

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

Location:	City Hall	Date:	February 6, 2014
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	January 30, 2014

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; Michael Sweeney; Daniel Brown and Mayor Stuart Titus.
4. REPORT OUT OF CLOSED SESSION
5. CEREMONIAL
 - a. Engineer’s Week Proclamation Page 4
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 2/3^{rds} of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.)
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.”)

<i>a.</i> Approval of Minutes of the January 9, 2014 Regular City Council Meeting	Page 6
<i>b.</i> Acceptance of Accounts Payable for November 22, 2013 – January 20, 2014	Page 9
<i>c.</i> City Attorney Contract Renewal	Page 21
<i>d.</i> Resolution No. 2014-04 40th Annual Rod Run Parking Restriction	Page 26
<i>e.</i> Acceptance of Financial Statements for November 30, 2013	Page 28
10. CALL ITEMS	
11. PRESENTATION / COMMUNITY FORUM	
12. PUBLIC HEARING	
<i>a.</i> Consider adopting Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations	Page 59
<i>b.</i> Unmet Transit Needs Hearing	Page 64
13. BUSINESS	
<i>a.</i> PG&E Undergrounding.....	Page 72
<i>b.</i> Introduce Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02	Page 73
<i>c.</i> Resolution 2014-03 Setting Election on Appointive City Clerk and City Treasurer Election.....	Page 77
<i>d.</i> Acceptance of Audited Financial Statements for FY 2012-2013	Page 80
<i>e.</i> Consider Adopting Resolution 2014-05 Authorization to Postpone Preparation of the City of Ferndale General Plan Noise & Air Quality Element and to Update Housing Element for State Housing Regulation Compliance	Page 81
<i>f.</i> Update from Ad Hoc Committee to Review and Recommend Potential Uses of the Old Nilsen Property	Page 84
14. CORRESPONDENCE	Page 86
15. REPORTS	
<i>a.</i> City Manager Report	Page 90
<i>b.</i> Commissions / Committees and others	
<i>i.</i> Planning Commission	Page 98
<i>ii.</i> Design Review Committee	Page 103
<i>c.</i> Reports from JPA's and other Agencies	
<i>i.</i> Redwood Region Economic Development Commission	Page 104
<i>ii.</i> Redwood Coast Energy Authority	Page 106
16. 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 Thursday,
March 6, 2014 in the City Hall at 7:00 p.m.**

Section 1

CALL MEETING TO ORDER

Section 2

PLEDGE ALLEGIANCE

Section 3

ROLL CALL

Section 4

CLOSED SESSION REPORT OUT

Section 5

CEREMONIAL

**PROCLAMATION OF ENGINEER'S WEEK
FEBRUARY 16th through 22nd, 2014**

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

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

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

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

WHEREAS, throughout the Nation the week of February 16th through the 22nd 2014 is being recognized as National Engineer's Week, coinciding with George Washington's birthday, our nation's first engineer,

NOW, THEREFORE, BE IT RESOLVED that the City of Ferndale in recognition of the contribution of Engineers to society and in an effort to promote the interest of the youth in the community in math, science and engineering, does hereby declare the week of February 16th, 2014 as Engineer's Week in the City of Ferndale.

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 CALENDAR

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, Humboldt County, California, U.S.A.
Minutes for City Council Meeting of for January 9, 2014

Mayor Stuart Titus called the Regular City Council Meeting to order at 7:06 pm. Present were Mayor Titus, Ken Mierzwa, Michael Sweeney and Daniel Brown along with staff City Manager Jay Parrish, City Clerk Elizabeth Conner, Police Chief Brett Smith, Contract City Planner George Williamson, and Contract City Engineers Pray White and David Caisse. Those present pledged allegiance to the flag. The City Clerk called roll and Council Member Maxwell was absent.

Report out of Closed Session: Mayor Titus reported that this would be the last closed session on the City Manager's contract. He said the evaluation of the City Manager Parrish was very favorable and the council had reached consensus on renewing his contract. Mayor Titus thanked Mr. Parrish for his service to the City and stated the council looked forward to working with him for several more years. He said individual council members would meet with Mr. Parrish to give more specific feedback.

Ceremonial: None

Modifications to the Agenda: None

Study Sessions: None

Public Comment: Mr. Dwain Martin commented that the council packet did not include an accounts payable report as it usually does. City Manager Parrish explained that the accounts payable report for both months would be in the next council packet and wasn't included due to timing of staff turnover.

Consent calendar: No pulled items. **MOTION: to approve Council Minutes of December 5, 2014. (Mierzwa/Sweeney) 4-0.**

Call Items or Presentations: None

Public Hearing:

a. Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations: Mayor Titus explained that no action was required on this item tonight because the ordinance is currently before the Planning Commission and after that body reviews it, it will come back to the council. Mayor Titus opened the public hearing and there were no comments from the public. There were no comments from members of the council and Mayor Titus closed the public hearing and continued the item to the next regular council meeting.

Business:

a. 580 Main Street Update: Contract City Planner Williamson explained that the Design Review Use Permit application was moved from the Design Review Committee to the Planning Commission because although the DRC did approve the new siding materials for the building, they did not make the required CEQA exemption findings. Planner Williamson said the applicant's amendment to her original Design Review application included using wood shingles instead of horizontal siding above the windows and a change in paint colors. The project, including required CEQA findings, is now on the agenda of the Planning Commission meeting of January 16, 2014.

b.Update from Ad Hoc Committee to Analyze Potential Lot Line Adjustment of Russ Park

Ad Hoc Committee members Ken Mierzwa and Mayor Titus said that the goal of the potential lot line adjustment is to have the public be able to access the park with out going thru private property and could be mutually beneficial to both parties. They reported that they met with surveyor David Yarrington and property owner representative Gerald Silva to walk the property. They further reported that they directed the surveyor to come back with some drawings and suggested lot splits and present those to the Silvas for discussion, and then to the Ad Hoc the Committee. The ball is now in the Silvas court to meet with surveyor to decide on the parcel lines.

c.Update from Ad Hoc Committee to Review and Recommend Potential Uses of the Old Nilsen Property:

Ad Hoc Committee members Daniel Brown and Michael Sweeney reported that they are in the early stages and have not yet held any formal meetings. They are working with the City Manager to set up walk through the property next week, perhaps with the city engineer, to look at project issues and constraints. They said that the walk through will be noticed and conducted as a public meeting and a member of Planning Commission and Design Review Committee would be invited along with members from the Chamber of Commerce, neighbors of the property and Bruce Keller, who works with Artisan Alley. Mayor Titus asked for public comment on the item. Mr. Jorgen Von Frausing-Borch, chair of the Planning Commission, commented that as he was doing some research related to the Old Nilsen Barn, he had come across a copy of the General Plan from 1967 which specifically addressed this property and its use. He said reviewing this old GP is an opportunity to see how previous City leaders had envisioned this area. He said this property seems like a great place to have a park for visitors and residents, providing a view of Francis Creek, in a central location which could tie into the Farmer's Market. . Mr. Duane Martin asked when the walk through would be held and whether adjacent landowners would be notified. Council Member Sweeney said the walk-through would likely be scheduled for the following Thursday, January 16, and that the adjacent property owners will be involved. Neighbor Pat Cavanaugh said she wants to be involved. City Staff said they would post a meeting notice and agenda once the specifics had been set.

d.Resolution No. 2014-01 Establishing City Council Meeting Schedule from February 2014 through January 2015: Council Member Brown asked about changing the July 3 meeting to July 7 because of the July 4th holiday and so many folks being out of town. **MOTION:** to approve Resolution No. 2014-01 amending the date of July 3 to Monday, July 7, 2014. **(Sweeney/Brown) 4-0.**

e.Resolution No. 2014-02 Annual Events and Parades Street Closures: City Manager Parrish requested that the Christmas Lighted Tractor Parade be removed from the resolution because more discussion was needed between the event organizers, sponsors, the Police Department and the City. **MOTION:** to approve Resolution 2014-02 amending it by deleting the Christmas Lighted Tractor Parade. **(Titus/Sweeney) 4-0.**

f.Review, Confirm and Appoint Representatives to Committees, Boards and JPA's: Council members reviewed the appointments. Council Member Sweeney agreed to serve as Humboldt Waste Management Authority Alternate replacing Council Member Mierzwa. Council Member Brown agreed to serve on the Library Board and Council Member Sweeney agreed to serve as the Alternate. Council Member Brown also agreed to serve as the representative to the Hazard Materials Response Committee. No other changes were made to the Committee and Commission Appointments. **MOTION:** to approve 2014 Appointments to Committees, Boards and JPA's **(Titus/Mierzwa) 4-0.**

g. Schedule Annual Study Session with City Council, Planning Commission and Design Review Commission to Review Goals and Objectives and Committee Roles: Council Member Brown said this would be a good annual event that will be helpful to everyone involved as it's a meeting where we can ask questions of each other about past materials and projects, review CEQA finding issues and discretionary actions. Mayor Titus said that since there is currently a vacancy on the Planning Commission, the Council should wait to schedule this session until that vacancy is filled so the new member can participate.

Mayor Titus adjourned the meeting at 8:26 pm.

Respectfully submitted,
Elizabeth Conner,
City Clerk

DRAFT

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 11/22/13 To 12/19/13

Check #: All - Vendor: All - Payee Name: All - By Payee Name

Chk No.	Date	Pay	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.	Type		Override Description	Amount	Amount	
47140	11/26/13		ARNKE	ARNOLD C. KEMP		99.80
	10012100			Accounts payable	99.80	
Total for ARNOLD C. KEMP						99.80
47133	11/25/13		CALST	CALIFORNIA STATE DISBURSEMENT UNIT		139.38
	10012100			Accounts payable	139.38	
47141	11/26/13		CALST	CALIFORNIA STATE DISBURSEMENT UNIT		400.00
	10012100			Accounts payable	400.00	
Total for CALIFORNIA STATE DISBURSEMENT UNI						539.38
47142	11/26/13		CITFO	CITY OF FORTUNA		1,016.66
	10012100			Accounts payable	1,016.66	
Total for CITY OF FORTUNA						1,016.66
47134	11/25/13		CRAFT	CRAFTSMAN'S MALL		54.00
	10012100			Accounts payable	54.00	
Total for CRAFTSMAN'S MALL						54.00
47135	11/25/13		DVLNO	DAVE LENARDO		280.00
	10012100			Accounts payable	280.00	
47180	12/05/13		DVLNO	DAVE LENARDO		240.00
	10012100			Accounts payable	240.00	
Total for DAVE LENARDO						520.00
47136	11/25/13		DELOR	DEL ORO WATER CO., FDLE. DIST.		542.61
	10012100			Accounts payable	542.61	
Total for DEL ORO WATER CO., FDLE. DIST.						542.61
100	11/25/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		814.37
	10012100			Accounts payable	814.37	
100	12/18/13	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		677.06
	10012100			Accounts payable	677.06	
Total for EMPLOYMENT DEVELOPMENT DEPART						1,491.43
47137	11/25/13		FRONT	FRONTIER		957.98
	10012100			Accounts payable	957.98	
Total for FRONTIER						957.98
47143	11/26/13		HEATH	HEATH BOHACIK		338.76
	10012100			Accounts payable	338.76	
Total for HEATH BOHACIK						338.76
47144	11/26/13		JAYPA	JAY PARRISH		400.00
	10012100			Accounts payable	400.00	
Total for JAY PARRISH						400.00
47145	11/26/13		MIRRE	MIRANDA'S RESCUE		450.00
	10012100			Accounts payable	450.00	
Total for MIRANDA'S RESCUE						450.00

City of Ferndale

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Chk No.	Date	Pay	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.		Type		Override Description	Amount	Amount
100	11/25/13	EFT	NORVA	NORTH VALLEY BANK		5,404.31
	10012100			Accounts payable	5,404.31	
100	12/06/13	EFT	NORVA	NORTH VALLEY BANK		41.34
	10012100			Accounts payable	41.34	
100	12/18/13	EFT	NORVA	NORTH VALLEY BANK		4,623.41
	10012100			Accounts payable	4,623.41	
47146	11/26/13		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK		1,374.04
	10012100			Accounts payable	1,374.04	
Total for NORTH VALLEY BANK						11,443.10
47147	11/26/13		PAUDI	PAUL DIAZ		2,364.28
	10012100			Accounts payable	2,364.28	
Total for PAUL DIAZ						2,364.28
47138	11/25/13		PLANW	PLANWEST PARTNERS, INC.		9,750.92
	10012100			Accounts payable	9,750.92	
Total for PLANWEST PARTNERS, INC.						9,750.92
47148	11/26/13		ROBSM	ROBIN SMITH		153.47
	10012100			Accounts payable	153.47	
Total for ROBIN SMITH						153.47
47139	11/25/13		STAPE	STAPLES CREDIT PLAN		216.45
	10012100			Accounts payable	216.45	
Total for STAPLES CREDIT PLAN						216.45
47149	11/26/13		STECO	STEVE COPPINI		322.14
	10012100			Accounts payable	322.14	
Total for STEVE COPPINI						322.14
47181	12/05/13		VCCON	V&C CONSTRUCTION		2,114.12
	10012100			Accounts payable	2,114.12	
Total for V&C CONSTRUCTION						2,114.12
Total for the 24 checks					32,775.10	32,775.10

Account Distributions

Account No.	Account Description	Amount
10012100	Accounts payable	32,775.10
		32,775.10

