the final Parcel Map.</u> The maintenance agreement shall remain in effect until such time as the City accepts the offer of dedication for Milky Way Court (original condition 11)		
5	The applicant shall be responsible to pay all applicable fees, deposits or charges associated with this project and/or otherwise owed to the City of Ferndale, prior to the parcel map being recorded with the County Recorder (original condition 10)	8/6/09	
6	The final Parcel Map shall include all existing and proposed easements required for access, utilities, and drainage (original condition 2)	8/6/09	
7	Prior to the approval of the final Parcel Map, the applicant shall clarify the ownership and maintenance responsibilities for the existing curb, gutter, and sidewalk improvements located adjacent to the north property line of Parcel 31-071-009 (original condition 9)	8/7/09	letter

	Conditions following final map recordation but at time of Building Permit Issuance		
8	Prior to the issuance of any permit for any on-site residential structures at any location on any parcel, the applicant shall have an approved <u>Hydrology and Drainage Report</u> addressing on-site and off-site stormwater flows for the pre-development and post-development site conditions. Additionally, the applicant shall demonstrate finish floor elevations will be set in conformance with the City of Ferndale Ordinance No. 94-01 to the approval of the City Engineer. All on-site stormwater management facilities shall be privately maintained (original condition 5).		
9	Prior to the city's acceptance of Milky Way Court, all parcel access improvements, including the common use driveway within Parcel A, shall be designed in accordance with the City's Improvement Standards, the <i>2006 International Fire Code</i> fire apparatus access road requirements, and to the approval of the Ferndale Volunteer Fire Department Fire Chief and the City Engineer (original condition 6)		
10	Prior to the issuance of any permit for any on-site residential structures at any location on any parcel, the applicant shall have an approved <u>Soils Report</u> in conformance with the current approved State Building Code and to the approved by the City Engineer (original condition 8)	9/21/10	
11	Prior to issuance of any certificate of occupancy for any building on any parcel, common use driveway improvements within Parcel A shall be constructed or demonstrated to meet the following requirements: 1) the driveway surface shall be at least 20-feet wide with a durable, all-weather surface (compacted gravel, aggregate base, or equivalent); 2) the driveway surface shall extend from Fifth Street to the end of and throughout the cul-de-sac; and 3) the cul-de-sac surface shall encompass a radius of no less than 25-feet. All common use driveway improvements shall be to the approval of the Ferndale Volunteer Fire Department Fire Chief and the City Engineer (original condition 12)		



MEMORANDUM
CITY OF FERNDALE CITY CLERK'S OFFICE

Date: August 15, 2013
 To: Arnie Kemp, Plan Checker
 From: Nancy Kaytis-Slocum, City Clerk *Nancy Kaytis-Slocum*
 Subject: Planning & Zoning Regulations, concerns or issues
 Re: Building Permit for Shannon Martin; POB 608; 319 Milky Way; 031-071-015

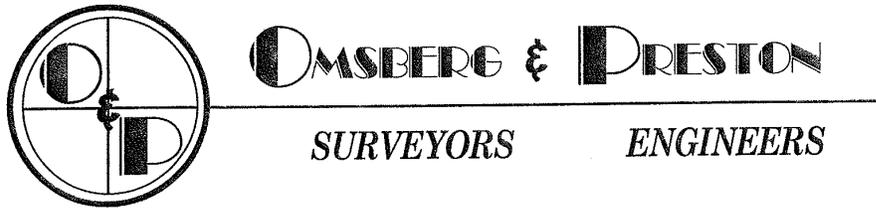
This memo will document the City's files regarding the City Clerk's review of any planning and/or zoning issues or concerns, or any additional comments associated with the above-referenced project. The following findings and/or determinations are submitted as general information to both the Applicant and the City and are based on a review of the submitted Plot Plan (copy attached and on file at City Hall).

1. The Land Use is principally permitted.
 - a. There are no pending building permit or land use issues.
 - b. Development Standards:
 - i. Setback requirements for a residence (ZO 02-02 §5.03.3d) have been met.
 - ii. The building floor area/site area is within the 35% requirement (ZO §5.03.3e).
 - iii. Building height is within the 35' limit. (ZO §5.03.3f)
 - iv. One parking space per dwelling is needed, and three are provided (ZO §7.16.2a)
 - c. A drainage fee of \$1500 has been added to the building permit (Ordinance 94-01).
 - d. The project is not subject to CEQA.
2. Subdivision Compliance: This project is not in compliance. The City still needs the following from the applicant
 - a. The Subdivision applicant, Chrys Hamper, has yet to provide the city with proof that an approved joint maintenance agreement has been recorded with the County Recorder.
 - b. The building permit applicant shall have an approved Hydrology and Drainage Report addressing on-site and off-site stormwater flows for the pre-development and post-development site conditions. Additionally, the applicant shall demonstrate finish floor elevations will be set in conformance with the City of Ferndale Ordinance NO. 94-01 to the approval of the City Engineer. All on-site stormwater management facilities shall be privately maintained.

The proposed project conforms to the Ferndale General Plan and the regulations of the Zoning Ordinance.

Please feel free to call with any questions you may have or clarifications you may need.

File: Applicant's file
 Correspondence
 Applicant
 Planwest Partners
 City Engineer



September 11, 2013

Praj White, City Engineer
City of Ferndale
c/o Manhard Consulting
611 "I" Street, Suite A
Eureka, CA 95501

Re: Shannon Martin Building Permit Application (APN 031-071-015)
319 Milky Way, Ferndale CA

Dear Mr. White:

This correspondence is written in response to your condition of approval regarding drainage of the existing swale (constructed with the Matt Pidgeon improvements) for the above-referenced building permit, and is based on our field investigation with David Caisse of Manhard Consulting, along with oral testimony of neighboring property owners.

Drainage for the development of APN 031-071-015 was analyzed, and a drainage system proposed, in the "Revised Hydrology & Drainage Report for the Matt Pidgeon Building Permit, Ferndale, CA" (Drainage Report), dated July 15, 2011, prepared by this office, and submitted to the City of Ferndale on July 22, 2011. Per the recommendations of the Drainage Report, and as required by the City of Ferndale, a grass-lined detention swale (swale) was constructed on the North side of Milky Way (within the right-of-way delineated as parcel 'A' on the Hamper Parcel Map recorded in Book 34 of Parcel Maps, pages 83 & 84) in order to keep post-development storm water runoff at pre-development levels. Milky Way's drainage is also directed to this swale. It is our understanding that the drainage improvements constructed with the Pidgeon building permit were never inspected by the City of Ferndale, and that Ferndale's Drainage Committee is concerned about possible vector problems due to ponding in the basin following storm events.

Per your direction, David Caisse, P.E., of Manhard Consulting and I performed a field investigation on August 30, 2013 to examine and analyze the performance of the existing swale. Oral testimony was also received from Chrys Hamper and Matt Pidgeon, neighboring property owners on Milky Way, regarding the functioning of the existing swale.

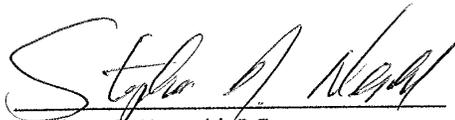
Based on our field investigation and neighbor testimony, we believe the existing swale was constructed per the Pidgeon Construction Plan (refer to Section 'A-A', sheet 2) prepared by this office. The flowline of the swale, over a majority of its length, is 0.5-foot to 1.0-foot below the outlet at Fifth Street due to the existing sidewalk drain in Fifth Street being higher in elevation than the swale. The site was graded in this manner in order to get the three (3) lots of the

City of Ferndale – Re: Martin Building Permit
September 11, 2013
Page 2 of 2

Hamper Subdivision to drain to the North side of Milky Way where the swale is located. This situation allows ponding to occur, which is necessary for detention due to the capacity of the sidewalk drain being unable to pass the Q_{25} .

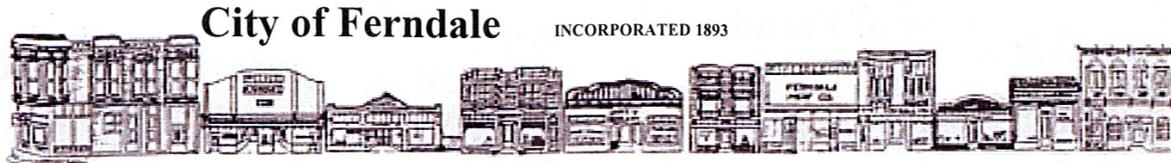
Per Hamper and Pidgeon testimony, this ponding lasts 3 to 7 days following a storm event, but a vector issue has not been observed. Ponding of this duration is typical of the low-lying areas around Ferndale, and can actually enhance both the detention and retention qualities of swales. By allowing percolation to occur during ponding period, less storm water is conveyed to downstream properties, thereby enhancing the goals of the Drainage Plan.