City of Ferndale

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

Checkbook Register
General Checking
 From 11/22/13 To 12/19/13 - By Check Number

Number	Date	Payee\Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
		Beginning balance				336,608.31
Other	11/29/13	Bank Service Charges: 10165099		18.61		336,589.70
Deposit	11/30/13	AR Deposit			23,400.00	359,989.70
Other	11/30/13	Clr error		23,400.00		336,589.70
100	11/25/13	EMPLOYMENT DEVELOPMENT		814.37		335,775.33
100	11/25/13	NORTH VALLEY BANK		5,404.31		330,371.02
100	12/06/13	NORTH VALLEY BANK		41.34		330,329.68
100	12/18/13	NORTH VALLEY BANK		4,623.41		325,706.27
100	12/18/13	EMPLOYMENT DEVELOPMENT		677.06		325,029.21
47115	11/26/13	MARY ELLEN BOYNTON		83.21		324,946.00
47116	11/26/13	KEVIN BRADSHAW		274.00		324,672.00
47117	11/26/13	WILLIAM O. BRIGGS		119.09		324,552.91
47118	11/26/13	ELIZABETH CONNER		852.24		323,700.67
47119	11/26/13	STEVE L. COPPINI		1,819.47		321,881.20
47120	11/26/13	LINDSEY D. FRANK		2,218.49		319,662.71
47121	11/26/13	DMITRIY GAVRYUSH		922.23		318,740.48
47122	11/26/13	JOHNNY F. HOPPIS		876.73		317,863.75
47123	11/26/13	TYLER JAMES		477.08		317,386.67
47124	11/26/13	TIMOTHY W. MIRANDA		1,121.37		316,265.30
47125	11/26/13	JAY D. PARRISH		Void		316,265.30
47126	11/26/13	LACY L. PEDROTTI		839.90		315,425.40
47127	11/26/13	DIANNA L. RICHARDSON		83.20		315,342.20
47128	11/26/13	BRET A. SMITH		1,388.92		313,953.28
47129	11/26/13	ADAM D. STRICKER		1,176.34		312,776.94
47130	11/26/13	STEVE A. THRAP		1,170.71		311,606.23
47131	11/26/13	Christopher D. Williams		1,002.57		310,603.66
47132	11/26/13	JAY D. PARRISH		2,327.22		308,276.44
47133	11/25/13	CALIFORNIA STATE		139.38		308,137.06
47134	11/25/13	CRAFTSMAN'S MALL		54.00		308,083.06
47135	11/25/13	DAVE LENARDO		280.00		307,803.06
47136	11/25/13	DEL ORO WATER CO., FDLE. DI		542.61		307,260.45
47137	11/25/13	FRONTIER		957.98		306,302.47
47138	11/25/13	PLANWEST PARTNERS, INC.		9,750.92		296,551.55
47139	11/25/13	STAPLES CREDIT PLAN		216.45		296,335.10
47140	11/26/13	ARNOLD C. KEMP		99.80		296,235.30
47141	11/26/13	CALIFORNIA STATE		400.00		295,835.30
47142	11/26/13	CITY OF FORTUNA		1,016.66		294,818.64
47143	11/26/13	HEATH BOHACIK		338.76		294,479.88
47144	11/26/13	JAY PARRISH		400.00		294,079.88
47145	11/26/13	MIRANDA'S RESCUE		450.00		293,629.88
47146	11/26/13	NORTH VALLEY BANK	NORTH VALLEY	1,374.04		292,255.84
47147	11/26/13	PAUL DIAZ		2,364.28		289,891.56
47148	11/26/13	ROBIN SMITH		153.47		289,738.09
47149	11/26/13	STEVE COPPINI		322.14		289,415.95
47150	12/01/13	MARIA A. ROSA		245.48		289,170.47

City of Ferndale

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

Checkbook Register
General Checking
 From 11/22/13 To 12/19/13 - By Check Number

Number	Date	Payee\Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
47152	12/10/13	KEVIN BRADSHAW		182.70		288,987.77
47153	12/10/13	ELIZABETH CONNER		1,305.61		287,682.16
47154	12/10/13	STEVE L. COPPINI		1,575.58		286,106.58
47155	12/10/13	DMITRIY GAVRYUSH		845.40		285,261.18
47156	12/10/13	JOHNNY F. HOPPIS		964.18		284,297.00
47157	12/10/13	TYLER JAMES		901.80		283,395.20
47158	12/10/13	TIMOTHY W. MIRANDA		1,121.37		282,273.83
47159	12/10/13	JAY D. PARRISH		2,327.23		279,946.60
47160	12/10/13	LACY L. PEDROTTI		598.59		279,348.01
47161	12/10/13	BRET A. SMITH		1,388.91		277,959.10
47162	12/10/13	ADAM D. STRICKER		1,176.33		276,782.77
47163	12/10/13	STEVE A. THRAP		1,170.70		275,612.07
47164	12/10/13	Christopher D. Williams		954.52		274,657.55
47180	12/05/13	DAVE LENARDO		240.00		274,417.55
47181	12/05/13	V&C CONSTRUCTION		2,114.12		272,303.43

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/20/13 To 01/20/14

Check #: All - Vendor: All - Payee Name: All - By Payee Name

Chk No.	Date	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.			Override Description	Amount	Amount
47196	12/20/13	ADSTR	ADAM STRICKER		46.86
	10012100		Accounts payable	46.86	
Total for ADAM STRICKER					46.86
47197	12/20/13	ASAP	ASAP LOCK & KEY		29.98
	10012100		Accounts payable	29.98	
Total for ASAP LOCK & KEY					29.98
47255	01/08/14	BAKTA	BAKER & TAYLOR		338.68
	10012100		Accounts payable	338.68	
Total for BAKER & TAYLOR					338.68
47198	12/20/13	BAYWE	BAY WEST SUPPLY, INC.		146.49
	10012100		Accounts payable	146.49	
47256	01/08/14	BAYWE	BAY WEST SUPPLY, INC.		83.41
	10012100		Accounts payable	83.41	
Total for BAY WEST SUPPLY, INC.					229.90
47276	01/13/14	CITFO	CITY OF FORTUNA		1,016.66
	10012100		Accounts payable	1,016.66	
Total for CITY OF FORTUNA					1,016.66
47257	01/08/14	COUBD	COUNTY OF HUMB'T, BLDG. DEPARTMENT		6.50
	10012100		Accounts payable	6.50	
Total for COUNTY OF HUMB'T, BLDG. DEPARTMEN					6.50
47258	01/08/14	CRAFT	CRAFTSMAN'S MALL		54.00
	10012100		Accounts payable	54.00	
Total for CRAFTSMAN'S MALL					54.00
47199	12/20/13	CRYST	CRYSTAL SPRINGS BOTTLED WATER CO.		23.50
	10012100		Accounts payable	23.50	
Total for CRYSTAL SPRINGS BOTTLED WATER CO.					23.50
47259	01/08/14	DELOR	DEL ORO WATER CO., FDLE. DIST.		416.08
	10012100		Accounts payable	416.08	
Total for DEL ORO WATER CO., FDLE. DIST.					416.08
47200	12/20/13	DEPJU	DEPARTMENT OF JUSTICE		70.00
	10012100		Accounts payable	70.00	
Total for DEPARTMENT OF JUSTICE					70.00
47260	01/08/14	DOCST	DOCUSTATION INC. \ DOCUSTATION		91.69
	10012100		Accounts payable	91.69	
Total for DOCUSTATION					91.69
47201	12/20/13	EELRI	EEL RIVER DISPOSAL		244.65
	10012100		Accounts payable	244.65	
Total for EEL RIVER DISPOSAL					244.65

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 12/20/13 To 01/20/14

Check #: All - Vendor: All - Payee Name: All - By Payee Name

Chk No.	Date	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.			Override Description	Amount	Amount
47202	12/20/13	EUROX	EUREKA OXYGEN COMPANY		640.25
	10012100		Accounts payable	640.25	
Total for EUREKA OXYGEN COMPANY					640.25
47203	12/20/13	FEDPU	FEDERAL PUBLISHING		278.50
	10012100		Accounts payable	278.50	
Total for FEDERAL PUBLISHING					278.50
47205	12/20/13	FORAP	FORTUNA AUTO & TRUCK PARTS INC		7.51
	10012100		Accounts payable	7.51	
Total for FORTUNA AUTO & TRUCK PARTS INC					7.51
47261	01/08/14	FRONT	FRONTIER		925.29
	10012100		Accounts payable	925.29	
Total for FRONTIER					925.29
47206	12/20/13	GECAP	GE CAPITAL		221.34
	10012100		Accounts payable	221.34	
47262	01/08/14	GECAP	GE CAPITAL		221.34
	10012100		Accounts payable	221.34	
Total for GE CAPITAL					442.68
47263	01/08/14	HSBS	HEALTHSMART BENEFIT SOLUTIONS, INC.		145.59
	10012100		Accounts payable	145.59	
Total for HEALTHSMART BENEFIT SOLUTIONS, IN					145.59
47207	12/20/13	HUMMD	HUMBOLDT MEDICAL GROUP, INC.		135.00
	10012100		Accounts payable	135.00	
Total for HUMBOLDT MEDICAL GROUP, INC.					135.00
47208	12/20/13	HUMTE	HUMBOLDT TERMITE & PEST		65.00
	10012100		Accounts payable	65.00	
Total for HUMBOLDT TERMITE & PEST					65.00
47209	12/20/13	HUMTI	HUMMEL TIRE & WHEEL, INC		1,159.12
	10012100		Accounts payable	1,159.12	
Total for HUMMEL TIRE & WHEEL, INC					1,159.12
47210	12/20/13	JACLE	JACKSON LEWIS LLP		399.00
	10012100		Accounts payable	399.00	
Total for JACKSON LEWIS LLP					399.00
47252	01/07/14	JAYPA	JAY PARRISH		400.00
	10012100		Accounts payable	400.00	
Total for JAY PARRISH					400.00
47211	12/20/13	JJACPA	JJACPA, INC.		3,620.00
	10012100		Accounts payable	3,620.00	
Total for JJACPA, INC.					3,620.00

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Chk No.	Date	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.			Override Description	Amount	Amount
47212	12/20/13	JLSS	JOE'S LANDSCAPE AND SOIL SERVICE		476.00
	10012100		Accounts payable	476.00	
Total for JOE'S LANDSCAPE AND SOIL SERVICE					476.00
47213	12/20/13	LMREN	L & M RENNER, INC.		1,202.26
	10012100		Accounts payable	1,202.26	
47264	01/08/14	LMREN	L & M RENNER, INC.		2,725.58
	10012100		Accounts payable	2,725.58	
Total for L & M RENNER, INC.					3,927.84
47214	12/20/13	MANHD	MANHARD CONSULTING LTD		4,968.40
	10012100		Accounts payable	4,968.40	
47265	01/08/14	MANHD	MANHARD CONSULTING LTD		2,120.79
	10012100		Accounts payable	2,120.79	
Total for MANHARD CONSULTING LTD					7,089.19
47216	12/20/13	MERFR	MERCER FRASER COMPANY		128.89
	10012100		Accounts payable	128.89	
Total for MERCER FRASER COMPANY					128.89
47277	01/13/14	MIRRE	MIRANDA'S RESCUE		450.00
	10012100		Accounts payable	450.00	
Total for MIRANDA'S RESCUE					450.00
47267	01/08/14	MISSN	MISSION UNIFORM & LINEN		135.84
	10012100		Accounts payable	135.84	
Total for MISSION UNIFORM & LINEN					135.84
47215	12/20/13	MBDVZ	MITCHELL, BRISSO. DELANEY & VRIEZE		1,310.00
	10012100		Accounts payable	1,310.00	
47266	01/08/14	MBDVZ	MITCHELL, BRISSO. DELANEY & VRIEZE		1,538.50
	10012100		Accounts payable	1,538.50	
Total for MITCHELL, BRISSO. DELANEY & VRIEZE					2,848.50
47217	12/20/13	MODR	MOBILE DIESEL REPAIR		180.00
	10012100		Accounts payable	180.00	
Total for MOBILE DIESEL REPAIR					180.00
47268	01/08/14	NANKA	NANCY KAYTIS-SLOCUM		75.00
	10012100		Accounts payable	75.00	
Total for NANCY KAYTIS-SLOCUM					75.00
47218	12/20/13	NILCO	NILSEN COMPANY		430.75
	10012100		Accounts payable	430.75	
Total for NILSEN COMPANY					430.75
47219	12/20/13	NORCO	NORTH COAST LABORATORIES LTD.		175.00
	10012100		Accounts payable	175.00	
Total for NORTH COAST LABORATORIES LTD.					175.00

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Chk No.	Date	Ven ID	Vendor Name \ Payee Name	Distribution	Check
Acct No.			Override Description	Amount	Amount
47253	01/07/14	NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK		1,374.04
	10012100		Accounts payable	1,374.04	
Total for NORTH VALLEY BANK					1,374.04
47220	12/20/13	PACGA	PACIFIC GAS & ELECTRIC		4,129.32
	10012100		Accounts payable	4,129.32	
47269	01/08/14	PACGA	PACIFIC GAS & ELECTRIC		5,710.68
	10012100		Accounts payable	5,710.68	
Total for PACIFIC GAS & ELECTRIC					9,840.00
47233	01/03/14	PLANW	PLANWEST PARTNERS, INC.		7,668.82
	10012100		Accounts payable	7,668.82	
Total for PLANWEST PARTNERS, INC.					7,668.82
47221	12/20/13	RSLIV	R & S LIVESTOCK SUPPLY		58.89
	10012100		Accounts payable	58.89	
Total for R & S LIVESTOCK SUPPLY					58.89
47270	01/08/14	RESTIF	RESTIF CLEANING SERVICES		100.00
	10012100		Accounts payable	100.00	
Total for RESTIF CLEANING SERVICES					100.00
47278	01/13/14	ROBSM	ROBIN SMITH		153.47
	10012100		Accounts payable	153.47	
Total for ROBIN SMITH					153.47
47271	01/08/14	SEQGA	SEQUOIA GAS COMPANY		3,142.47
	10012100		Accounts payable	3,142.47	
Total for SEQUOIA GAS COMPANY					3,142.47
47222	12/20/13	SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT		10,657.15
	10012100		Accounts payable	10,657.15	
47279	01/13/14	SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT		9,885.69
	10012100		Accounts payable	9,885.69	
Total for SPECIAL DISTRICT RISK MANAGEMENT					20,542.84
47272	01/08/14	STACC	STAPLES CONTRACT AND COMMERCIAL		113.47
	10012100		Accounts payable	113.47	
Total for STAPLES CONTRACT AND COMMERCIAL					113.47
47254	01/07/14	STABO	STATE WATER RESOURCES CONTROL BO (3) \ STATE		3,346.59
	10012100		Accounts payable	3,346.59	
Total for STATE WATER RESOURCES CONTROL					3,346.59
47204	12/20/13	FEREN	THE FERNDALE ENTERPRISE		142.79
	10012100		Accounts payable	142.79	
Total for THE FERNDALE ENTERPRISE					142.79
47275	01/08/14	JAMESTYLER	TYLER JAMES \ TYLOER JAMES		553.69
	10012100		Accounts payable	553.69	