Based on our evaluation and findings, it is our recommendation that there be no modifications or alterations required at the grass-lined detention swale on Milky Way, and that this correspondence shall satisfy Condition #8 attached to the City of Ferndale letter to Shannon Martin dated August 15, 2013.



Stephen G. Nesvold, P.E.
RCE 25681





September 25, 2013

Jerrod Ploof
Mitchell J Architecture
4883 Ronson Court
Suite N
San Diego, CA 92111

Re: Design Review Permit and Use Permit for emergency backup generator at 989 Milton Ave; APN 30-111-04F; The project site is zoned Neighborhood Commercial Design Control Qualified Combining (C-1-D-Q).

Dear Mr. Ploof,

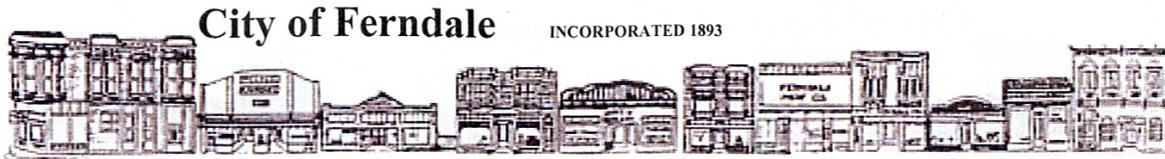
The City received your applications for a Design Review Permit and a Use Permit proposing to locate an emergency backup generator at 989 Milton Ave. The City's first step in application review is to verify application completeness; in this case the applications are not complete. Additional materials outlined in this letter are required prior to proceeding with application review.

Per Resolution 2013-19, the fee for a Use Permit is \$696. The City received payment of \$685 upon application submittal. The City requires an additional \$11 be submitted as part of a complete Use Permit application. Also per Resolution 2013-19, there is a \$116 fee deposit per application to cover initial review of the project for California Environmental Quality Act compliance. In total, the City requires an additional \$243 deposit to process these two applications.

The Standard Application Form for both the Design Review Permit and Use Permit contains a signature line for authorization of an agent to act as an applicant's representative and bind said applicant in all matters concerning the application. The submitted application refers to a Letter of Authorization that contains the following provision: "This authorization letter is contingent upon landlord's approval of lease amendment for said installation." The City cannot accept authorization of an agent with such a provision. Please provide revised authorizations or proof that the conditions of this provision have been met. In addition, please provide the name and contact information for the property owner.

In summary, the following materials and information are required to complete the application for a Design Review Permit and a Use Permit:

1. Additional \$243 fee deposit
2. Revised agent authorization
3. Contact information for property owner



I look forward to working with you throughout the application review process. If you have any questions or concerns, please do not hesitate to call me at (707) 825-8260.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melanie Rheaume", is written over a light blue horizontal line.

Melanie Rheaume
Contract City Planner

File: 989 Milton Ave
Correspondence

Cc: Deputy City Clerk



FAXED
9/23/13

Date: September 23, 2013
 To: Stanley Gorczynski, Cal Trans Parade Permits FAX 445-6317
 From: Christina Wile, Deputy City Clerk
 Re: Parade Permits

Hi Stanley:

The City of Ferndale and the Ferndale Police Department are aware of the following Parade in the City of Ferndale and will be providing the police protection for:

Date	Time	Event
11/23/13	10:00AM-5:00PM	Victorian Holidays in Ferndale

Attached you will find Resolution 2013-31 authorizing the closure of Main Street on November 23, 2013 from 10:00AM to 5:00PM for the Victorian Holidays in Ferndale, as well as Special Event and Standard Encroachment Permit information, and the certificate of liability insurance.

Sincerely,

Christina Wile
 Deputy City Clerk

Copy Correspondence
 Parade Book
 Ferndale Police Department
 Attached Current Resolution
 Insurance for CalTrans

Section 14

REPORTS

Section 14a: City Manager Staff Report

CITY MANAGER/CITY CLERK:**Meetings**

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
- Hazard Mitigation Plan (HMP) meeting-Steering Committee–September 10th-6:00-9:00pm
- City Council meeting –September 5th –Study session 6:00 pm- Regular meeting from 7:00 – 9:30 pm
- Special City Council meeting: September 23rd-8:00-8:30 am
- Met with Tom Stephen on September 17th to go over a number of creek related items about drainage and creek maintenance. I called to get approval to cross numerous properties related to the surveying of certain cross-sections on Francis Creek. Tom began surveying cross sections of Francis Creek the week of 23rd.
- Drainage Committee meeting September 12th 4:30-6:00 pm (Cancelled due to lack of quorum)
- RCEA meeting- September 16th - 2:30 – 5:00 pm
- SRWC meeting- September 10th - 2:30-4:00 pm
- City Manager meeting September 19th - 3:00-5:00 pm. Cancelled
- HMP and the Energy Assurance Program meeting September 1:30- 3:30 pm
- Range Rider (ICMA) meeting with Pat Thompson Aug 14th 3:00- 4:30 pm. Pat was City Manager in Napa. Napa has recently completed a river renovation project and I am hoping that I will be able to get information from her that may help us with funding resources to help us maintain Francis Creek and the Salt River after the restoration project is finished. I have had several conversations with her requesting information as to the process Napa went through to fund their rehabilitation of the Napa River and flood zone area long term maintenance program.
- Numerous conversations with Chamber of Commerce President Karen Pingitore and Caltrans representatives regarding the sidewalk replacement project and the upcoming 211 overlay project that will start the week of October 3rd and go from Fernbridge to town, and then next year all the way through town. Construction signs need to be installed prior to the grinding and paving operations commencing, but this should not affect traffic since it will occur off the shoulders of the roadway.
- Numerous conversations with HWMA executive director Jill Duffy regarding solid waste issues and several meetings to discuss JPA issues. September 5th.
- The Mayor and I met with ERD representatives regarding solid waste issues and how we can better help our community to comply with state regulated levels of service and recycling goals. ERD has always been very helpful in our efforts to give the best service to the community at the lowest cost possible. We are planning on having a study session in the coming months to give the entire council and public a background on our Franchise agreement as well as a glimpse into the future. September 6th.
- Many conversations with Kiwanis members regarding our 6th annual Bocce tournament to be held at Firemen's Park on Saturday September 7th. It turned out to be a wonderful sunny day and we had 21 teams, three bands and great food. It was a super event that showed off our bocce courts in a most impressive way. I want to thank everyone who helped make our 6th annual event the best yet.
- Two Public Hazard Mitigation Planning Workshops were held in July to help raise awareness about natural hazard risks in Humboldt County and to gather public input regarding hazard mitigation and preparation. On September 7th, two Jurisdictional Annex Workshops were held to assist planning partners in learning how to construct their individual portions of the updated version of the plan. These workshops were essential to fulfilling the public and partner participation elements required within the Plan Update. As you know, Ferndale council approved a recommendation to include an Energy Assurance Plan in our Hazard Mitigation Plan (HMP). Ferndale's plan has been chosen by the county lead person Cybelle Immitt and Tetra-tech's representative to serve as an example template everyone uses to fill out their plans. I wanted to give credit and a thank you to Planwest Partners and in particular

Contract City Planner Melanie Rheaume. We had a meeting on September 4th and Rob Flanner of Tetra-tech reported that we were finished with phase I, II, and III and were moving into phase IV, which is the last phase. All in all, we are about 60% complete. Every partner is in the process of turning their plans in to be added to the county's template. We have thirty-four planning partners in the plan and we are hopeful that most of them will be able to get their plans finished before we have to move on because of time constraints. Rob reported that Volume I is similar to the original HMP we did in 2008. As of September 25th we had received all but two of the 34 partner's plans. Although we would have preferred everyone's this is still a great accomplishment and we may be able to add these plans later in the process.