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Chk No.	Date Acct No.	Ven ID	Vendor Name \ Payee Name Override Description	Distribution Amount	Check Amount
Total for TYLOER JAMES					553.69
47223	12/20/13 10012100	VALLU	VALLEY LUMBER Accounts payable	119.53	119.53
Total for VALLEY LUMBER					119.53
47224	12/20/13 10012100	VERZN	VERIZON Accounts payable	296.70	296.70
47273	01/08/14 10012100	VERZN	VERIZON Accounts payable	283.82	283.82
Total for VERIZON					580.52
47225	12/20/13 10012100	WELF	WELLS FARGO FINANCIAL LEASING Accounts payable	134.38	134.38
Total for WELLS FARGO FINANCIAL LEASING					134.38
47226	12/20/13 10012100	WENCO	WENDT CONSTRUCTION CO,INC. Accounts payable	640.00	640.00
Total for WENDT CONSTRUCTION CO,INC.					640.00
Total for the 59 checks				75,214.95	75,214.95

Account Distributions

Account No.	Account Description	Amount
10012100	Accounts payable	75,214.95
		75,214.95

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Checkbook Register
General Checking
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Number	Date	Payee\Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
		Beginning balance				272,303.43
47182	12/23/13	MARY ELLEN BOYNTON		83.20		272,220.23
47183	12/23/13	KEVIN BRADSHAW		182.70		272,037.53
47184	12/23/13	ELIZABETH CONNER		1,305.60		270,731.93
47185	12/23/13	STEVE L. COPPINI		1,953.06		268,778.87
47186	12/23/13	DMITRIY GAVRYUSH		888.61		267,890.26
47187	12/23/13	JOHNNY F. HOPPIS		964.19		266,926.07
47188	12/23/13	TYLER JAMES		901.79		266,024.28
47189	12/23/13	JAY D. PARRISH		2,327.22		263,697.06
47190	12/23/13	DIANNA L. RICHARDSON		83.20		263,613.86
47191	12/23/13	BRET A. SMITH		1,388.91		262,224.95
47192	12/23/13	ADAM D. STRICKER		1,176.33		261,048.62
47193	12/23/13	DANIEL V. SUTTON		1,215.13		259,833.49
47194	12/23/13	STEVE A. THRAP		1,157.89		258,675.60
47195	12/23/13	Christopher D. Williams		925.71		257,749.89
47196	12/20/13	ADAM STRICKER		46.86		257,703.03
47197	12/20/13	ASAP LOCK & KEY		29.98		257,673.05
47198	12/20/13	BAY WEST SUPPLY, INC.		146.49		257,526.56
47199	12/20/13	CRYSTAL SPRINGS BOTTLED		23.50		257,503.06
47200	12/20/13	DEPARTMENT OF JUSTICE		70.00		257,433.06
47201	12/20/13	EEL RIVER DISPOSAL		244.65		257,188.41
47202	12/20/13	EUREKA OXYGEN COMPANY		640.25		256,548.16
47203	12/20/13	FEDERAL PUBLISHING		278.50		256,269.66
47204	12/20/13	THE FERNDALE ENTERPRISE		142.79		256,126.87
47205	12/20/13	FORTUNA AUTO & TRUCK PART		7.51		256,119.36
47206	12/20/13	GE CAPITAL		221.34		255,898.02
47207	12/20/13	HUMBOLDT MEDICAL GROUP, I		135.00		255,763.02
47208	12/20/13	HUMBOLDT TERMITE & PEST		65.00		255,698.02
47209	12/20/13	HUMMEL TIRE & WHEEL, INC		1,159.12		254,538.90
47210	12/20/13	JACKSON LEWIS LLP		399.00		254,139.90
47211	12/20/13	JJACPA, INC.		3,620.00		250,519.90
47212	12/20/13	JOE'S LANDSCAPE AND SOIL SE		476.00		250,043.90
47213	12/20/13	L & M RENNER, INC.		1,202.26		248,841.64
47214	12/20/13	MANHARD CONSULTING LTD		4,968.40		243,873.24
47215	12/20/13	MITCHELL, BRISSO. DELANEY &		1,310.00		242,563.24
47216	12/20/13	MERCER FRASER COMPANY		128.89		242,434.35
47217	12/20/13	MOBILE DIESEL REPAIR		180.00		242,254.35
47218	12/20/13	NILSEN COMPANY		430.75		241,823.60
47219	12/20/13	NORTH COAST LABORATORIES		175.00		241,648.60
47220	12/20/13	PACIFIC GAS & ELECTRIC		4,129.32		237,519.28
47221	12/20/13	R & S LIVESTOCK SUPPLY		58.89		237,460.39
47222	12/20/13	SPECIAL DISTRICT RISK		10,657.15		226,803.24
47223	12/20/13	VALLEY LUMBER		119.53		226,683.71
47224	12/20/13	VERIZON		296.70		226,387.01
47225	12/20/13	WELLS FARGO FINANCIAL LEA		134.38		226,252.63

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Number	Date	Payee\Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
47226	12/20/13	WENDT CONSTRUCTION CO,I		640.00		225,612.63
47233	01/03/14	PLANWEST PARTNERS, INC.		7,668.82		217,943.81
47234	01/07/14	MARY ELLEN BOYNTON		83.20		217,860.61
47235	01/07/14	ELIZABETH CONNER		1,305.61		216,555.00
47236	01/07/14	STEVE L. COPPINI		1,599.71		214,955.29
47237	01/07/14	DMITRIY GAVRYUSH		1,034.99		213,920.30
47238	01/07/14	JOHNNY F. HOPPIS		964.17		212,956.13
47239	01/07/14	IAN E. IVEY		182.70		212,773.43
47240	01/07/14	TYLER JAMES		1,015.07		211,758.36
47241	01/07/14	JAY D. PARRISH		2,327.22		209,431.14
47242	01/07/14	DIANNA L. RICHARDSON		46.22		209,384.92
47243	01/07/14	ADAM D. STRICKER		1,395.68		207,989.24
47244	01/07/14	DANIEL V. SUTTON		895.37		207,093.87
47245	01/07/14	STEVE A. THRAP		1,157.89		205,935.98
47246	01/07/14	Christopher D. Williams		1,138.62		204,797.36
47247	01/07/14	BRET A. SMITH		1,388.91		203,408.45
47248	01/07/14	MARIA A. ROSA		245.51		203,162.94
47249	01/07/14	DIANNA L. RICHARDSON		101.69		203,061.25
47250	01/07/14	MARY ELLEN BOYNTON		46.22		203,015.03
47251	01/07/14	WILLIAM O. BRIGGS		415.10		202,599.93
47252	01/07/14	JAY PARRISH		400.00		202,199.93
47253	01/07/14	NORTH VALLEY BANK	NORTH VALLEY	1,374.04		200,825.89
47254	01/07/14	STATE WATER RESOURCES	CONSTATE WATER R	3,346.59		197,479.30
47255	01/08/14	BAKER & TAYLOR		338.68		197,140.62
47256	01/08/14	BAY WEST SUPPLY, INC.		83.41		197,057.21
47257	01/08/14	COUNTY OF HUMB'T, BLDG. DE		6.50		197,050.71
47258	01/08/14	CRAFTSMAN'S MALL		54.00		196,996.71
47259	01/08/14	DEL ORO WATER CO., FDLE. DI		416.08		196,580.63
47260	01/08/14	DOCUSTATION	DOCUSTATION I	91.69		196,488.94
47261	01/08/14	FRONTIER		925.29		195,563.65
47262	01/08/14	GE CAPITAL		221.34		195,342.31
47263	01/08/14	HEALTHSMART BENEFIT SOLUT		145.59		195,196.72
47264	01/08/14	L & M RENNER, INC.		2,725.58		192,471.14
47265	01/08/14	MANHARD CONSULTING LTD		2,120.79		190,350.35
47266	01/08/14	MITCHELL, BRISSO. DELANEY &		1,538.50		188,811.85
47267	01/08/14	MISSION UNIFORM & LINEN		135.84		188,676.01
47268	01/08/14	NANCY KAYTIS-SLOCUM		75.00		188,601.01
47269	01/08/14	PACIFIC GAS & ELECTRIC		5,710.68		182,890.33
47270	01/08/14	RESTIF CLEANING SERVICES		100.00		182,790.33
47271	01/08/14	SEQUOIA GAS COMPANY		3,142.47		179,647.86
47272	01/08/14	STAPLES CONTRACT AND		113.47		179,534.39
47273	01/08/14	VERIZON		283.82		179,250.57
47275	01/08/14	TYLOER JAMES	TYLER JAMES	553.69		178,696.88
47276	01/13/14	CITY OF FORTUNA		1,016.66		177,680.22
47277	01/13/14	MIRANDA'S RESCUE		450.00		177,230.22

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47278	01/13/14	ROBIN SMITH		153.47		177,076.75
47279	01/13/14	SPECIAL DISTRICT RISK		9,885.69		167,191.06

Meeting Date:	February 6, 2014	Agenda Item Number	9.c.
Agenda Item Title	City Attorney Contract Renewal		
Presented By:	City Manager, Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION

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

BACKGROUND:

On February 7, 2013 the City Council unanimously approved the contract for City Attorney services from Mitchell, Brisso, Delaney & Vriese Law Firm. The primary representatives were Russ Gans and Paul Brisso and the term of contract was February 2, 2013 through February 1, 2014.

FINANCIAL IMPACT:

General Fund, Professional Services (10145052)

LEGAL SERVICES AGREEMENT

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

1. **CONDITIONS.** This Agreement will not take effect, and the Law Firm will have no obligation to provide legal services, until City returns a signed copy of this Agreement.
2. **TERM.** The term of this Agreement shall commence on February 2, 2014, and shall terminate on February 8, 2015, unless terminated earlier at either party's discretion in the event of a Declaration of Termination.
3. **SCOPE OF SERVICES.** Law Firm will provide those legal services reasonably required to represent and advise the City, upon authorization by the City Manager or Mayor, acting on behalf of the City Council. For purposes of providing services under this Agreement, Russell Gans shall be designated as the City Attorney and Paul Brisso shall be designated as Assistant City Attorney. If other attorneys with the Law Firm provide legal services it shall be deemed as in the capacity of Deputy City Attorney. Law Firm will take reasonable steps to keep the City informed of progress and to respond to the City's inquiries. This is a non-exclusive agreement, and the City has the right to retain other counsel for specific legal issues or to resolve potential conflicts.
4. **INDEPENDENT CONTRACTOR.** Law Firm hereby declares it is engaged in an independent business and agrees to perform services provided for in this Agreement as an independent contractor and not as the agent, servant or employee of the City. The Law Firm shall be solely responsible for its own matters relating to payment of employees, including compliance with social security, withholding and all other regulations governing such matter.
5. **DEPOSIT.** There will be no deposit requirement.
6. **LEGAL FEES AND BILLING PRACTICES.** City agrees to pay by the hour at Law Firm's prevailing rates for all time spent on City's matter by Law Firm's legal personnel. Current hourly rates for legal personnel are as follows:

Partners \$155/hour

Associates \$130/hour

Paralegals \$70/hour

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

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

7. COSTS AND OTHER CHARGES.

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

Mileage \$0.58/mile

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

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

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

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

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

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

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

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

Proof of coverage shall be provided to the City.

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

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

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

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

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

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

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

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

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

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

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

DATED: _____

Mitchell, Brisso, Delaney & Vrieze, LLP

Russell S. Gans

Paul A. Brisso

DATED: _____

City of Ferndale

By: _____

Name: _____

Its: _____

Meeting Date:	February 6, 2014	Agenda Item Number	9.d.
Agenda Item Title:	Resolution No. 2014-04 40th Annual Rod Run Parking Restriction		
Presented By:	Elizabeth Conner, City Clerk		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION

Approve Resolution No. 2014-04 40th Annual Rod Run Parking Restriction.

DISCUSSION:

When the City Council approved Resolution No: 2014-02 at their regular meeting on January 9, 2014, the 40th Annual Rod Run was not included in the list of parades and events.

This Resolution is similar to Resolution No. 2014-02 in that staff is requesting that the parking restriction listed in the Resolution be exempt from Section 7.05 of the zoning ordinance which requires a use permit for any assemblage of persons and vehicles. Instead, the restriction of parking will only require a City issued "Parade or Assembly" Permit, as well as an Encroachment Permit.

BACKGRUOND

The 40th Annual Rod Run is sponsored by the Redwood Village Rods Club. Traditionally Run of the Redwoods has been held in Southern Humboldt among the redwoods but this year they would like to do the Run in the Fortuna/Ferndale area and offer a little different version of the county. People come from all over California, including Oregon and Washington. Registration has been limited to 50 cars, modified pre-'73 although most of the cars are pre-'48.

The Chamber of Commerce and sponsors of the event have requested parking be closed in the south block of Main Street from Brown Street to Ocean Avenue and Francis Street from Ocean Avenue to the City Barn to accommodate the 50 hotrods. The classic cars will arrive at approximately noon and depart around 4pm allowing the group time for lunch and shopping in Ferndale. It would also create an opportunity for us to invite the public to see these vehicles. The street parking would be closed off from approximately 8:00 am to 4 pm.