- I had a number of conversations with Ann Maurice from Occidental regarding our wastewater facility and how we went through the process to get an appropriate facility that produced high quality effluent at an affordable price. They seemed thankful for the information and interested in the process we chose.
- Met with staff to go over workload and efficiency. We have also begun the process of developing a job description of our deputy city clerk position so that we can advertise for the position. Remember that the council approved a short term 90 day agreement with Planwest to cover the clerking position while we develop the new job description. They also approved and understand that I will be filling the position of City Clerk for an undetermined amount of time while we sort out the organizational structure.
- Numerous meetings with Mayor Titus and Council to go over a myriad of City issues.
- Numerous meetings with Melanie Rheaume regarding the draft Sign Ordinance and Planwest's progress. We have arrived at a draft of the Ordinance and the Sign Ordinance Committee is meeting on September 4th to go over the changes. We will then have a study session with PC and CC. Melanie and I met with Sign Ordinance Committee to go over draft Ordinance. There were a number of items that we discussed and the committee approved moving the draft to a study session with PC. I attended the PC study session with the Sign Ordinance Committee and went over the SO with the PC. They approved sending it forward for a study session with council, with a desire to have the final come back to the PC as a final before they recommend it back to the council for first reading.
- Number of conversations and meetings with Rio Dell CM and Fortuna CM to discuss solid waste issues, wastewater sludge issues and animal control issues. We meet once a month as well as the CM meeting.
- 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. We are almost done with the personnel policy and will bring it back to the council next month.
- Numerous meetings with Elias and Rick Souza regarding the SRRF and their participation. I have also been involved in talks with them regarding staging areas on their property for the SRRP and the agreement with them to take the City's effluent during the months we do not go to the Francis Creek.
- Check signing and invoice review for the City.
- Attended my last RCEA meeting and turned the representation over to Councilman Sweeney. I know that he will be a great asset to the organization and I hope he will enjoy his time on the board as much as I have over the years. As a founding father on the board, I have had the opportunity to see the organization grow from a narrowly focused small business that was one of the first in the state mostly concerned with conservation of energy projects such as replacing light bulbs with more efficient bulbs, to an organization that was much more diverse and concerned with almost anything that has to do

with alternative energy. The organization is now seen throughout the state as an example to be copied and sought out for its expertise and knowledge.

- Conversations with John Driscoll, Jared Huffman's representative.
- Sarah Turner and the Garden Club are moving forward on the little pocket park at the end of Francis Creek. You may have seen the big rock that has been strategically placed by the creek. A short distance in front of the rock they placed a bench in Shirley Walker's memory and are working on the landscaping now. This little park area is where we propose to put the first walking bridge across Francis Creek as the entrance to Russ Park. You will cross to the area between the Scout building and the Community Center, go past the Bocce Courts and Children's Center, past the baseball field, enter the children's playground and then cross a duplicate walking bridge and cross over to Cleveland. You would then continue to Eugene Street and eventually up to Russ Park.
- Working with engineering department at HSU and Annje Dodd to come up with a design for bridges to go across Francis Creek as part of an entrance to Russ Park at Fireman's Park. I have received a donation of old barn beams for the structure from the owner of the Old Nielson barn.
- Many people have complimented us on the landscaping improvements in City green. Dane Cowens has finished our new City Hall sign, and it turned out beautiful. Dane volunteered a good portion of his time and the City paid for the materials. Our next necessary improvement will probably be new gutters and the painting of the exterior of City Hall. Rotary has donated the cost of the paint and we should have the building painted by council meeting night. Kudos especially to Martin Tubb and Brian Morrison for volunteering and spearheading the effort. We are also removing the hedge in front of City Hall, at the Garden Club's request and will be waiting for the Garden Club to give guidance on what we will replace it with.
- A number of meetings with Caltrans to go over the paving and sidewalk projects they will be conducting on 211. Caltrans has moved through the residential area and is in the process of cutting out sidewalks and replacing them as they go through. They have finished the sidewalks and are scheduled to start the overlay paving project from Fernbridge to the edge of town sometime at the end of September. They are also including in the project from Fernbridge north to the entrance of 101 also. Latest report says that because of weather they may not start the project until the week of October 6th.
- We had a study session before our last City Council meeting and are continuing to look at some alternatives related to our present loan and the need for a Drainage fund that is available should we have worthy projects. The Drainage committee met and voted to recommend to the Council that the County Assessor initiate the Drainage assessment amount of \$25 dollars to each property in the City. We also had a combined meeting of the City Council and Drainage Committee on September 23rd at 6:30 to give residents an opportunity to discuss the funding alternatives for the loan and the drainage fund. The end result was to make a regular monthly payment accompanied with a check that totaled \$25,000 dollars. This leaves the City with about \$125,000 dollars in the drainage fund should we have some emergency needs during the rainy season.
- Daily meetings with chief regarding police activities and community safety issues, possible grants, and personnel issues.
- I had a conference call with California Department of Resources Recycling and Recovery (CalRecycle) on September 19th and will have a visit sometime in October to see what the City is doing to promote recycling and tour the city to monitor our process.
- Numerous conversations with other CM's regarding common issues.
- Daily interaction with New Chief Wastewater Operator, Steve Coppini regarding wastewater issues and Capital Improvement projects, and next year's budget. We have signed up for a energy conservation program through PG&E and ECS that allows the City to receive payment if we participate in reducing our electrical usage during state recognized times of energy shortage. We have already had three events in

August and one in September related to this program. We participated in all these events that require us to close down our plant from 3:00 to 7:30 pm without it affecting our operation. We also discussed the sewer line by Firemen's Park and how we could possibly reconfigure it so that we would not have a line going through Francis Creek. This line is problematic in that it is only a few feet off on the bottom of creek and is submerged most of the year and is subjected to interaction from debris coming down stream.

- Numerous conversations regarding Salt River Project with Watershed Council members, RCD representatives, council members and citizens. We are concentrating on maintenance funding sources and an overall structure that identifies and monitors project areas. The SRWC wants to consider all avenues of funding.
- 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. Councilmen Sweeney began representing us on the RCEA board at the September 16th meeting.
- Daily 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 October of last year the Council approved a match of \$2,500 dollars to continue our participation in this program to update the HMP. The fiscal match was waived as a consequence of representation on the steering committee. We have met every month since December and have made great progress. We have our website up and running and have put out a survey that should help us in our efforts. I participated in public meetings that were held in Fortuna and Arcata. I also gave an interview with Channel 3 as part of my obligations as chairman of the HMP Steering Committee. The public meetings went well and we had good turnouts for both meetings. The next meetings will be the mandatory planning partner jurisdictional annex workshop. In these meetings we will get detailed guidance for the consultant about how to complete our respective sections of the updated hazard migration plan. Information will be provided as to what is included in a good mitigation project. I am proud to say that because of the work the council authorized for inclusion of the energy assurance plan, Ferndale was chosen as a plan that the rest of the planning partners should use to complete their plans. We will not have a meeting in October as we consolidate all of our partners plans into the main plan and go through a process of review before we release it to the public for public review. At the end of this process we will have each jurisdiction bring it to their board for approval and then we will send it to the state for their approval. We are hoping that this process will be accomplished sometime around the beginning of the year.
- Continued 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 for these sites. Although arrived at separately, the engineering students identified some of the same areas on the Silva parcel. The surveyor, David Yarrington, is developing surveying needs. As of the end of September we are still continuing this effort. We are also still waiting on GHD and Jeremy Svehla to bring forth a design and strategy to utilize possible sites on the Silva property.
- 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. We have also been concentrating on reorganizing our filing system into a more electronically based system which will help us in becoming more efficient.

- 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. Our attorney is putting together information to contact present owner of their responsibilities. We hope to move them to put siding on soon.
- Several discussions with Jo Ann Rennie, executive director of Parsac, related to risk management issues, and programs instituted through them, and grants that are available through them. Notified them that we received a new piece of property and made sure it is covered by them.
- We are continuing the process of acquiring the Old Nielson property. In the process of recording the deed as well as other necessary documents with the county. We are also in the process of determining a strategy or plan as to what to do with the property to best realize its potential. I will be asking the council to schedule a public study session to receive input from community in the coming weeks.
- Salt River Watershed Council Update from Doreen

Hello Council,

I wanted to give you an update on the vegetation removal efforts that will start almost immediately.

McCullough Construction won the bid for the mechanical removal of vegetation in and along the Salt River channel. Please remember that this is basically a tunnel of riparian vegetation that will be removed - therefore in many areas, some edge vegetation will be left standing. Along with vegetation removal, a number of temporary road accesses to the channel will be constructed in approved areas.

Vegetation removal and temporary road access will likely begin next Monday (23rd).

Vegetation removal will start in the Reas Creek area (lowest extent of the project footprint). Mechanical removal will work its way up to Frances Creek.

At this point we are unsure how long mechanical removal will take, but it should wrap up by October 15th.

Hand removal is loosely scheduled to take place in November along the Toste parcel.

The vegetation will be chipped on site and hauled away to the bio-gen facility. HOWEVER McCullough is looking into providing chips to requesting producers if a street legal dump truck could be arranged. It is my understanding if producers/landowners do request chips, and a dump truck is found, landowners will pay for trucking costs.

I asked at the last meeting if the Council could assist the RCD with landowner outreach. Since then the RCD have sent out postcards giving landowners a general notice of the vegetation removal work that will be done. Therefore we don't believe we will need the Council to do any outreach. However, please disseminate the correct information when approached and request that landowners try to keep as much vegetation down or trimmed up to keep things clear for the construction season next summer.

Many Thanks,
Doreen

M. Doreen Hansen
Watershed Coordinator
Humboldt County Resource Conservation District
Ferndale, CA
707.786.9766 Office
707.498.1072 cell
humboldtrcd.org

DEPUTY CITY CLERK:**Meetings**

- Daily Meetings with City Manager/City Clerk regarding work schedule.
- Attended conference calls with City Manager/City Clerk to City attorney, City Engineer and City Planner regarding City Council meeting agenda items.
- Attended:
 - City Council Meeting 09/05/13
 - Planning Commission Meetings: 08/21/13 & 09/18/13
 - Design Review Meeting 8/29/13
- Wrote agenda items and compiled packets for:
 - Drainage Committee 09/12/13
 - Special City Council Meeting 09/05/13
 - Regular City Council Meeting 09/05/13
 - Planning Commission Meeting 08/21/13
 - Planning Commission Meeting 09/18/13
 - Special City Council Meeting 09/23/13
 - Regular City Council Meeting 10/03/13
- Transcribed meeting minutes and uploaded meeting videos for:
 - Special City Council Meeting 09/05/13 (no video recording)
 - Regular City Council Meeting 09/05/13
 - Planning Commission Meeting 08/21/13
 - Planning Commission Meeting 09/18/13
 - Special City Council Meeting 09/23/13 (no video recording)
 - No minutes or video for Drainage Committee Meeting 09/12/13 due to lack of quorum.
- Posted all meeting agendas on City Hall and Post Office bulletin boards.
- Uploaded meeting packets to City website.

Projects

- Worked with the City IT professional, Demetrius from Ferndale Tech to modernize City Hall increase efficiency of pre-existing systems. Modernization efforts include:
 - Updated version of Adobe Acrobat to increase efficiency of packet creation.
 - Installation of an extra laptop at the front counter.
 - Increased the functionality of the City's network drive by allowing remote and wireless access.
- Started initial testing of a Ferndale GIS system at Planwest Partners. Wrote installation/use instructions for ArcExplorer.
- Sent public notices to property owners within 300 feet of:
 - Proposed PG&E Undergrounding Project on Francis St.
 - APNs 031-241-009 & 031-241-010 for Westfall-Witham LLA & Subdivision
- Advertised public hearings and design review vacancy in newspapers and on bulletin boards:
 - Proposed PG&E Undergrounding Project on Francis St.

- Westfall-Witham LLA & Subdivision
 - Design Review vacancy
- Received and filed Environmental Report, Phase I and II for the Old Nilsen Barn Property.
- Collaborated with Planwest Partners to develop the job description for Deputy City Clerk/City Clerk.
- Wrote draft Deputy City Clerk/City Clerk job advertisement. Sent to Times Standard for price quote. Received authorization from City Manager/City Clerk and directed the Times Standard to run the advertisement for 15 days. Contract City Planner, Melanie Rheaume posted the same advertisement in the Ferndale Enterprise.
- Received and filed applications for the Deputy City Clerk/City Clerk job description.
- Completed and faxed parade letter to Caltrans. Filed in parade binder, 'Victorian Holidays' folder. Sent copy to Ferndale Police Dept.
- Updated business license application form to reflect 2013-2014 fees and fines. Posted to City website.
- Completed and filed Resolutions:
 - PC 2013-29 925 Bluff Street Vacation Rental Findings of Fact. Filed in 925 Bluff and Resolution binder.
 - 2013-30 Adjusted Appropriations Limits for FY 2005-2014. Filed in Resolution binder.
 - 2013-21 Main Street Closure for Victorian Holidays. Filed in Victorian Holiday folder and Resolution binder.
 - 2013-32 3rd Payment Request to V&C Constructions. Filed in Resolution binder and gave copy to Lacy.
 - 2013-33 Agreement to Dedicate Real Property. Filed in 'Old Nilsen Barn' folder and Resolution binder
 - 2013-34 was not adopted.
 - 2013-35 Grant Deed to Real Property. Sent to City Attorney, filed in 'Old Nilsen Barn' folder and Resolution binder.
 - PC 2013-36 Westfall-Witham Tentative Parcel Map. Filed in 'Westfall-Witham' folder and Resolution binder.
 - 2013-37 Authorizing the City to Renew Loan from North Valley Bank. Filed in Resolution binder and special meeting packet and 'NVB' folder.
- Daily work with front counter and telephones: assisted the public with questions, rentals, permits and licenses.
- Sent and received emails daily (cityclerk@ci.ferndale.ca.us).
- Wrote and processed City correspondence daily.
- Processed rental applications and fees for City Hall and Community Center. Updated City Calendar daily. Made copies of the City Calendar and distributed to Public Works.
- Returned cleaning deposits to Community Center rental applicants.
- Directed Public Works to duplicate keys to the Community Center kitchen.
- Informed Public Works of malfunctioning vacuum at Community Center.
- Reconciled and deposited checks electronically weekly. Deposited cash at NVB.

- Picked up plans from Manhard for Rose Ave. project bid.
- Spoke with Steve Coppini about sewer inspections. Informed concerned parties about sewer inspection process, and relayed pertinent contact information.
- Ordered black toner and waste toner cartridge for Workstation printer.
- Completed and returned new housing report.
- Consulted City Building Official Arnie Kemp about fire suppression sprinkler regulations in order to fulfill the Planning Commission's information request.
- Processed dog licenses: mail and over the counter.
- Processed daily businesses licenses for Dahlia Festival vendors.
- Processed yearly business licenses: mail and over the counter.
- Organized and filed paperwork from Deputy City Clerk's office and hallway.
- Spoke to Robin Smith about health inspections for Dahlia Festival and Victorian Holidays. Dropped off inspection sheets.
- Received and typed staff reports from Public Works Department.
- Processed building and land use permits for the following addresses:
 - 319 Milky Way – Single Family Residence
 - 950 Grant Ave – Horse Barn
 - 1009 Rose Ave – Re-roof
 - 546 Berding Drive – Re-roof

ADMINISTRATION ASSISTANT/DEPUTY CITY CLERK/ACTING FINANCIAL OFFICER:

Meetings

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

Projects

- 2013-14 Budget
- 2012-13 Closing
- Payroll
- Accounts Payable
- Accounts Receivable
- Processed Deposit
- Answer Phones
- Purchase Various Supplies
- Assisted at front counter
- Put Design Review Packets together
- Posted Agenda Items
- Wrote Minutes for Design Review Meetings
- Sort Mail
- Completed Public Information Requests
- Organized files for 2013-14

CITY PLANNER:**Task 1 – General Planning**

- Attended 8/21 Planning Commission Meeting. Conducted Public Hearing. Prepared and presented Use Permit application project report for vacation rental use of two existing buildings at 925 Bluff Street.
- Attended 9/5 City Council Meeting. Prepared and presented Deputy City Clerk Job Description and General Plan Update Next Element Selection. Council concurred with Planning Commission to begin updating Noise and Air Quality Element.
- Attended 9/10 Sign Ordinance Committee Meeting. Prepared agenda and reports and presented Draft Sign Ordinance. Received and incorporated input.
- Attended 9/18 Planning Commission meeting. Prepared and presented the following items:
 - Sign Ordinance Study Session and Project Report,
 - Public Hearing - Westfall Witham Lot Line Adjustment Project Report,
 - Public Hearing - Westfall Witham Subdivision Project Report,
 - General Plan Air Quality Element Scope and Project Report,
 - Selection of next Planning Commission Secretary Project Report, and
 - Planning Commission alternate to the Design Review Committee.
- Responded to inquiries regarding sign regulations.
- Responded to public inquiries regarding zoning regulations and permit requirements for a property in the Agriculture Exclusive Zone.
- Coordinated with City Clerk on building permit requirements and subdivision compliance at 319 Milky Way.
- Coordinated with City Manager and Building Official to draft letter regarding Building Code requirements and manufacturer's specifications for Tyvek weatherproofing.
- Met with City Manager to discuss Draft Sign Ordinance direction and process.
- Assisted in preparation of minutes for 8/21 Planning Commission meeting.
- Responded to inquiries regarding California Environmental Quality Act process for acquiring Old Nilsen Barn property.
- Coordinated with Chief of Police, City Manager, and City Attorney to research and initiate preparation of draft Medical Marijuana Ordinance.
- Researched Electric Rule 20A, including process, requirements, and findings. Coordinated with City Manager and PG&E representative Lizette Burtis to prepare draft resolution and Project Report for forming an undergrounding district pursuant to Ordinance 251. Initiated preparation of correspondence with affected utilities and required amendments to Ordinance 251.
- Corresponded with PG&E representative regarding location of select parcels in relation to City boundaries.
- Responded to public inquiry regarding removing Historic District designation from a Ferndale residence.