FINANCIAL IMPACT:

None.

RESOLUTION NO. 2014-04

40TH ANNUAL ROD RUN PARKING RESTRICTION ON MAY 31, 2014

WHEREAS, the 40th Annual Rod Run will take place in the City of Ferndale on May 31, 2014; and

WHEREAS, it is necessary, in order to install banners, provide traffic control and to accommodate the crowd and participants during the event, to alter vehicular movement and/or close parking on portions of south block of Main Street from Brown Street to Ocean Avenue and Francis Street from Ocean Avenue to the City Barn to parking; and,

WHEREAS, the above closure and/or parking restriction shall be exempt from the City of Ferndale Use Permit Application as currently required in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ferndale that the south block of Main Street and Francis Street from Ocean to the City Barn shall be closed to parking, and

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

PASSED AND ADOPTED by the City Council of Ferndale on February 6, 2014 on a motion made by Council Member _____ and seconded by Council Member _____ by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Stuart Titus, Mayor

Attest:

Elizabeth Conner, City Clerk

**City of Ferndale
Financial Statements
November 30, 2013**

City of Ferndale
Financial Statements
November 30, 2013

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City of Ferndale
General Fund
Balance Sheet

As of November 30, 2013

ASSETS

Current Assets		
Cash	\$	379,071.05
Petty cash		60.00
Cash-Restricted-insurance		15,000.00
Undeposited funds		(10,174.84)
Revenue receivable		21,032.15
Interest receivable		427.26
Due from other funds		<u>30,206.35</u>
 Total Current Assets		 \$ <u>435,621.97</u>
 TOTAL ASSETS		 \$ <u><u>435,621.97</u></u>

LIABILITIES AND NET ASSETS

Current Liabilities		
Accounts payable	\$	(4,944.48)
Garnishments payable		399.92
Health insurance payable		4,652.53
Federal withholding payable		10,758.05
FICA payable		15,435.50
State withholding payable		3,041.84
State disability payable		1,009.25
State unemployment payable		908.16
Federal P/R Tax Deposits		(25,608.06)
State P/R Tax Deposits		<u>(4,049.41)</u>
 Total Current Liabilities		 \$ <u>1,603.30</u>
 Total Liabilities		 \$ <u>1,603.30</u>
Fund Balance		
Fund balance-unappropriated	\$	588,234.08
Fund balance-special purposes		10,000.00
Revenue over (under) expenditures		<u>(164,215.41)</u>
Total Fund Balance		\$ <u>434,018.67</u>
 TOTAL LIABILITIES AND FUND BALANCE		 \$ <u><u>435,621.97</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
Russ Park Fund
Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 4,459.20

Total Current Assets \$ 4,459.20

TOTAL ASSETS \$ 4,459.20

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-unappropriated \$ (1,789.47)

Fund balance-special purposes 6,262.19

Revenue over (under) expenditures (13.52)

Total Fund Balance \$ 4,459.20

TOTAL LIABILITIES AND
FUND BALANCE \$ 4,459.20

City of Ferndale
Park Fund
Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash	\$	-2,128.16
Cash-Restricted-Fireman's PK		219.24
Cash-Restricted-Bocce Ball Court		<u>1,854.92</u>

Total Current Assets		<u>\$ -54.00</u>
----------------------	--	------------------

TOTAL ASSETS		<u><u>\$ (54.00)</u></u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Due to other funds	\$	<u>4,414.31</u>
--------------------	----	-----------------

Total Current Liabilities		<u>\$ 4,414.31</u>
---------------------------	--	--------------------

Total Liabilities		<u>\$ 4,414.31</u>
-------------------	--	--------------------

Fund Balance

Fund balance-unappropriated	\$	4,590.54
Revenue over (under) expenditures		<u>(9,058.85)</u>
Total Fund Balance		<u>\$ (4,468.31)</u>

TOTAL LIABILITIES AND FUND BALANCE		<u><u>\$ (54.00)</u></u>
---------------------------------------	--	--------------------------

City of Ferndale
Gas Tax Fund
Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 58,931.10

Total Current Assets \$ 58,931.10

TOTAL ASSETS \$ 58,931.10

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 70,618.83

Revenue over (under) expenditures (11,687.73)

Total Fund Balance \$ 58,931.10

TOTAL LIABILITIES AND
FUND BALANCE \$ 58,931.10

City of Ferndale

TEA 21

Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 66,741.13Total Current Assets \$ 66,741.13TOTAL ASSETS \$ 66,741.13

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 66,741.13Total Fund Balance \$ 66,741.13TOTAL LIABILITIES AND
FUND BALANCE \$ 66,741.13

City of Ferndale
Transportation Development Act
Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 215,501.80

Total Current Assets \$ 215,501.80

TOTAL ASSETS \$ 215,501.80

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 251,687.21

Revenue over (under) expenditures (36,185.41)

Total Fund Balance \$ 215,501.80

TOTAL LIABILITIES AND
FUND BALANCE \$ 215,501.80

City of Ferndale
Integrated Waste Management

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 37,462.92

Total Current Assets \$ 37,462.92

TOTAL ASSETS \$ 37,462.92

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 36,825.69

Revenue over (under) expenditures 637.23

Total Fund Balance \$ 37,462.92

TOTAL LIABILITIES AND
FUND BALANCE \$ 37,462.92

City of Ferndale

Drainage Fund

Balance Sheet

As of November 30, 2013

ASSETS

Current Assets

Cash \$ 133,358.28Total Current Assets \$ 133,358.28TOTAL ASSETS \$ 133,358.28

LIABILITIES AND NET ASSETS

Current Liabilities

Accrued interest payable \$ 613.02Total Current Liabilities \$ 613.02Total Liabilities \$ 613.02

Fund Balance

Fund balance-special purposes \$ 173,517.43

Revenue over (under) expenditures (40,772.17)Total Fund Balance \$ 132,745.26TOTAL LIABILITIES AND
FUND BALANCE \$ 133,358.28

City of Ferndale

TE Funds - Ped. and Bicycle Path

As of November 30, 2013

ASSETS

Current Assets		
Revenue receivable	<u>22,213.46</u>	
Total Current Assets		<u>\$ 22,213.46</u>
TOTAL ASSETS		<u>\$ 22,213.46</u>
LIABILITIES AND NET ASSETS		
Current Liabilities		
Due to other funds	<u>\$ 25,792.05</u>	
Total Current Liabilities		<u>\$ 25,792.05</u>
Total Liabilities		<u>\$ 25,792.05</u>
Fund Balance		
Fund balance-special purposes	\$ (0.09)	
Revenue over (under) expenditures	<u>(3,578.50)</u>	
Total Fund Balance		<u>\$ (3,578.59)</u>
TOTAL LIABILITIES AND FUND BALANCE		<u>\$ 22,213.46</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
Sewer Fund
Balance Sheet
As of November 30, 2013

ASSETS	
Current Assets	
Cash	\$ <u>87,948.08</u>
Total Current Assets	\$ <u>87,948.08</u>
Fixed Assets	
Vehicles	\$ 38,416.41
Equipment	105,555.68
Less accumulated depreciation	(92,240.22)
Sewer system	13,436,274.06
Less accumulated depreciation	<u>(1,759,194.37)</u>
Total Fixed Assets	\$ <u>11,728,811.56</u>
TOTAL ASSETS	\$ <u><u>11,816,759.64</u></u>
LIABILITIES AND FUND EQUITY	
Liabilities	
Accrued interest payable	(0.50)
Notes payable-long term	39,795.67
Notes payable-water res #2	7,985.22
Notes Payable USDA	<u>4,849,000.00</u>
Total Liabilities	\$ <u>4,896,780.39</u>
Total Liabilities	\$ <u>4,896,780.39</u>
Fund Equity	
Retained earnings-unreserved	\$ 4,871,150.94
R.E. reserved bond retirement	6,131.00
Investment in fixed assets	2,291,900.28
Revenue over (under) expenditures	<u>(249,202.97)</u>
Total Fund Equity	\$ <u>6,919,979.25</u>
TOTAL LIABILITIES AND FUND EQUITY	\$ <u><u>11,816,759.64</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
Governmental Fixed Assets
Balance Sheet
As of November 30, 2013

ASSETS	
Fixed Assets	
Buildings and improvements	463,886.10
Accumulated depreciation	(118,986.94)
Vehicles	115,855.91
Accumulated depreciation	(111,355.53)
Equipment	115,290.51
Accumulated depreciation	<u>(115,290.51)</u>
Total Fixed Assets	<u>\$ 349,399.54</u>
 TOTAL ASSETS	 <u><u>\$ 349,399.54</u></u>
 LIABILITIES AND FUND BALANCE	
Fund Balance	
Investment in Fixed Assets	<u>\$ 349,399.54</u>
Total Fund Balance	<u>\$ 349,399.54</u>
 TOTAL LIABILITIES AND FUND BALANCE	 <u><u>\$ 349,399.54</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale

General Government Long term Debt

Balance Sheet

As of November 30, 2013

ASSETS	
LIABILITIES AND FUND BALANCE	
Liabilities	
Vacation payable	\$ (39,280.40)
Notes payable	<u>(154,651.82)</u>
Total Liabilities	\$ <u>(193,932.22)</u>
Fund Balance	
Fund balance-long term debt	\$ <u>193,932.22</u>
Total Fund Balance	\$ <u>193,932.22</u>
TOTAL LIABILITIES AND FUND BALANCE	<u><u>\$ -</u></u>

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Revenues					
Taxes					
10014102 - Property tax-secured	\$ 0.00	\$ 0.00	\$ 140,000.00	\$ (140,000.00)	0%
10014104 - Property tax-unsecured	0.00	0.00	5,000.00	(5,000.00)	0%
10014107 - Supplemental role	0.00	0.00	4,000.00	(4,000.00)	0%
10014110 - Sales and use tax	11,800.00	34,576.86	110,000.00	(75,423.14)	(31)%
10014111 - Trash franchise	0.00	1,007.83	4,040.00	(3,032.17)	(25)%
10014112 - PG&E franchise	0.00	0.00	9,000.00	(9,000.00)	0%
10014114 - Cable franchise	0.00	5,788.15	17,500.00	(11,711.85)	(33)%
10014116 - Business license tax	489.50	16,766.50	17,000.00	(233.50)	(99)%
10014118 - Real property transfer tax	0.00	0.00	2,000.00	(2,000.00)	0%
10014120 - Transient lodging tax	<u>208.70</u>	<u>47,177.01</u>	<u>80,000.00</u>	<u>(32,822.99)</u>	<u>(59)%</u>
Total Taxes	<u>12,498.20</u>	<u>105,316.35</u>	<u>388,540.00</u>	<u>(283,223.65)</u>	<u>27%</u>
Licenses and Permits					
10024132 - Construction permits	\$ 240.50	\$ 9,147.42	\$ 18,500.00	\$ (9,352.58)	(49)%
10024164 - Health protection	650.00	650.00	4,000.00	(3,350.00)	(16)%
10024166 - Encroachment permits	0.00	175.00	200.00	(25.00)	(88)%
10024278 - Animal license fees	<u>145.75</u>	<u>2,777.50</u>	<u>2,800.00</u>	<u>(22.50)</u>	<u>(99)%</u>
Total Licenses and Permits	<u>1,036.25</u>	<u>12,749.92</u>	<u>25,500.00</u>	<u>(12,750.08)</u>	<u>50%</u>
Fines					
10034283 - Court fines	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 5,000.00</u>	<u>\$ (5,000.00)</u>	<u>0%</u>
Total Fines	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>	<u>0%</u>
Use of Money and Property					
10044182 - Interest	\$ 0.00	\$ (134.86)	\$ 1,100.00	\$ (1,234.86)	12%
10044297 - Town hall rent	0.00	1,450.00	12,000.00	(10,550.00)	(12)%
10044297.1 - Community Center rents	<u>1,100.00</u>	<u>10,001.07</u>	<u>30,000.00</u>	<u>(19,998.93)</u>	<u>(33)%</u>
Total Use of Money and Property	<u>1,100.00</u>	<u>11,316.21</u>	<u>43,100.00</u>	<u>(31,783.79)</u>	<u>26%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