- Coordinated with City Manager and City Clerk to prepare correspondence regarding disputed invoice.
- Responded to public inquiry regarding roosters in a residential zone.

Task 2 – Reimbursable Fee Planning

- Westfall Witham Minor Subdivision and Lot Line Adjustment: Coordinated with City Engineer's office on application for Lot Line Adjustment and Minor Subdivision at 1210 and 1234 Rose Ave. Reviewed application. Prepared and sent correspondence to applicant and agent. Prepared and presented Project Reports and Resolution at 9/18 Public Hearing. Coordinated with City Engineers Office on revisions to the Conditions of Approval. Initiated preparation of Letter of Planning Commission Action and Letter of City Engineer Action.
- 1289 Madison Building Permit: Reviewed Building Permit application. Coordinated with City Clerk and City Manager on setback requirements.
- 925 Bluff Vacation Rental Use Permit: Prepared and presented Project Report and Resolution at 8/21 Public Hearing. Prepared and sent Letter of Planning Commission Action.

Task 3 – Special Projects

- Sign Ordinance Update
 - Corresponded with Sign Ordinance Committee on Draft Sign Ordinance. Solicited and incorporated Committee input.
 - Attended 9/10 Sign Ordinance Committee public meeting. Received and incorporated input. Committee unanimously recommended draft be forwarded to City Council for consideration and recommendation to the City Council.
 - Presented draft at 9/18 Study Session and Planning Commission meeting. Initiated incorporation of input. Commission unanimously recommended draft be forwarded to City Council for consideration and adoption.
 - Prepared advertisement for Sign Ordinance Study Session prior to 10/3 City Council meeting.
- Hazard Mitigation Planning
 - Under the direction of the City Manager, completed Mitigation Initiative Action Plan, prioritization and analysis. Submitted completed jurisdictional annex.

Task 4 – General Plan Review Fund

- Prepared scope for General Plan Noise and Air Quality Element. Presented at 9/18 Planning Commission meeting.

CITY ENGINEER:

Sewer Projects

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

- Working with Steve to determine the problems with the sewer line on Main St (in front of the High School).
 - Potential locations for future cleanouts are being considered. Once these locations are determined, cost estimates and correspondence with adjacent property owners will take place to determine feasibility.
- Wastewater Treatment Facility – Wetland Maintenance, Monitoring and Reporting
 - The first year conditions were surveyed. The report and maintenance plan is being prepared.

Pedestrian Improvement Project

- Rose Street: (Phase 2)
 - The Right of Way Certification has been completed and all supporting information submitted to Caltrans for authorization from FHWA.
 - The project has been advertised and bids have been opened. The bids are being reviewed and a recommendation of award is being prepared.

Applications

- Renfer LLA –The Grant Deed and Notice of Lot Line Adjustments were recorded at the Humboldt County Recorder's Office. The applicant has met all of the conditions of approval. This project is complete.
- Hadley Merger –The applicant has paid the outstanding project fees and signed the Notice of Merger and Certificate of Subdivision Compliance. We are waiting a notarized signature from the City Engineer and the document will be recorded at the Humboldt County Recorder's Office. The project is anticipated to be complete by August 23, 2013.
- 2nd Hadley Merger (7 parcels) –The applicant provided the requested additional information. The application will remain incomplete while the City Engineer's Office waits for Department of Fish & Wildlife approval on Parcel 'C' for the drainage improvements. Additionally, the City Engineer's Office is requesting additional information related to the legal descriptions. Once the application is complete, the City Engineer's Office will move forward with referring the project and completing the staff report before scheduling a hearing with the City Council.
- Westfall/Witham Lot Line Adjustment/Subdivision - The proposed project is a two parcel subdivision and lot line adjustment located off Rose Avenue. The application submittal information was incomplete. The applicant was notified and asked to provide the necessary information. Upon receiving the revisions to the Tentative Map, the City Engineer's office was asked to waive the requirements for a Soils Report and Utility Certification for the newly created parcel. Understanding that the new parcel is not slated for development in the near future, the City Engineer's Office deemed the application complete. The subdivision will be conditioned to submit a Soils Report and Utility Certification at the time the Map is recorded. The City of Engineer's Office and the

Planning Office are processing both applications as one and final approval document (with the planning commissions comments) is being prepared.

- 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. Additional information has been submitted and is under review.
- Mr. Willis Hadley – Building Permit Application (Fence) – The application has been submitted and a conditional approval letter has been returned to the applicant. Additional information has been received regarding a new landscape/flood barrier wall. The request has been forwarded to the Drainage Committee for comment.
- Carl Havener Grading Permit Application – The application submittal information was incomplete. The applicant was notified and asked to provide the necessary information.

General Engineering

- 5th 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. Work for Phase 2 has been completed and final payment has been authorized (not including retainage).
- Working on a proposed capital improvement report (roads and drainage)
 - Met with Tim and discussed scope of projects to be included but still need to prioritize and prepare estimated for the work. Draft CIP submitted for review.
- Cal Trans Maintenance on SR 211 (Review of SHOPP drawings)
 - Continued coordination and inspections (as needed) will take place until the projects are completed.
- 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.
- Misc correspondence –
 - Working with City staff regarding the environmental study for the Old Nilsen Barn Property (Carolyn Jones Property).

Meetings and Committees

- City Council
 - Attended September Meeting
- HCAOG Meeting
 - Attended September Meeting

Reporting and Correspondence

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

WASTEWATER OPERATIONS:**Projects**

- Dewater throughout the month for approximately 28 total hours
- CPO met with Clare Golec from Fish and Game to discuss option for replacing existing sewer main in creek
- 2nd leak in underground mainline near wetlands found and repaired
- Monthly samples prepared and sent to North Coast Labs
- Cal Fire crew and OITs Ivey and Thrap clear brush along creek at wetlands site
- Moved irrigation pipes to east side of Sousa Dairy
- Weekly safety meetings held, including public works employees
- CPO obtained permission from 3 property owners on main street to install cleanouts into our mainline that run through their property. DCI scheduled to perform installations
- Monthly eSMR submitted (electronic State Monthly Report)
- CPO turned sludge twice weekly at old site to dry as quickly as possible
- CPO contacted EcoRisk Environmental concerning upcoming acute and chronic toxicology testing. Block Consultants, our old lab, went out of business. Exploring other options for testing, so far no other labs found in California.
- Filed online SSO report
- OIT Ivey weedeat around facility and old site
- CPO contacted Hach Company to calibrate and service all electronic monitoring equipment at site. Calibration of equipment required as per our permit
- OITs Thrap and Ivey perform lab tests daily to measure efficiency of plant
- Prepare to pour concrete slab at old site as part of extension of existing slab for concrete. CPO and OITs to perform the labor
- Coliform tests to Fortuna each Tuesday and BOD/TSS samples to Fortuna on 2nd Thursday of the month
- 5 lateral inspections done by CPO
- OIT Ivey cleaned walls and catwalks
- The facility received a total of 10 septic dumps from Roto Rooter & Wyckoff's totaling 13,500 gallons and generating \$2,430 in revenue for the facility.
- Total flows through the collection system were 4.5 MG. Of that, .7 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 3.8 MG for the month of August. 3.6 MG was irrigated to Sousa ranch. The average irrigation flow was .116 MGD

PUBLIC WORKS:**JOHNNY'S PROJECTS**

- Community Center: landscaping, applied trim boards and metal screen to the bottom of foundation, replaced batteries in smoke detectors, installed carbon monoxide detectors, painted wheel chair ramp, fixed faucet.
- City Hall: routine watering, mowing and landscaping, replaced stakes for trees, replaced doggie bag dispensers, made copies of keys for Community Center, cleaned curbs around building.
- Fireman's Park: landscaping, trimmed weeds and mowed lawns near bullpins and baseball field, painted men's bathroom, cleaned signs at Bocce Courts and at park, landscaping, trimmed trees, removed vandalism, painted light poles, fixed water line.
- Russ Park: landscaping, and tree trimming.
- Scout's Hall: landscaping, tree trimming and tree removal.
- Police Station: landscaping, and mowing.
- Park Bathroom: replaced trim boards.
- Removed debris from 370 Schuler Avenue.
- Cleaned out drainage inlet on Bluff Street.
- Trimmed trees at Berding Street bridge, and at Ocean Avenue across from school.
- Mowed lawns in alley behind the Library, under Petrolia sign, Washinton Street, and Eugene Street.
- Purchased and restocked supplies for bathrooms.
- Swept Main Street.
- Took used motor oil to Eel River Disposal.
- Trimmed brush on Madison Street.
- City Parking Lot: painted light poles and replaced door handles.
- Organized public works shop.
- Cleaned drainage inlets around town to prepare for winter storms.

TIM'S PROJECTS

- Removed and disposed of fallen tree on City's portion of creek
- Cleaned ditch on Bluff Street, back filled with drain rock and repaired DI box.
- Removed low hanging branches in creek flow at 311 Ocean Ave.
- Community Center: Checked range and ovens, no repairs needed.
- Sprayed insect repellent at Scout's Hall and City Hall.
- Removed garbage and miscellaneous items left over from Bargain Lover's weekend.
- City Parking Lot: removed weeds, painted light poles.
- Replaced broken doggy bag dispenser.
- Took waste oil and garbage to Eel River Disposal.
- Russ Park: landscaping and tree trimming near parking lot.
- Public Restrooms: plumb in new water faucet.
- Trimmed trees and overhanging limbs on Ocean Avenue.

- Trimmed trees and overhanging limbs on Arlington Ave next to High School.
- Installed carbon monoxide detector in Community Center kitchen.
- Fireman’s Park: cleaned up after garbage cans, playground mat and bathrooms were vandalized.
- Fixed water leak at the park, replaced 3’ section of pipe.

POLICE DEPARTMENT:

- Officer Chris Williams has completed his field training program and is on his own.
- New police officer, Dmitriy Gavryush, is progressing in his field training program.
- Hosted Avoid DUI checkpoint on Highway 211 at Market.
- Monitored Humboldt County Fair and associated activities
- 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.

Police Statistics – August 2013

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	0	
Assault	1	
Burglary	0	
Vehicle Theft	0	
TOTAL	1	
SECONDARY CRIMES	11	
Calls for Service	51	
Reports Written	25	
Traffic Citations	9	
Other Citations	1	
Parking Citations	0	
Warnings	25	
ARRESTS	14	
AGENCY ASSISTS	20	
TRAFFIC COLLISIONS	0	

Section 14b: Commissions, Committees and Other

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 9/5/13 - 8:30am meeting

Vic. Chairman Mark Giacomini opened the meeting at 8:45 a.m. Committee Members Marc Daniels, Lino Mogni and Dean Nielsen were present along with Deputy City Clerk Lacy. Chairman Dane Cowan was absent.

389 Berding: **MOTION:** Approve the replacement of failed siding and remaining wood windows with vinyl. **(Mogni/Nielsen) Unanimous.**

Bridge Railing next to 332 Ocean: Strike from Agenda.

There was no further business to discuss. Meeting adjourned at 8:45 am.

Respectfully submitted,

Lacy Pedrotti, Deputy City Clerk
City of Ferndale

City of Ferndale, Humboldt County, California USA

Minutes for Planning Commission Meeting of September 18, 2013

[Note: These are Action Minutes; a video of the meeting is available at City Hall M-Th 9-4]

Study Session — Chair Jorgen Von Frausing-Borch called the Study Session to order at 6:07 pm. Commissioners Uffe Christiansen, and Dean Nielsen were in attendance. Commissioner Marc Daniels joined the meeting at 6:25 pm. Lino Moggi was absent. Sign Ordinance Committee member Michael Sweeney, staff Deputy City Clerk Christina Wile and City Planner Melanie Rheaume were also present.

Karen Pingitore, President of the Chamber of Commerce, expressed her support of the draft ordinance, stating that the draft incorporates her input provided on behalf of the business community. Councilman and Sign Ordinance Committee member Michael Sweeney stated that the draft meets the requirement to have a defensible document protecting the City from liability issues while maintaining a user-friendly format and distributed a flowchart for navigating the Ordinance that he suggested become part of the application for a new business license.

Former Sign Ordinance Committee and Design Review Committee member Michael Baily stated that the ordinance is enforceable, explainable, well accepted by the business community.

Chairman Von Frausing-Borch requested that Sandwich boards should be located within a block of the associated business location. Discussion by members of the Commission and attendees ensued, and no direction to change the Ordinance was given.

Planning Commission and attendees concurred on several suggested revisions, and staff was directed to make the following changes to the draft ordinance:

- §6.2.3.5 – Increase maximum flag pole height in a residential zone to 20 feet.
- §3.1.3 – Revise Historical Signs to include all signs older than 50 years and specify that exemption is nullified if signs are relocated.
- §8.6 – Specify that signs may be placed in the Right of Way with encroachment permit from Caltrans.
- §8.6.1 – Specify that Right of Way includes sidewalk.
- §8.7.2.2 – Change “should” to “shall.”
- §8.7.2.3 – Change “should” to “shall.”
- §10.3.3.2 – Remove “nonresidential property.”

The Study Session was closed at 7:05 pm.

Call to Order — After a five minute break, Chairman Jorgen Von Frausing-Borch called the Regular Planning Commission to order at 7:09 pm. Commissioners Uffe Christiansen, Dean Nielsen, and Marc Daniels, along with staff Deputy City Clerk Christina Wile and City Planner Rheaume were present. Those in attendance pledged allegiance to the flag.

Ceremonial — None.

3.0 Update Agenda

3.1 Proposed changes, modifications to agenda items — None

3.2 Commissioners comments — None

4.0 Approval of previous minutes

4.1 August 21 2013 — **MOTION: (Nielsen/Christiansen) Unanimous.** The August 21, 2013 minutes were unanimously approved.

5.0 Public Comment — None

6.0 Public Hearing

6.1 Westfall-Witham Lot Line Adjustment — City Planner Rheume presented the Project Report. Commissioner Nielsen expressed concerns that, considering that Parcel 1 could potentially be subdivided into 5 or 6 more lots, the existing 20 foot road would be too narrow and may pose public safety/traffic issues. Commissioner Nielsen suggested the proposed project and Tentative Map should include a 30 foot wide easement along the existing driveway to accommodate future improvements. Chairman Von Frausing-Borch asked if the current road meets fire safety requirements. City Planner Rheume informed the Commissioners that the City Engineer, the Fire Department and other agencies were sent the map and did not have comments about the road width.

Public comment: There are no plans to further subdivide the land in the back of the property. There are potentially 5 parcels back there. Commissioner Nielsen clarified that he would like to see a 30 foot easement, not require the applicant to build a 30 foot wide road.

6.2 Westfall-Witham Minor Subdivision — City Planner Rheume presented the Project Report. Public Comment: request that the Commission strike condition of approval number 3. This was erroneously included from LLA. There will only be one owner after subdivision. Condition number 9 requires for new water service to each parcel. Public would like to know if this is not considered public right of way. Public would like to defer the water service of the vacant parcel. Chairman Von Frausing-Borch informed the Commission that this has been done before. The Commission directed staff to modify the conditions as requested.

MOTION to adopt Resolution No. PC 2013-36 making the required findings of fact listed in Attachment A, to approve the Tentative Parcel Map as requested, subject to the conditions of approval listed in Attachment B, to subdivide one parcel located at 1234 Rose Avenue into two lots, Parcels 1 and 2 with changes to conditions of approval numbers 3 and 9.

(Daniels/Christensen) In favor: Daniels, Christensen, Von Frausing-Borch; Opposed: Nielsen

7.0 Business

7.1 Review draft Sign Ordinance and Make Recommendation to Council — Commissioners felt that this item was thoroughly covered in the Study Session. **MOTION** to approve the Draft Sign Ordinance as modified and recommend to the City Council **(Nielsen/Daniels) Unanimous.**

7.2 Design Review Committee Applicants — The Planning Commission received Doug Brower's letter of interest and application request from Deputy City Clerk Christina Wile. These documents were received by City Staff after the packet was compiled, but before the Design Review Vacancy closed. Planning Commissioners conducted a brief interview with Mr. Brower. The remaining two applicants were not present. The Planning Commission ranked all three applicants and returned their vote to Deputy City Clerk Wile. The Commission appointed Mr. Doug Brower to the Design Review Committee. This appointment will go before City Council on October 3, 2013.