REVENUE - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
	Actual	Actual	Budget		
Intergovernmental					
10054204 - Motor vehicle in-lieu tax	\$ 0.00	\$ 612.66	\$ 150,000.00	\$ (149,387.34)	(0)%
10054222 - Home owners prop. tax relief	0.00	0.00	2,000.00	(2,000.00)	0%
10054286 - Street sweeping	0.00	1,900.00	3,800.00	(1,900.00)	(50)%
10054290 - Peace off. stds. & trng.	0.00	0.00	3,200.00	(3,200.00)	0%
10054300 - Public safety 1/2 cent	0.00	0.00	3,000.00	(3,000.00)	0%
10054310 - COPS program	<u>10,466.48</u>	<u>10,466.48</u>	<u>100,000.00</u>	<u>(89,533.52)</u>	<u>(10)%</u>
 Total Intergovernmental	 <u>10,466.48</u>	 <u>12,979.14</u>	 <u>262,000.00</u>	 <u>(249,020.86)</u>	 <u>5%</u>
Fees for Service					
10084271 - Parking fees	\$ 0.00	\$ 32.50	\$ 500.00	\$ (467.50)	(7)%
10084279 - Copy machine fees - Library	0.00	7.65	225.00	(217.35)	(3)%
10084280 - Copy machine fees - City	0.00	0.50	125.00	(124.50)	(0)%
10084291 - Special police services	0.00	2,750.00	12,712.39	(9,962.39)	(22)%
10084298 - Fair racing revenue	<u>1,958.80</u>	<u>1,959.76</u>	<u>2,500.00</u>	<u>(540.24)</u>	<u>(78)%</u>
 Total Fees for Service	 <u>1,958.80</u>	 <u>4,750.41</u>	 <u>16,062.39</u>	 <u>(11,311.98)</u>	 <u>30%</u>
Other Revenue					
10094284 - Donations - Library	\$ 0.00	\$ 0.00	\$ 300.00	\$ (300.00)	0%
10094284.1 - Donations - City	50.00	1,578.48	20,450.00	(18,871.52)	(8)%
10094306 - Lytle Foundation - Library	0.00	0.00	10,000.00	(10,000.00)	0%
10094307 - Miscellaneous	938.27	4,342.95	3,600.00	742.95	(121)%
10094311 - Little League Park Utilities	0.00	200.00	200.00	0.00	(100)%
10094405 - SB 90 Cost recovery	0.00	0.00	35,464.00	(35,464.00)	0%
10094410 - County admin fees PTAF	<u>0.00</u>	<u>0.00</u>	<u>12,956.00</u>	<u>(12,956.00)</u>	<u>0%</u>
 Total Other Revenue	 <u>988.27</u>	 <u>6,121.43</u>	 <u>82,970.00</u>	 <u>(76,848.57)</u>	 <u>7%</u>
 TOTAL REVENUE	 <u>28,048.00</u>	 <u>153,233.46</u>	 <u>823,172.39</u>	 <u>(669,938.93)</u>	 <u>19%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
EXPENDITURES					
Mayor and City Council					
10115012 - Office expense - Council	\$ 0.00	\$ 0.00	\$ 350.00	\$ 350.00	0%
10115013 - Advertising - Council	0.00	668.82	400.00	(268.82)	167%
10115044 - Meeting and dues - Council	0.00	0.00	500.00	500.00	0%
10115045 - LAFCO fees	<u>0.00</u>	<u>0.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>0%</u>
Total Mayor and City Council	<u>0.00</u>	<u>668.82</u>	<u>3,250.00</u>	<u>2,581.18</u>	<u>21%</u>
City Manager and City Clerk					
10105002 - Salary - City Manager	\$ 2,158.26	\$ 14,616.01	\$ 29,144.13	\$ 14,528.12	50%
10105006 - SSI tax	165.10	1,118.11	2,331.53	1,213.42	48%
10105007 - Medical insurance	10.00	2,269.45	6,659.57	4,390.12	34%
10105009 - Workers comp. insurance	0.00	0.00	850.00	850.00	0%
10105010 - Deferred comp	0.00	574.90	2,331.53	1,756.63	25%
10125002 - Salary - City Clerk	758.94	8,672.49	46,873.67	38,201.18	19%
10125006 - Payroll taxes	80.83	653.59	3,749.89	3,096.30	17%
10125007 - Insurance Med/Den/Vis	1,262.50	2,808.04	15,936.07	13,128.03	18%
10125009 - Workers comp. insurance	0.00	0.00	1,200.00	1,200.00	0%
10125010 - Deferred retirement	<u>0.00</u>	<u>673.31</u>	<u>3,749.89</u>	<u>3,076.58</u>	<u>18%</u>
Total City Manager and City Clerk	<u>4,435.63</u>	<u>31,385.90</u>	<u>112,826.28</u>	<u>81,440.38</u>	<u>28%</u>
Operating Expenditures					
10125012 - Office expense	\$ 867.73	\$ 6,205.73	\$ 6,000.00	\$ (205.73)	103%
10125044 - Meetings and dues	0.00	248.00	2,050.00	1,802.00	12%
10125063 - Contract Services	<u>2,745.27</u>	<u>13,843.47</u>	<u>35,413.44</u>	<u>21,569.97</u>	<u>39%</u>
Total Operating Expenditures	<u>3,613.00</u>	<u>20,297.20</u>	<u>43,463.44</u>	<u>23,166.24</u>	<u>47%</u>
City Attorney					
10145052 - Professional services	<u>0.00</u>	<u>8,700.03</u>	<u>10,000.00</u>	<u>1,299.97</u>	<u>87%</u>
Total City Attorney	<u>0.00</u>	<u>8,700.03</u>	<u>10,000.00</u>	<u>1,299.97</u>	<u>87%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Government Buildings					
10155002 - Salary - permanent	\$ 546.45	\$ 2,391.34	\$ 2,607.90	\$ 216.56	92%
10155005 - Salary - overtime	0.00	5.64	0.00	(5.64)	0%
10155006 - SSI tax	54.70	251.81	260.79	8.98	97%
10155009 - Workers comp. insurance	0.00	0.00	306.72	306.72	0%
10155020 - Building and ground maint.	0.00	3,227.74	20,000.00	16,772.26	16%
10155030 - Trash service	30.55	160.45	450.00	289.55	36%
10155031 - Water	97.29	601.34	500.00	(101.34)	120%
10155032 - Utilities electric	180.24	773.33	1,750.00	976.67	44%
10155033 - Utilities gas	0.00	557.79	4,600.00	4,042.21	12%
10155034 - Telephone	<u>251.97</u>	<u>1,733.48</u>	<u>2,450.00</u>	<u>716.52</u>	<u>71%</u>
Total Government Buildings	<u>1,161.20</u>	<u>9,702.92</u>	<u>32,925.41</u>	<u>23,222.49</u>	<u>29%</u>
Nondepartmental					
10165015 - Property tax admin. fees	\$ 0.00	\$ 0.00	\$ 3,568.00	\$ 3,568.00	0%
10165052 - SB 90 Cost recovery	0.00	0.00	700.00	700.00	0%
10165054 - Audit and accounting	6,340.00	13,632.00	15,000.00	1,368.00	91%
10165054.1 - ACCOUNTING SERVICES	0.00	5,676.50	9,000.00	3,323.50	63%
10165055 - Contractual services	0.00	360.00	600.00	240.00	60%
10165061 - Insurance (PARSAC)	0.00	0.00	7,500.00	7,500.00	0%
10165063 - Insurance (Fire Bldg.)	0.00	10,229.00	7,700.00	(2,529.00)	133%
10165078 - Copy machine expense	299.52	1,549.05	4,250.00	2,700.95	36%
10165095 - Capital outlay	60.00	60.00	1,500.00	1,440.00	4%
10165096 - Car Allowance	400.00	2,000.00	4,800.00	2,800.00	42%
10165099 - Miscellaneous	<u>2,007.40</u>	<u>4,020.11</u>	<u>1,800.00</u>	<u>(2,220.11)</u>	<u>223%</u>
Total Nondepartmental	<u>9,106.92</u>	<u>37,526.66</u>	<u>56,418.00</u>	<u>18,891.34</u>	<u>67%</u>
Community Promotion					
10175024 - Supplies - public restroom	\$ 0.00	\$ 808.17	\$ 1,500.00	\$ 691.83	54%
10175031 - Water - public restroom	82.42	591.92	850.00	258.08	70%
10175032 - Electric - public restroom	25.66	124.87	250.00	125.13	50%
10175072 - Chamber of Commerce	0.00	11,061.18	22,122.36	11,061.18	50%
10175072.1 - Donation - Visitors & Conv.	0.00	6,966.07	1,500.00	(5,466.07)	464%
10175072.2 - Employee appreciation	0.00	106.96	150.00	43.04	71%
10175072.3 - TOT 2% HLA QTRLY	<u>0.00</u>	<u>3,795.90</u>	<u>10,000.00</u>	<u>6,204.10</u>	<u>38%</u>
Total Community Promotion	<u>108.08</u>	<u>23,455.07</u>	<u>36,372.36</u>	<u>12,917.29</u>	<u>64%</u>

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City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

EXPENDITURES - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
	Actual	Actual	Budget		
Police					
10215002 - Salary - permanent	\$ 16,558.39	\$ 82,474.81	\$ 181,616.77	\$ 99,141.96	45%
10215005 - Salary - overtime	167.26	4,176.47	4,000.00	(176.47)	104%
10215006 - SSI tax	1,295.87	7,065.26	14,849.34	7,784.08	48%
10215007 - Medical insurance	2,409.34	16,344.07	38,172.19	21,828.12	43%
10215009 - Workers comp. insurance	0.00	0.00	13,000.00	13,000.00	0%
10215010 - Deferred retirement	0.00	1,343.30	14,529.34	13,186.04	9%
10215012 - Office expense	66.79	491.59	1,800.00	1,308.41	27%
10215014 - Vehicle expense	12.00	2,408.24	7,500.00	5,091.76	32%
10215016 - Fuel	1,139.08	4,074.45	14,000.00	9,925.55	29%
10215020 - Building and grounds maint.	138.25	498.78	2,800.00	2,301.22	18%
10215024 - Special department supply	396.90	918.68	19,712.39	18,793.71	5%
10215026 - Uniform expense	0.00	1,900.00	250.00	(1,650.00)	760%
10215026.1 - Uniform allowance	0.00	0.00	1,900.00	1,900.00	0%
10215029 - Water	34.49	268.41	400.00	131.59	67%
10215031 - Gas	0.00	0.00	600.00	600.00	0%
10215032 - Utilities electric	129.59	539.98	1,400.00	860.02	39%
10215034 - Telephone	332.37	2,069.94	4,200.00	2,130.06	49%
10215035 - Dispatch service	1,016.66	5,083.30	12,199.92	7,116.62	42%
10215044 - Meetings and dues	0.00	300.00	3,500.00	3,200.00	9%
10215048 - Training	0.00	606.00	3,500.00	2,894.00	17%
10215051 - Physical exams	413.30	825.00	1,000.00	175.00	83%
10215052 - Professional services	238.00	378.00	1,250.00	872.00	30%
10215053 - Lexipol Services	0.00	2,950.00	2,950.00	0.00	100%
10215063 - Contract Services	34.75	176.74	478.56	301.82	37%
10215086 - Booking fees	0.00	285.60	600.00	314.40	48%
10215088 - Equipment repair other	0.00	7.49	500.00	492.51	2%
10215094 - Vehicle replacement	0.00	0.00	9,300.00	9,300.00	0%
10215098 - Background expense	<u>691.00</u>	<u>1,383.65</u>	<u>1,500.00</u>	<u>116.35</u>	<u>92%</u>
Total Police	<u>25,074.04</u>	<u>136,569.76</u>	<u>357,508.51</u>	<u>220,938.75</u>	<u>38%</u>
Animal Control					
10225096 - Animal control	<u>\$ 450.00</u>	<u>\$ 2,250.00</u>	<u>\$ 5,500.00</u>	<u>\$ 3,250.00</u>	<u>41%</u>
Total Animal Control	<u>450.00</u>	<u>2,250.00</u>	<u>5,500.00</u>	<u>3,250.00</u>	<u>41%</u>

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City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

EXPENDITURES - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
Health	Actual	Actual	Budget		
10245052 - Professional services	\$ 153.47	\$ 817.35	\$ 2,200.00	\$ 1,382.65	37%
Total Health	<u>153.47</u>	<u>817.35</u>	<u>2,200.00</u>	<u>1,382.65</u>	<u>37%</u>
Street and Roads					
10315002 - Salary - permanent	\$ 503.28	\$ 3,487.96	\$ 11,762.40	\$ 8,274.44	30%
10315005 - Salary - overtime	18.88	56.63	0.00	(56.63)	0%
10315006 - SSI tax	(18.80)	(54.80)	940.99	995.79	(6)%
10315007 - Medical insurance	2.62	675.70	2,096.91	1,421.21	32%
10315009 - Workers comp. insurance	0.00	0.00	847.07	847.07	0%
10315010 - Deferred retirement	0.00	182.89	940.99	758.10	19%
10315044 - Meetings and dues	<u>0.00</u>	<u>152.94</u>	<u>60.00</u>	<u>(92.94)</u>	<u>255%</u>
Total Streets and Roads	<u>505.98</u>	<u>4,501.32</u>	<u>16,648.36</u>	<u>12,147.04</u>	<u>27%</u>
Planning					
Revenues Collected					
10084287.3 - Reimbursed Fees Planning	\$ 0.00	\$ 0.00	\$ 2,000.00	\$ 2,000.00	0%
Total Revenue Collected	<u>0.00</u>	<u>0.00</u>	<u>2,000.00</u>	<u>2,000.00</u>	<u>0%</u>
Expenditures					
10415013 - Advertising	\$ 0.00	\$ 0.00	\$ 200.00	\$ 200.00	0%
10415052 - General planning services	1,937.10	8,430.10	12,000.00	3,569.90	70%
10415053 - Reimbursable fees	0.00	2,268.38	7,500.00	5,231.62	30%
10415055 - General plan review fund	2,766.00	4,153.50	12,500.00	8,346.50	33%
10415058 - Special Planning Projects	<u>1,572.80</u>	<u>11,027.30</u>	<u>7,508.00</u>	<u>(3,519.30)</u>	<u>147%</u>
Total Expenditures	<u>6,275.90</u>	<u>25,879.28</u>	<u>39,708.00</u>	<u>13,828.72</u>	<u>65%</u>
Net Planning Expenditures	<u>\$ (6,275.90)</u>	<u>\$ (25,879.28)</u>	<u>\$ (37,708.00)</u>	<u>\$ 11,828.72</u>	<u>(69)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 5 Months Ended November 30, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
City Engineer					
Revenues Collected					
10084270 - Plan check fees	\$ 0.00	\$ 1,977.92	\$ 3,250.00	\$ 1,272.08	61%
10084287.2 - Developer reimbursed fe	<u>3,578.50</u>	<u>28,296.13</u>	<u>8,000.00</u>	<u>(20,296.13)</u>	<u>354%</u>
Total Revenue Collected	<u>3,578.50</u>	<u>30,274.05</u>	<u>11,250.00</u>	<u>(19,024.05)</u>	<u>269%</u>
Expenditures					
10425052 - General engineering	\$ 0.00	\$ 2,609.90	\$ 15,000.00	\$ 12,390.10	17%
10425053 - Developer engineering	0.00	7,613.95	5,000.00	(2,613.95)	152%
10425055 - General plan update	<u>0.00</u>	<u>0.00</u>	<u>12,670.00</u>	<u>12,670.00</u>	<u>0%</u>
Total Expenditures	<u>0.00</u>	<u>10,223.85</u>	<u>32,670.00</u>	<u>22,446.15</u>	<u>31%</u>
Net City Engineer Expenditures	<u>\$ 3,578.50</u>	<u>\$ 20,050.20</u>	<u>\$ (21,420.00)</u>	<u>\$ 41,470.20</u>	<u>(94)%</u>
Building Regulation					
10435052 - Building regulation/inspectio	<u>\$ 679.61</u>	<u>\$ 9,743.47</u>	<u>\$ 10,000.00</u>	<u>\$ 256.53</u>	<u>97%</u>
Total Building Regulation	<u>679.61</u>	<u>9,743.47</u>	<u>10,000.00</u>	<u>256.53</u>	<u>97%</u>
Library					
10615002 - Salary - permanent	\$ 364.32	\$ 2,007.06	\$ 5,451.46	\$ 3,444.40	37%
10615006 - SSI tax	38.81	213.81	436.12	222.31	49%
10615009 - Workers comp. insurance	0.00	0.00	700.00	700.00	0%
10615012 - Office expense	112.82	308.19	600.00	291.81	51%
10615020 - Building and ground maint.	0.00	1,851.99	1,200.00	(651.99)	154%
10615024 - Books	48.17	2,086.64	5,000.00	2,913.36	42%
10615031 - Gas	0.00	467.39	3,600.00	3,132.61	13%
10615032 - Utilities	175.18	715.60	1,650.00	934.40	43%
10615033 - Water	26.55	130.96	300.00	169.04	44%
10615034 - Telephone	142.07	684.48	1,300.00	615.52	53%
10615078 - Copy machine expense	0.00	0.00	100.00	100.00	0%
10615095 - Lytel grant expenditures	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>10,000.00</u>	<u>0%</u>
Total Library	<u>907.92</u>	<u>8,466.12</u>	<u>30,337.58</u>	<u>21,871.46</u>	<u>28%</u>