7.3 Noise and Air Quality Element Scope — City Planner Rheume presented Noise and Air Quality Element Scope and recommended that the Commission review and recommend the scope to the City Council. **MOTION (Nielsen/Daniels) Unanimous.**

7.4 Design Review Committee Alternate — Commissioner Dean Nielsen was appointed as Design Review Alternate.

7.5 Selection of Planning Commission Secretary — Deputy City Clerk Christina Wile was appointed as Secretary of the Planning Commission.

7.6 Fire Suppression Sprinkler Code Update — Deputy City Clerk Christina Wile introduced the topic and explained that fire sprinklers are only required for new construction, remodeled houses or additions to older houses would not require sprinklers. Commissioner Nielsen asked if a separate water meter is required for water sprinklers. The City Building Official Arnie Kemp will be consulted on this matter.

7.7 Building and Land Use Permits — No action.

7.8 Design Review Committee Report — No Report.

8.0 Correspondence and Oral Communications — No action.

9.0 City Planner's and Deputy City Clerk's Staff Reports — No action.

10.0 Design Review Minutes — No action.

11.0 Adjournment — Next regular meeting October 16, 2013 — Meeting adjourned at 8:08 pm.

Respectfully submitted,

Christina Wile
Deputy City Clerk

Section 14c: Council Reports and Comments



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

611 I Street, Suite B

Eureka, CA 95501

(707) 444-8208

<http://www.hcaog.net>

Board of Directors DRAFT MEETING RECORD

Regular Meeting
August 15, 2013, 4:00 p.m.
HCAOG Conference Room
611 I Street, Suite B, Eureka

Present:

Councilmember Susan Ornelas, Chair
Mayor Doug Strehl, Vice Chair
Supervisor Ryan Sundberg
Mayor Sherman Schapiro
Councilmember Jack West
Councilmember Gordon Johnson
Mayor Stuart Titus

City of Arcata
City of Fortuna
County of Humboldt
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
Debbie Egger
Siana Watts

Executive Director
Administrative Services Officer
Executive Assistant

Absent:

Mayor Frank Jäger

City of Eureka

1. Call to Order

Chair Susan Ornelas called the meeting to order at 4:00 p.m.

2. Public Participation

John Lowry, Candidate for California Assembly 2014

3. Adjournment of the HCAOG Board; Convening of the Policy Advisory Committee (PAC) (4:02 p.m.)

4. Approval of Meeting Record – June 20, 2013

Motion was made (Johnson/Atkins) to approve the June 20, 2013 draft minutes, as submitted.

Motion carried by the following votes:

AYES: Schapiro, Ornelas, West, Strehl, Johnson, Jackman, Atkins

NOES: None

ABSTENTIONS: Sundberg, Titus

ABSENT: Jäger

5. Information Items**a. 101 Corridor Update**

Kim Floyd, Caltrans Project Manager, provided an update on the Coastal Commission's Coastal Consistency findings for the Eureka-Arcata 101 Corridor Project.

Public Participation on Item 5a

Jennifer Kalt, Humboldt Baykeeper

John Schafer

Ali Lee, Bayside, bicycle commuter and vehicle commuter

Maggie Gainer

b. California Transportation Plan 2040

Rex Jackman, Caltrans Transportation Planner, discussed the California Transportation Plan 2040, and explained it was a long-range visionary plan. He informed the Board there would be a local focus group meeting, taking place September 25, 2013, at the Adorni Center.

6. Consent Calendar

Motion was made (Schapiro/Titus) to approve the following items on the consent calendar.

Motion carried unanimously.

- a. FY 13-14 Local Transportation Fund (LTF) Allocations Amendment, Resolution 13-06(A)
- b. FY 13-14 Local Transportation Fund (LTF) Claim for the City of Rio Dell (\$117,477), Resolution 13-19

7. Action Items**a. 2013-14 Regional Transportation Plan (RTP) Update**

Motion was made (Schapiro/Atkins) recommend the HCAOG Board consider release of the initial administrative draft of the entire 2013-14 RTP Update for public comment.

Motion carried unanimously.

b. Fiscal Year 2012-13 Regional Surface Transportation Program (RSTP)

Motion was made (Atkins/Sundberg) to recommend to the HCAOG Board, approval of the FY 2012-13 RSTP.

Motion carried unanimously.

8. PAC Member Reports

There were no PAC member reports.

9. Reconvening of the HCAOG Board (4:59 p.m.)

Motion was made (Sundberg/Schapiro) to approve the recommendations made by the PAC and reconvene as the HCAOG Board.

Motion carried unanimously.

10. Adjournment

The meeting adjourned at 5:00 p.m.

Respectfully Submitted,
Siana L. Watts, Executive Assistant

II

**Minutes
Meeting of the RREDC Board of Directors
July 22, 2013**

- I. Call to Order and Flag Salute**
Chair Mike Newman called the meeting to order at 6:30 p.m.
Present: Virginia Bass, Kevin Benjamin, Dendra Dengler for Bruce Rupp, Julie Fulkerson, Tyler Holmes, Nancy Koke, Sue Long, Ken Mierzwa, Mike Newman, Alex Stillman, Dave Tyson, Frank Wilson, Bill Wennerholm
Absent: Michael McKaskle, Bruce Rupp, Mike Wilson
Staff Present: Don Ehnebuske, Virginia Fisher
Guests: Joyce Hayes, Executive Director, Humboldt Senior Resource Center, Rene Arche, Director of Communications and Marketing, HSRC
- II. Approval of Agenda and Minutes**
M/S: Bass/Mierzwa to approve July 22, 2013 agenda and minutes of June 24, 2013. Ayes: 10, Nays: 0, Abstain: 3. Motion passes.
- III. Public input – for non-agenda items**
None
- IV. Program**
Joyce Hayes, Executive Director, Humboldt Senior Resource Center: PACE Program. PACE stands for Program of All-inclusive Care for the Elderly. It is licensed through the California Dept. of Health Care Services and the Centers for Medicare and Medicaid Services. The Humboldt Senior Resource Center is in the final stage of application to open a PACE program in Humboldt County.

PACE will provide medical, social and other care management services to frail adults age 55 and over who reside within a 30 mile radius of Eureka. The services allow participants to stay in their own homes while receiving the level of care needed.
- V. Financial Reports – action required**
Postponed until the next board meeting due to staff medical leave.
- VI. Reports – no action required**
A. Loan Portfolio Report: Jun 30, 2013: Report submitted; no action needed.
B. Executive Directors Report: Report submitted; no action needed.
C. Executive minutes of June 6, 2013: no action needed
- VII. Old Business**
A. Humboldt Lodging Alliance Grant Application: Update of the proposal to have a portion of the bed tax collected by the Humboldt Lodging Alliance (HLA) earmarked for a long term fund for air service attraction. HLA needs more information before considering the proposal. No action taken.

VIII. New Business**A. Consideration of Grant Application to PG&E re Recycling Manufacturing**

Development Zone (RMDZ): RREDC proposes working with the Recycling Market Development Zone (RMDZ) in the operation of their local program if sufficient funding is available. Currently the program is funded through the Humboldt Waste Management Authority with a \$10,000 annual budget.

PG&E is piloting an Economic Vitality Grant Program to invest a total of \$200,000 in programs designed to enhance local economic vitality in their service area—ranging from business incubation and growth to workforce development with the goal of job creation. Working closely with the current RMDZ local administrator, Maureen Hart, RREDC has written an application for \$25,000 to PG&E which aims to turn additional waste stream materials into value added products locally, expanding local manufacturing and reducing shipping of low value waste materials.

M/S/P: Holmes/Wilson. Approve submission of PGE grant application:
Motion passed unanimously.

IX. Member Reports

Reporting were County of Humboldt, City of Ferndale, City of Rio Dell and City of Fortuna.

X. Agenda requests for August 26, 2013 meeting

None

XI. Adjourn

The meeting was adjourned at 7:48 p.m.

Respectfully submitted:

Bonnie Smoller
Recorder

Mike Newman
Chair



Redwood Region
Economic Development
Commission

520 E Street
Eureka, CA 95501
707-445-9651
707-445-9652 (fax)
reddc@northcoast.com

VI B

Memo

TO: Board of Directors

FR: Don Ehnebuske, Executive Director

DATE: September 13, 2013

RE: Executive Director Report

Loan Program Updates

1. **New Loans:** Two new loans were approved for a total of \$538,000 to Natural Resources Management, Inc of Eureka. These loans will be funded with 50% participation by the Headwaters Fund.
2. **NCIDC Loan:** This borrower has received two disbursements from the coalition of lenders, including the most recent to begin work on a new roof.
3. **Albin Ranch Loan:** This loan has finally funded, also a Headwaters participation loan.
4. **JR Stephens Loan:** This loan is now in the court system. The Executive Committee is being apprised of developments as they occur.
5. **Headwaters Fund Contract:** See New Business Item B.