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City of Ferndale
 General Fund
 Statement of Activities-Cash Basis
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Parks and Recreation					
10625002 - Salary Permanent	\$ 272.00	\$ 1,632.00	\$ 1,632.00	\$ 0.00	100%
10625006 - SSI Tax	28.96	173.77	16.32	(157.45)	1,065%
10625020 - Building and ground maint.	0.00	1,233.73	2,500.00	1,266.27	49%
10625024 - Special department supply	0.00	724.30	150.00	(574.30)	483%
10625032 - Utilities - electric	99.19	269.89	650.00	380.11	42%
10625033 - Water	<u>114.51</u>	<u>567.78</u>	<u>900.00</u>	<u>332.22</u>	<u>63%</u>
Total Parks and Recreation	<u>514.66</u>	<u>4,601.47</u>	<u>5,848.32</u>	<u>1,246.85</u>	<u>79%</u>
Community Center					
10635002 - Salary	\$ 941.86	\$ 5,134.90	\$ 10,921.18	\$ 5,786.28	47%
10635005 - Salary - overtime	15.10	51.69	0.00	(51.69)	0%
10635006 - SSI tax	83.48	435.90	873.69	437.79	50%
10635007 - Medical insurance	17.31	550.28	1,800.25	1,249.97	31%
10635009 - Workers compensation insurance	0.00	0.00	250.00	250.00	0%
10635010 - Deferred retirement	0.00	163.29	873.69	710.40	19%
10635020 - Buildings and grounds maintena	230.00	2,552.86	7,000.00	4,447.14	36%
10635031 - Water	92.91	403.88	750.00	346.12	54%
10635032 - Utilities	234.51	995.42	3,000.00	2,004.58	33%
10635033 - Gas	0.00	1,085.50	4,000.00	2,914.50	27%
10635055 - Contractual Services	<u>104.25</u>	<u>1,559.98</u>	<u>1,478.56</u>	<u>(81.42)</u>	<u>106%</u>
Total Community Center	<u>1,719.42</u>	<u>12,933.70</u>	<u>30,947.37</u>	<u>18,013.67</u>	<u>42%</u>
Total General Fund Expenditures	<u>\$ 51,127.33</u>	<u>\$ 317,448.87</u>	<u>\$ 813,373.63</u>	<u>\$ 495,924.76</u>	<u>39%</u>
Revenues over (under) Expenditures	<u>\$ (23,079.33)</u>	<u>\$ (164,215.41)</u>	<u>\$ 9,798.76</u>	<u>\$ (174,014.17)</u>	<u>1,676%</u>
Transfers in (out)					
Rvenues over (under) Expenditures and Transfers in (out)	<u>\$ (23,079.33)</u>	<u>\$ (164,215.41)</u>	<u>\$ 9,798.76</u>	<u>\$ (174,014.17)</u>	<u>(1,676)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Russ Park Fund</u>					
Revenues					
20624182 - Interest income	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0%
20624284 - Donations - Russ Park	0.00	0.00	0.00	0.00	0%
20625990 - Transfer in(out)	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Expenditures					
20625020 - Blding/Grd Mnt.	\$ 0.00	\$ 13.52	\$ 1,800.00	\$ 1,786.48	1%
20625024 - Special department supply	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Expenditures	<u>0.00</u>	<u>13.52</u>	<u>1,800.00</u>	<u>1,786.48</u>	<u>1%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ (13.52)</u>	<u>\$ (1,800.00)</u>	<u>\$ 1,786.48</u>	<u>\$ (1)</u>
<u>Park Fund</u>					
Revenues					
21624284.3 - Donations - Firemen's Park	\$ 0.00	\$ 0.00	\$ 6,000.00	\$ (6,000.00)	0%
21624285 - Bocce ball	<u>0.00</u>	<u>214.50</u>	<u>2,500.00</u>	<u>(2,285.50)</u>	<u>(9)%</u>
Total Revenue	<u>0.00</u>	<u>214.50</u>	<u>8,500.00</u>	<u>(8,285.50)</u>	<u>3%</u>
Expenditures					
21625020 - Building and grounds maint	\$ 54.00	\$ 9,273.35	\$ 8,500.00	\$ (773.35)	109%
21625060 - Bocce ball	<u>0.00</u>	<u>0.00</u>	<u>1,300.00</u>	<u>1,300.00</u>	<u>0%</u>
Total Expenditures	<u>54.00</u>	<u>9,273.35</u>	<u>9,800.00</u>	<u>526.65</u>	<u>95%</u>
Revenues Over (under) Expenditures	<u>\$ (54.00)</u>	<u>\$ (9,058.85)</u>	<u>\$ (1,300.00)</u>	<u>\$ (7,758.85)</u>	<u>\$ (697)</u>

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City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Gas Tax Fund</u>					
Revenues					
22314210.1 - Gas tax (2105)	\$ 0.00	\$ 1,654.95	\$ 6,746.00	\$ (5,091.05)	(25)%
22314210.2 - Gas tax (2106)	0.00	2,672.95	9,272.00	(6,599.05)	(29)%
22314210.3 - Gas tax (2107)	0.00	2,809.95	10,043.00	(7,233.05)	(28)%
22314210.4 - Gas tax (2107.5)	0.00	0.00	1,000.00	(1,000.00)	0%
22314210.5 - Gas Tax (2103)	<u>0.00</u>	<u>5,449.77</u>	<u>20,438.00</u>	<u>(14,988.23)</u>	<u>(27)%</u>
Total Revenue	<u>0.00</u>	<u>12,587.62</u>	<u>47,499.00</u>	<u>34,911.38</u>	<u>27%</u>
Expenditures					
22315002 - Salary - permanent	\$ 2,852.74	\$ 15,425.97	\$ 22,907.55	\$ 7,481.58	67%
22315005 - Overtime	27.68	87.56	0.00	(87.56)	0%
22315006 - SSI tax	225.28	1,211.97	1,832.60	620.63	66%
22315007 - Medical insurance	1.87	1,079.91	3,332.84	2,252.93	32%
22315009 - Workers comp. insurance	0.00	0.00	1,000.00	1,000.00	0%
22315010 - Deferred retirement	0.00	203.21	1,832.60	1,629.39	11%
22315058 - Street lighting	1,222.33	6,089.99	14,500.00	8,410.01	42%
22315063 - Contract Services	<u>34.75</u>	<u>176.74</u>	<u>957.12</u>	<u>780.38</u>	<u>18%</u>
Total Expenditures	<u>4,364.65</u>	<u>24,275.35</u>	<u>46,362.71</u>	<u>22,087.36</u>	<u>52%</u>
Revenues Over (under) Expenditures	<u>\$ (4,364.65)</u>	<u>\$ (11,687.73)</u>	<u>\$ 1,136.29</u>	<u>\$ 12,824.02</u>	<u>\$ (1,029)</u>
<u>TEA 21</u>					
Revenues					
23314182 - Interest	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0%
23314211 - RSTP revenue	0.00	0.00	0.00	0.00	0%
23314287.7 - STIP	0.00	0.00	0.00	0.00	0%
23314500 - Appropriation of reserves	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Expenditures					
23315022 - Street Project	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0%
23315052 - SRTS engineering	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>
Total Expenditures	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0%</u>

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City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Transportation Development Act</u>					
Revenues					
24314231 - Transportation devel. act	\$ 0.00	\$ 0.00	\$ 42,049.00	\$ (42,049.00)	0%
Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>42,049.00</u>	<u>(42,049.00)</u>	<u>0%</u>
Expenditures					
24315002 - Wages	\$ 1,211.72	\$ 6,568.79	\$ 15,719.82	\$ 9,151.03	42%
24315005 - Salary - overtime	21.40	72.46	0.00	(72.46)	0%
24315006 - SSI tax	103.23	554.20	1,257.59	703.39	44%
24315007 - Medical insurance	18.42	843.55	227.60	(615.95)	371%
24315009 - Workers comp. insurance	0.00	0.00	750.00	750.00	0%
24315010 - Deferred retirement	0.00	207.84	1,257.59	1,049.75	17%
24315014 - Vehicle expense	10.41	2,035.84	1,000.00	(1,035.84)	204%
24315016 - Fuel	752.22	2,641.15	8,500.00	5,858.85	31%
24315020 - Building & ground maintenance	361.82	662.92	1,750.00	1,087.08	38%
24315021 - Street maintenance	23.40	1,961.32	5,000.00	3,038.68	39%
24315022 - Street project	0.00	18,497.84	0.00	(18,497.84)	0%
24315024 - Special department	0.00	932.39	500.00	(432.39)	186%
24315032 - Utilities	226.39	598.74	2,000.00	1,401.26	30%
24315033 - Water	37.22	183.67	425.00	241.33	43%
24315034 - Telephone	64.81	362.17	650.00	287.83	56%
24315063 - Contract Services	0.00	47.53	478.56	431.03	10%
24315088 - Equipment repair	<u>0.00</u>	<u>15.00</u>	<u>500.00</u>	<u>485.00</u>	<u>3%</u>
Total Expenditures	<u>2,831.04</u>	<u>36,185.41</u>	<u>40,016.16</u>	<u>3,830.75</u>	<u>90%</u>
Revenues Over (under) Expenditures	<u>\$ (2,831.04)</u>	<u>\$ (36,185.41)</u>	<u>\$ 2,032.84</u>	<u>\$ (38,218.25)</u>	<u>\$ (1,780)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Integrated Waste Management</u>					
Revenues					
25314288 - Tipping fees IWM	\$ 0.00	\$ 1,684.83	\$ 5,000.00	\$ (3,315.17)	(34)%
25314600 - Recycling grant	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>1,684.83</u>	<u>10,000.00</u>	<u>(8,315.17)</u>	<u>17%</u>
Expenditures					
25315002 - Salary	\$ 390.05	\$ 600.50	\$ 5,267.01	\$ 4,666.51	11%
25315006 - SSI tax	29.84	45.94	421.36	375.42	11%
25315007 - Medical insurance	0.00	401.16	3,023.20	2,622.04	13%
25315009 - Workers compensation ins.	0.00	0.00	1,226.88	1,226.88	0%
25315010 - Deferred retirement	<u>0.00</u>	<u>0.00</u>	<u>421.36</u>	<u>421.36</u>	<u>0%</u>
Total Expenditures	<u>419.89</u>	<u>1,047.60</u>	<u>10,359.81</u>	<u>9,312.21</u>	<u>10%</u>
Revenues Over (under) Expenditures	<u>\$ (419.89)</u>	<u>\$ 637.23</u>	<u>\$ (359.81)</u>	<u>\$ 997.04</u>	<u>\$ (177)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Drainage Fund</u>					
Revenues					
26314230 - Drainage fees	\$ 0.00	\$ 1,806.36	\$ 5,000.00	\$ (3,193.64)	(36)%
26314240 - Drainage District fees	<u>0.00</u>	<u>0.00</u>	<u>18,550.00</u>	<u>(18,550.00)</u>	<u>0%</u>
Total Revenue	<u>0.00</u>	<u>1,806.36</u>	<u>23,550.00</u>	<u>(21,743.64)</u>	<u>8%</u>
Expenditures					
26315002 - Wages	\$ 1,074.07	\$ 7,274.93	\$ 12,130.98	\$ 4,856.05	60%
26315005 - Salary - overtime	15.10	53.57	0.00	(53.57)	0%
26315006 - SSI tax	92.00	606.55	970.48	363.93	63%
26315007 - Medical insurance	49.87	616.57	2,171.29	1,554.72	28%
26315009 - Workers comp. insurance	0.00	0.00	766.77	766.77	0%
26315010 - Deferred compensation	0.00	0.00	970.48	970.48	0%
26315010.1 - Deferred compensation	0.00	192.88	0.00	(192.88)	0%
26315024 - Supplies	0.00	64.13	0.00	(64.13)	0%
26315063 - Contract Services	34.75	176.74	1,914.24	1,737.50	9%
26315194 - Interest-Six Rivers loan	<u>1,374.04</u>	<u>33,593.16</u>	<u>25,133.76</u>	<u>(8,459.40)</u>	<u>134%</u>
Total Expenditures	<u>2,639.83</u>	<u>42,578.53</u>	<u>44,058.00</u>	<u>1,479.47</u>	<u>97%</u>
Revenues Over (under) Expenditures	<u>\$ (2,639.83)</u>	<u>\$ (40,772.17)</u>	<u>\$ (20,508.00)</u>	<u>\$ (20,264.17)</u>	<u>\$ 199</u>
<u>TE Funds - Ped. and Bicycle Path</u>					
Revenues					
40314235 - Transportation Enhancement re	\$ 0.00	\$ 0.00	\$ 8,000.00	\$ (8,000.00)	0%
Total Revenue	<u>0.00</u>	<u>0.00</u>	<u>8,000.00</u>	<u>8,000.00</u>	<u>0%</u>
Expenditures					
40315052 - Plans, specs & estimates	\$ 0.00	\$ 3,578.50	\$ 8,000.00	\$ 4,421.50	45%
Total Expenditures	<u>0.00</u>	<u>3,578.50</u>	<u>8,000.00</u>	<u>4,421.50</u>	<u>45%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ (3,578.50)</u>	<u>\$ 0.00</u>	<u>\$ 3,578.50</u>	<u>\$ -</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale

Proprietary Fund
Statement of Revenues and Expenditures
For the 5 Months Ended November 30, 2013

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Sewer Fund</u>					
Revenues					
30514274 - Sewer service charge	\$ 0.00	\$ 0.00	\$ 458,516.01	\$ (458,516.01)	0%
30514275 - Sewer connection fees	0.00	5,182.00	10,000.00	(4,818.00)	(52)%
30514307 - Miscellaneous revenue	0.00	11,340.00	75,000.00	(63,660.00)	(15)%
30514308 - Revenue reserved for plant	<u>1,742.42</u>	<u>1,742.42</u>	<u>194,089.99</u>	<u>(192,347.57)</u>	<u>(1)%</u>
Total Revenue	<u>1,742.42</u>	<u>18,264.42</u>	<u>737,606.00</u>	<u>719,341.58</u>	<u>2%</u>
Expenditures					
30515002 - Salary - permanent	\$ 12,014.54	\$ 75,343.50	\$ 132,056.24	\$ 56,712.74	57%
30515005 - Salary - overtime	625.46	3,296.94	13,599.60	10,302.66	24%
30515006 - SSI tax	985.37	6,128.88	11,652.47	5,523.59	53%
30515007 - Medical insurance	277.31	11,379.13	35,156.23	23,777.10	32%
30515009 - Workers comp. insurance	0.00	0.00	4,000.00	4,000.00	0%
30515010 - Deferred retirement	0.00	2,316.30	10,564.50	8,248.20	22%
30515012 - Office expense	367.69	513.24	1,000.00	486.76	51%
30515014 - Vehicle expense	0.00	0.00	2,000.00	2,000.00	0%
30515016 - Vehicle gas	257.90	905.54	4,500.00	3,594.46	20%
30515024 - Special department supply	0.00	305.35	1,000.00	694.65	31%
30515030 - Garbage/sludge	3,749.87	14,661.19	20,000.00	5,338.81	73%
30515032 - Utilities - electric - plant	5,305.06	21,528.29	70,000.00	48,471.71	31%
30515034 - Telephone	166.76	1,377.71	4,500.00	3,122.29	31%
30515044 - Meetings and dues	0.00	485.00	1,000.00	515.00	49%
30515048 - Training	0.00	479.98	2,500.00	2,020.02	19%
30515052 - Professional services	0.00	0.00	300.00	300.00	0%
30515055 - Contractual services	1,081.25	8,583.60	17,135.52	8,551.92	50%
30515092 - Sewer plant permit	6,101.00	7,045.11	6,000.00	(1,045.11)	117%
30515094 - Safety equipment	0.00	606.74	1,000.00	393.26	61%
30515095 - Capital outlay	0.00	8,572.76	20,000.00	11,427.24	43%
30515099 - Miscellaneous	0.00	0.00	1,000.00	1,000.00	0%
30515121 - Sewer plant maintenance	0.00	7,250.60	15,000.00	7,749.40	48%
30515122 - Sewer line maintenance	0.00	660.46	10,000.00	9,339.54	7%
30515125 - Chemicals	0.00	29.44	2,000.00	1,970.56	1%
30515157 - Testing and monitoring	400.00	3,877.00	32,000.00	28,123.00	12%
30515158 - Postage and shipping	0.00	0.00	600.00	600.00	0%
30515162 - Insurance PARSAC Liability	0.00	0.00	7,500.00	7,500.00	0%
30515164 - Fines	0.00	3,000.00	39,000.00	36,000.00	8%
30515190 - USDA loan	0.00	89,120.63	194,000.00	104,879.37	46%
30515192 - Retirement of bonds	0.00	0.00	4,100.00	4,100.00	0%
30515198 - Sewer match loan	<u>0.00</u>	<u>0.00</u>	<u>30,000.00</u>	<u>30,000.00</u>	<u>0%</u>
Total Expenditures	<u>31,332.21</u>	<u>267,467.39</u>	<u>693,164.56</u>	<u>425,697.17</u>	<u>39%</u>
Revenues Over (under) Expenditures	<u>\$ (29,589.79)</u>	<u>\$ (249,202.97)</u>	<u>\$ 44,441.44</u>	<u>\$ 293,644.41</u>	<u>\$ (561)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

Supplemental Information

City of Ferndale
Summary of Cash Balances and Investments
November 30, 2013

CASH BY FUND	<u>AMOUNT</u>	<u>PERCENT</u>
General Fund Cash		
Cash - unrestricted	\$ 379,071.05	
Petty cash	60.00	
Cash-restricted-insurance	<u>15,000.00</u>	
Total General Fund	<u>\$ 394,131.05</u>	<u>39.47%</u>
Park Fund Cash		
Cash - restricted	\$ (2,128.16)	
Cash - restricted - Fireman's	\$ 219.24	
Cash - restricted - Bocce Ball Courts	<u>1,854.92</u>	
Total Park Fund	<u>\$ (54.00)</u>	<u>(0.01)%</u>
Gas Tax Cash		
Cash - restricted	<u>\$ 58,931.10</u>	<u>5.90%</u>
TEA 21 Cash		
Cash - restricted	<u>\$ 66,741.13</u>	<u>6.68%</u>
Transportation Development Act Cash		
Cash - restricted	<u>\$ 215,501.80</u>	<u>21.58%</u>
Integrated Waste Management Cash		
Cash - restricted	<u>\$ 37,462.92</u>	<u>3.75%</u>
Drainage Fund Cash		
Cash - restricted	<u>\$ 133,358.28</u>	<u>13.36%</u>
TE Funds		
Russ Park Fund Cash		
Cash - restricted	<u>\$ 4,459.20</u>	<u>0.45%</u>
Sewer Fund Cash		
Cash -unrestricted	<u>\$ 87,948.08</u>	
Total Sewer Fund	<u>\$ 87,948.08</u>	<u>8.81%</u>
 TOTAL CASH BY FUND	 <u><u>\$ 998,479.56</u></u>	 <u><u>100%</u></u>
 CASH BY ACCOUNT		
General Checking Six Rivers	\$ 294,757.76	29.52%
LAIF	703,661.80	70.47%
Petty cash	<u>60.00</u>	0.01%
TOTAL CASH BY ACCOUNT	<u><u>\$ 998,479.56</u></u>	<u><u>100%</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

Section 10**CALL ITEMS**

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

Section 11**PRESENTATIONS****Section 12****PUBLIC HEARING**

Meeting Date:	February 6, 2014	Agenda Item Number	
Agenda Item Title	Consider adopting Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/> Discussion <input type="checkbox"/> Information
Action Required:	<input type="checkbox"/>	No Action	<input type="checkbox"/> Voice Vote <input checked="" type="checkbox"/> Roll Call Vote

RECOMMENDATION: Adopt Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations.

BACKGROUND: The attached Ordinance 2013-04 amending Zoning Ordinance 02-02 is necessary to bring the Zoning Ordinance into compliance with the new Sign Ordinance. The Sign Ordinance, adopted in November 2013, allows for review of signs by the Design Review Committee under certain circumstances, even if the sign is not located in the Design Review Zone. The Ordinance also exempts certain signs from Design Review requirements, even in the Design Review Zone. To allow for this, Zoning Ordinance 02-02 needs to be amended accordingly.

Staff also incorporated amendments to §6.05 regarding the overall Design Control Combining Zone for clarification of the section. The word "Victorian" was replaced with the word "Historical" in §6.05 to reflect the fact there are other architectural styles in Ferndale deserving protection. Amendments to §6.05.4 clarify the Design Review Committee appointment process. Amendments to §6.05.09 impose a time limit for completion of projects that require a building permit and allow for one 6-month extension. The proposed amendments have undergone legal review.

At a Public Hearing continued to the January 15, 2014 Planning Commission meeting, the Commission reviewed the attached Ordinance and directed staff to make only one change: the original Zoning Ordinance language used the term "Design Review Use Permit;" the Commission directed staff to change this to "Design Review Permit."

PLANNING COMMISSION RECOMMENDATION: The Planning Commission made the following findings and recommended that the Council adopt Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations:

1. Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations reduces inconsistencies, clarifies roles, and is necessitated by adoption of Ordinance 2103-02 Sign Ordinance.
2. Ordinance 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations conforms to the Ferndale General Plan.

ENVIRONMENTAL REVIEW: 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 2013-04

AN ORDINANCE OF THE CITY OF FERNDALE, STATE OF CALIFORNIA, AMENDING ZONING ORDINANCE 02-02 SECTIONS PERTAINING TO DESIGN REVIEW AND SIGN REGULATIONS

Table of Contents

Article 1 Short Title and Purpose..... 1
 Article 2 Statutory Authority 1
 Article 3 General Provisions 1
 Article 4 Enactment..... 4

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

Article 1 SHORT TITLE AND PURPOSE

§1.1 **Short Title:** This Ordinance shall be known and cited as “Amending Zoning Ordinance 02-02 Design Review and Sign Regulations.”

§1.2 **Purpose:** The purpose of this Ordinance is to amend Zoning Ordinance 02-02 to reduce inconsistencies, clarify roles, and as necessitated by adoption of Ordinance 2103-02 Sign Ordinance.

Article 2 STATUTORY 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.

Article 3 GENERAL PROVISIONS

§3.1 The following changes shall be made to Section 6.05 of Zoning Ordinance 02-02. The section noted shall read as follows:

§6.05 (Begin section changed by Ordinance 09-01 on 8/6/09) Design Control Combining or -D Zone. The Design Control Combining or -D Zone is intended to be combined with any principal zone in which the appearance and design of buildings and structures form a substantial contribution to the desirability of the zone for the uses permitted therein, and in which it is desired to protect the over-all ~~Victorian~~Historical appearance of the zone by regulating the design of proposed buildings and structures in the zone. The following regulations shall apply in any zone with which a Design Control Combining or -D Zone is combined, or as specified in Ordinance 2013-02 Sign Ordinance:

- §6.05.1 The procedures and authority for Design Review are established by this section to achieve the following purposes and objectives:
- a. To ensure that new buildings and structures and/or the modification, alteration and/or enlargement of existing buildings or structures occurs in a manner which is consistent with the policies of the general plan;
 - b. To preserve the natural beauty of the town’s site and setting;

- c. To ensure that the architectural design of buildings and structures and their materials and colors are visually harmonious with and are conceptually consistent in character and scale with surrounding area; and
 - d. To ensure that the design and location of signs and their material and colors are consistent with the character and scale of the buildings to which they are attached or which are located on the same site, and to ensure that signs are visually harmonious with surrounding development.
- §6.05.2 Before any sign, structure or building may be erected, structurally altered, or in any way remodeled or improved so as to change the outward appearance of the sign, structure or building, a Design Review ~~Use-Permit~~ shall be obtained unless exempted by Ordinance 2013-02.
- §6.05.3 Each application for such Design Review ~~Use-Permit~~ shall be accompanied by drawings, plans and such written matter as may be necessary to show the front, side and rear elevations and the colors and materials to be used, and to show any other information that may be required by City staff, the Design Review Committee or the Planning Commission in order that it may adequately evaluate the proposed structure or building.
- §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 or 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 Primary and one member as Alternate 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~~City staff shall advertise the vacancy(ies) (via notice in newspaper, public posting) and notify Ferndale residents to contact ~~the City Clerk~~City staff for application procedures, an application, which can be picked up at City Hall or mailed to the applicant.
 - ii. Applications must be received by ~~the City Clerk~~City staff 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. The Planning Commission shall interview applicants at their next regular or special meeting or direct City staff to re-advertise. After consideration of the applicants and application materials, the Commission shall select an applicant(s) to recommend for appointment. The first person(s) that receives a majority shall be selected. A priority ranking of tThe Commission's recommendation(s) as well as reasons supporting the ranking will

shall be forwarded to the City Council for their next regular or special meeting.

iv. The City Council shall consider the applicants and the Planning Commission's recommendation and shall appoint an applicant(s) to the Design Review Committee.~~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.~~

c. The Design Review Committee is a sub-committee of, and reports to, the Planning Commission.

d. Design Review ~~Use~~-Permit applications shall be forwarded to and reviewed by the Design Review Committee ~~Members~~. No discussion between committee members shall take place, unless in a duly noticed meeting of the Committee.

i. (Begin section amended by Ord 2011-04 12/31/11) If a majority of the members present approve, the ~~City Clerk~~City staff shall issue a Design Review Permit.

ii. If a majority of the members present deny, the applicant can change the design, or can ~~ask that the appeal the decision application go~~ to the Planning Commission at a fee as set by the Fees and Fines Schedule. (End section amended by Ord 2011-04 12/31/11)

§6.05.5 The ~~Planning Commission~~reviewing body shall consider the proposed structure or building in conjunction with the appearance and design of other structures and/or buildings in the zone in an endeavor to provide that the proposed structure or building will not be unsightly, obnoxious or undesirable in appearance to the extent that it will hinder the harmonious development of the zone, impair the desirability of the zone for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements or otherwise adversely affect the general property and welfare. The ~~Planning Commission reviewing body~~ shall suggest any changes or alterations in the proposed structure or building as it may deem necessary to accomplish the purposes of this Section.