Economic Development Activities

- Airline Recruitment: Two recent visits to airline headquarters have confirmed interest in providing new service, however no formal agreements have been reached.
- Business Advocacy: See Old Business item A

- Community Investment Fund: RREDC and RCRA cosponsored a Community Investment Forum on September 9. Over 40 people attended including many community leaders. The presentation focused on methods that other communities use to make investing in your local community a simpler process. Several methods were highlighted including Investment Clubs, LION, Self-Directed IRAs, and Public Offerings. Each of these methods may be more appropriate for different project types. A follow up meeting in October is being planned, with the concept of focusing on a particular project and creating the funding mechanism for that project. A smaller gathering will also be meeting with an Economic Development professional from the Chico area to look at potentially combining with a venture capital fund in that area.

RREDC Operations

- **Audit:** Audit activity is ongoing with a draft audit expected in December
- **Office Space:** One office space is still available. Please keep this in mind if you hear of any appropriate businesses or non-profits.

VI C

**Redwood Region Economic Development Commission
EXECUTIVE COMMITTEE
June 6, 2013
4:00 p.m.
Minutes**

I. Call to Order

Vice Chair Julie Fulkerson called the meeting to order at 4:05 p.m.
Present: Virginia Bass, Julie Fulkerson, Nancy Koke, Sue Long, Bruce Rupp
Absent: Mike Newman, Mike Wilson
Staff present: Don Ehnebuske, Virginia Fisher, Bonnie Smoller
Also present: Russell Gans, Mitchell, Brisso, Delaney & Vrieze

II. Approval of agenda and minutes of April 22, 2013. M/S/P: Rupp/Bass. Motion passes.

III. Public Input – for non-agenda items

None

IV. Closed Session Discussion

Conference with Legal Counsel – Existing Litigation – Redwood Economic Development Commission v. J. R. Stephens Company, et al., Case No. DR130116 (Pursuant to Government Code Section 54956.9(a).)

M/S/P: Rupp/Bass: at 4:06 p.m. a motion was made to go into closed session.

Motion passed unanimously.

The group reconvened in open session at 4:30 p.m.

Action: M/S/P: Bass/Long: to form an ad hoc committee to negotiate terms of a work out agreement with J.R. Stephens Co. Bruce Rupp will represent RREDC and the Headwaters Fund will be invited to appoint a representative. Motion passed unanimously.

V. Old Business

None

VI. New Business

A. Loan Approval or Denial: Tonia Hayden, Big Moo Enterprises Inc.: purchase of Centerville Farms: no action taken

B. Election of SDRMA Officers: A. Adoption of Resolution Authorizing Selection of Candidates for the Board of Directors of the Special Districts Risk Management Authority (SDRMA): M/S/P: Rupp/Bass: move to recommend the following slate of candidates to the RREDC Board of Directors for approval at the June 24, 2013 meeting. John Woolley, Manila CSD and Dennis Mayo, McKinleyville CSD. Motion passed unanimously.

- C. Results of Request for Audit Proposals:** Of the RFP's that were sent to local and out of town firms, three proposals were received.
M/S/P: Rupp/Bass: to approve the contract with David L. Moonie Company LLC for auditing services for fiscal years 2013, 2014 and 2015.
- D. Update on status of Albin Enterprises LLC:** This loan should fund in mid-June.
- E. Update on NCIDC Participation Loan:** Funding for the loan has been delayed while title to the property is updated.

VII. Adjourn

The meeting adjourned at 4:48 p.m.

**Redwood Region Economic Development Commission
EXECUTIVE COMMITTEE
July 11, 2013
4:00 p.m.
Minutes**

I. Call to Order

Chair Mike Newman called the meeting to order at 4:06 p.m.

Present: Virginia Bass, Julie Fulkerson, Nancy Koke, Sue Long, Mike Newman, Bruce Rupp, Mike Wilson

Absent: none

Staff present: Don Ehnebuske, Virginia Fisher

- II. Approval of agenda and minutes of June 6, 2013.** A correction to the minutes of June 6 was noted. Under item IV, Closed Session, the time the group reconvened in open session should be 4:30 p.m.
The agenda and corrected minutes were approved. **M/S/P: Rupp/Bass.** Motion passes.

- III. Public Input** – for non-agenda items
None

IV. Closed Session Discussion

Conference with Legal Counsel – Existing Litigation – Redwood Economic Development Commission v. J. R. Stephens Company, et al., Case No. DR130116 (Pursuant to Government Code Section 54956.9(a).)

M/S/P: Bass/Long: at 4:07 p.m. a motion was made to go into closed session.

Motion passed unanimously.

Russ Gans, counsel for RREDC, was present by phone for the closed session discussion.

The group reconvened in open session at 4:33 p.m.

Action: no report

V. Old Business

None

VI. New Business

- A. Renewal of Line of Credit (LOC): JAZ Kidz Inc. (Loan #2606):** This business is a 501(c) (3). Per the State of California they are required to have access to three months operating expenses. JAZ Kidz provided RREDC with an annual review letter from their financial institution confirming that they are unable to obtain conventional financing. **M/S/P: Wilson/Koke: moved to approve a three year annual renewal on their existing line of credit.** Motion approved unanimously.

B. Renewal of LOC: Humboldt Senior Resource Center (Loan #20122): HSRC is a 501 (c) (3). The purpose of the LOC was to cover operating expenses in the event of delayed funding from the government. HSRC is gearing up for the PACE program and may incur unexpected general operating expenses.

M/S/P: Bass/Rupp: moved to approve a one year renewal of their existing line of credit. Motion approved unanimously.

C. Review of Loan: Fire & Light Originals: no report

VII. Adjourn

The meeting adjourned at 4:50 p.m.

**Redwood Region Economic Development Commission
EXECUTIVE COMMITTEE
Aug 26, 2013
5:00 p.m.
Minutes**

I. Call to Order

Vice Chair Julie Fulkerson called the meeting to order at 5:02 p.m.

Present: Julie Fulkerson, Nancy Koke, Virginia Bass, Bruce Rupp. Sue Long joined the group at 5:12 p.m.

Absent: Mike Newman, Mike Wilson

Staff present: Don Ehnebuske, Virginia Fisher, Bonnie Smoller

II. Approval of agenda and minutes of July 11, 2013. M/S/P: Rupp/Bass

Motion passes.

III. Public Input – for non-agenda items

None

V. Old Business

A. Update on J.R. Stephens Co. Discussion tabled until Sep 12, 2013 meeting.

VI. New Business

- A. Request to extend period of interest only payments: Riversong Natural Foods** (loan # 20136): Principal and interest payments will begin September 1, 2013. Loan maturity date will be September 1, 2020.

M/S/P: Rupp/Bass to extend interest only payments through August 30, 2013.
Motion passed unanimously.

- B. Request to subordinate UCC filing: C.W. Woods** (loan # 8930): Coast Central Credit Union has requested collateral currently held by RREDC in a UCC-1 filing in order to fund a loan to borrowers. RREDC is well collateralized by a first deed of trust on the mill property located at 2051 Eel River Drive, Fortuna.

M/S/P: Bass/Koke to release RREDC's UCC-1 filing on equipment owned by C.W. Wood Products. Motion passed unanimously.

- C. Request for change in terms: NCIDC/Carson Block Building** (loan # 20133): Replacing the roof is the first step in the necessary retrofitting. In order to begin the roof installation in optimum weather it was requested that funds be released before NCIDC receives the CDBG grant.

M/S/P: Rupp/Bass to approve modification of loan terms allowing release of construction funds prior to receipt of CDBG grant by borrower. Motion passed unanimously.

- D. Consideration of change to contract with Headwaters Fund:** The RREDC loan participation agreement with the Headwaters Fund expired on June 30, 2013. It was extended until September 30, 2013 to give HWF time to create a new proposal with new terms.

The HWF Finance Committee presented a draft Master Participation Agreement and draft Lender Agreement to RREDC in late July. Changes proposed by HWF included interest rate reduction and changes in collection costs.

The proposed changes would reduce the amount of interest to RREDC while increasing the risk RREDC would take on each loan.

Staff proposed continuing negotiations and having a presentation by the HWF Finance Committee at the next executive committee meeting to get clarification of the proposal.

No action taken.

VII. Adjourn

The meeting adjourned at 6:00 p.m.

Section 15

ADJOURN