~~§6.05.6 Upon denial of any proposal, the applicant has the option of appealing the decision to the City Council, at the same fee as quoted in the current Fees and Fines Resolution for Design Review.~~

~~§6.05.7 Upon the approval of any proposal, the Planning Commission shall issue a Design Review Use Permit. Any construction or structural alteration shall be in accordance with such approved proposal.~~

~~§6.05.8~~§6.05.6 Emergency / minor / routine repairs in Design Control Combining Zone.

a. Any of said repairs as defined in Sections 3.29 and 3.48 having value of less than \$1000.00 requires no Design Review ~~Use~~-Permit; ~~if greater than \$1000, compliance shall be made under the Building Permit Ordinance.~~

~~§6.05.9~~§6.05.7 Time Limits:

a. Applicants for projects that do not require a building permit shall have six months after the date of ~~the last Design Review Committee member's signature~~Design Review Permit issuance to complete their

project. ~~The Planning Commission may grant a one-time extension of 6 months upon applicant's request.~~

b. Applicants for projects that do require a building permit shall be subject to the conditions and time limits of the building permit. If a building permit is not obtained within six (6) months of Design Review Permit issuance, the Design Review Permit shall be nullified.

b.c. City staff may grant a one-time Design Review Permit extension of 6 months upon applicant's request.

~~§6.05.10 Penalties: A fine, of double the original fee as determined by the Fee & Fine Schedule Resolution, and at the discretion of the Planning Department, shall be levied against any contractor or individual or business that routinely does business in Ferndale as evidenced by a business license or has previously gone through Design Review, if that business, contractor or individual begins a change to the outside of a building, if in a design review zone, without a Design Review Use Permit. (End of section amended by Ordinance 09-01 on 8/6/09)~~

Article 4 ENACTMENT

§4.1 **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.

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

PASSED AND ADOPTED on this Xth day of XXX 2014 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:	February 6, 2014	Agenda Item Number	12.b.
Agenda Item Title	Unmet Transit Needs Hearing		
Presented By:	City Manager, Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

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 t
 - i. The maker of motion
 - ii. The Chair
 - iii. The Secretary
- d. Invite discussion by members of the governing body
- e. Take a vote; ayes and then nays are normally sufficient
- f. Announce the result of the vote and announce what action (if any) the body has taken.
- g. Indicate names of members who voted in the minority of the motion

RECOMMENDATION:

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

BACKGROUND:

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

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

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

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

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

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

FINANCIAL IMPACT: Unknown.

**HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS**

611 I Street, Suite B

Eureka, CA 95501

(707) 444-8208

<http://www.hcaog.net>

Date: January 8, 2014

To: Humboldt County CAO, City Managers

From: Debra Dees, Associate Planner *Debra Dees*

Re: **Citizen Participation Process for Unmet Transit Needs FY 2014/15**

Each year, the Humboldt County Association of Governments (HCAOG), as the Regional Transportation Planning Agency (RTPA), conducts a citizen participation process to assess unmet transit needs within Humboldt County. This annual "unmet transit needs" process helps HCAOG properly apply funds provided through the Transportation Development Act (TDA). The HCAOG Board of Directors will hold a public hearing for community members to express any unmet needs they have for public transit and paratransit service. The HCAOG public hearing is scheduled for February 20, 2014.

Additionally, HCAOG encourages member entities to conduct separate hearings to receive constituent comments for their respective jurisdictions. We have attached the schedule of public hearing dates, will provide the schedule to HCAOG's Social Services Transportation Advisory Council (SSTAC), and will print the schedule in the local newspaper. SSTAC members may attend various meetings as part of their responsibility to identify transit needs and recommend action by the RTPA.

The SSTAC, pursuant to Section 99238 of the TDA, annually shall recommend to HCAOG one of the following: That within the Regional Transportation Planning Agency's jurisdiction,

- (A) there are no unmet transit needs; or
- (B) there are no unmet transit needs that are reasonable to meet; or
- (C) there are unmet transit needs, including needs that are reasonable to meet.

Entities are requested to receive constituent comments at respective public hearings without making individual findings. Per TDA law, the HCAOG Board as the regional transportation planning agency is the authority to determine Unmet Transit Need findings pursuant to Section 99401.5(d).

For your convenience, we have attached the adopted definitions (2011) and a synopsis of the citizen participation process for unmet transit needs.

January 8, 2014

Citizen Participation Process for Unmet Transit Needs FY 2014/15

Page 2

When your entity has concluded its public hearing on unmet transit needs, please send HCAOG a record of generated comments or a meeting transcript. We would like to receive all records no later than February 20, 2014. We will include all entities' hearing records in the "Unmet Needs Report of Findings" for 2014-15.

Timely conduct of the hearing process, and submittal of the requested documentation, will allow for a May adoption of the Report, and avoid delays in the processing of TDA claims for FY 2014-15.

If we can assist you in this regard, or if you would like HCAOG staff to attend your hearing, please contact our office at 444-8208.

Attachments: A – Unmet Transit Needs Public Hearing Schedule

B – Synopsis: Citizen Participation Process for Unmet Transit Needs

cc: HCAOG Social Services Transportation Advisory Committee
Public Transit Operators

HCAOG**Attachment "A"****Humboldt County Association of Governments**

**UNMET TRANSIT NEEDS
PUBLIC HEARINGS**

City of Arcata	Feb 5, 2014	6:00 p.m. City Hall
City of Blue Lake	Feb 11, 2014	7:00 p.m. City Hall
City of Eureka	Feb 4, 2014	6:00 p.m. City Hall
City of Ferndale	Feb 6, 2014	7:00 p.m. City Hall
City of Fortuna	Jan 20, 2014	6:00 p.m. City Hall
City of Rio Dell	Feb 4, 2014	6:30 p.m. City Hall
City of Trinidad	Feb 12, 2014	7:00 p.m. City Hall
County of Humboldt	Jan 14, 2014	1:30 p.m. Supervisors Chambers
HCAOG	Feb 20, 2014	4:00 p.m. Eureka City Hall Council Chambers

The Humboldt County Association of Governments (HCAOG) and its member entities will conduct Public Hearings to solicit transit needs input for the seven cities, and the unincorporated area of Humboldt County. For those unable to attend, comments may be delivered in writing.

For more information contact:

HCAOG
611 I Street, Suite B, Eureka, CA 95501
(707) 444-8208
debra.dees@hcaog.net

HCAOG

Attachment "B"

Humboldt County Association of Governments

SYNOPSIS:

Citizen Participation Process for Assessing Unmet Transit Needs

Transportation Development Act

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

Public Process to Make a Finding

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

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

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

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

(over)

DEFINITIONS

"Unmet transit needs" are, at a minimum:

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

"Reasonable to meet" criteria:

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

HCAOG

Attachment "B"

Humboldt County Association of Governments

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

Public Hearings on "Unmet Transit Needs"

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

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

Report of Findings

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

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

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

Section 13

BUSINESS

Meeting Date:	February 6, 2014	Agenda Item Number	13.a.
Agenda Item Title	PG&E Rule 20A Undergrounding Project Authorization		
Presented By:	City Manager, Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION

Authorize City Manager to send a letter to the County Board of Supervisors requesting their support and collaboration on the undergrounding project in Ferndale and to take all necessary steps to complete any agreements with PG&E for a collaborative Rule 20a Project from Francis and Eugene Street, south to the end of Francis Street.

DISCUSSION:

PG&E staff and Humboldt County Public Works Director, Tom Mattson, and City Manager Parrish walked and reviewed the project area identified by City staff. The project identified starts at Eugene Street where the previous undergrounding had stopped, then continues all the way to the end of Francis Street past the Park, past our Public Works Corporation Yard, and ends at the end of Francis Street where the tallest living Christmas tree is located. PG&E concurred that the identified project area would be a good use of Ferndale's undergrounding credits. Director Mattson said he was amenable to bringing the identified project forward to the Board of Supervisors.

When this project is complete, all of the transmission lines from Shaw and Main Street to the end of Francis Street will be underground. Please note that when PG&E does these Rule 20a projects that all overhead lines (telephone, electricity and cable) will also be underground.

In conversations with City Manager Parrish, Director Mattson said that the first thing he needs to move this project forward is a letter from the City asking the County to participate in the Ferndale undergrounding project.

Recently, LACO Associates, a local engineering firm, has assessed the issues and constraints of the undergrounding up to Wildcat Road and the results, if available, will be presented at the Council meeting. A representative from PG&E will attend the Council meeting to answer any questions.

Once the project is further defined and delineated, the entire project will be noticed and presented to the public in a public hearing.

FINANCIAL IMPACT:

The project will use Rule 20a monies from PG&E, which amount to \$454,000.

Meeting Date:	February 6, 2014	Agenda Item Number	
Agenda Item Title	Introduce Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/> Discussion <input type="checkbox"/> Information
Action Required:	<input type="checkbox"/>	No Action	<input type="checkbox"/> Voice Vote <input checked="" type="checkbox"/> Roll Call Vote

RECOMMENDATION: Introduce Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02. Staff recommends the Council complete the following tasks to introduce the Ordinance and move it toward Second Reading and adoption:

1. Read the Ordinance title;
2. Waive full reading of the Ordinance by regular motion adopted by majority vote;
3. Approve the First Reading of the Ordinance; and
4. Direct the City Planner to prepare a summary for publication in the local newspaper per Government Code §36933.

BACKGROUND: The City of Ferndale's Nuisance Ordinance was last updated in 2006. On November 7, 2013, the City Council authorized City Attorney and City Staff to revise and update the Ordinance for numerous reasons, including, but not limited to, the following: (i) consistency and integration with current City Ordinances regarding design review, aesthetic preservation and historical structure preservation; (ii) consistency and integration with current City Ordinances relating to criminal activity, including, without limitation, the City's Ordinance regulating marijuana cultivation and prohibiting dispensaries within City limits; (iii) consistency and integration with aspects of the City's Sign Ordinance (as amended); (iv) consistency and integration with aspects of the City's Building Code; and (v) evaluation of the Nuisance Ordinance's enforcement provisions and the City's ability to abate and deter nuisances.

ENVIRONMENTAL REVIEW: 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.

NEXT STEPS: Should the Council approve this First Reading of the Ordinance, staff will bring it to the March City Council meeting for a Second Reading and possible adoption.

FISCAL IMPACT: None.

ORDINANCE NO 2014-01

AN ORDINANCE OF THE CITY OF FERNDALE, STATE OF CALIFORNIA, AMENDING NUISANCE ORDINANCE 06-04 SECTION 3.02

Table of Contents

Article 1 Short Title and Purpose..... 1
 Article 2 Statutory Authority 1
 Article 3 General Provisions 1
 Article 4 Enactment..... 2

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

Article 1 SHORT TITLE AND PURPOSE

- §1.1 **Short Title:** This Ordinance shall be known and cited as “Amending Nuisance Ordinance 06-04 Section 3.02.”
- §1.2 **Purpose:** The purpose of this Ordinance is to amend Nuisance Ordinance 06-04 to include compliance with Zoning Ordinance 02-02 Section 6.05 and Sign Ordinance 13-02.

Article 2 STATUTORY AUTHORITY

§2.1 California Government Code section 38771 authorizes a city to declare by ordinance what constitutes a public nuisance. Civil Code section 3493 outlines the three remedies that a municipality can use to remove or abate the activity. Section 731 of the Code of Civil Procedure authorizes the District Attorney or the City Attorney to bring a civil action in the name of the People of the State of California to abate public nuisances. Penal Code 372 permits the filing of a criminal complaint. Government Code Sections 25485, 38771 and 38773.5 authorize cities to enact local enforcement ordinances that establish administrative procedures to abate public nuisances.

Article 3 GENERAL PROVISIONS

- §3.1 The following changes shall be made to Section 3.02 of Nuisance Ordinance 06-04. The section noted shall read as follows:
 - §3.02.2 Any condition potentially detrimental to any member or members of the public including conditions which are unsafe, potentially unsafe, obstruct the free use or enjoyment of property including but not limited to the following.
 - a. Weeds including any of the following: weeds which when mature bear seeds of a downy or wingy nature; any brush or weeds which attain such large growth as to become, when dry, a fire menace to adjacent improved property; weeds which are otherwise noxious or dangerous; poison oak and poison ivy when the conditions are such as to constitute a menace to the public health; dry grass, stubble, brush, litter, or other flammable material which endangers the public safety by creating a fire hazard.

- b. Rubbish means waste matter, litter, trash, refuse, debris, dirt, dry grass, dead trees, tin cans, paper, and waste material of every kind, or other unsanitary substance, object or condition which is or when dry may become, a fire hazard, or which is or may become a menace to health, safety or welfare, or which is offensive to the senses.
- c. Nuisance property means the following: vehicles, not limited to unregistered, inoperative or dismantled vehicles or vehicle parts; abandoned and broken equipment or machinery or parts thereof; building materials not currently being used for the construction of improvements on the site; appliances, household furnishings or equipment, tools, machines, garbage cans, packing boxes, and broken or discarded furniture.
- d. Inoperative vehicle means any motor vehicle which cannot be moved under its own power, or cannot be operated lawfully on a California public street or highway, due to removal of, damage to, or inoperative condition of any component part or the lack of an engine, transmission, wheels, tires, doors, windshield or any other part necessary for such movement or lawful operation.
- e. Any destruction, modification or alteration of any structure located in the Design Control Combining Zone of the City without compliance with the design review and permitting process established by Ordinance No. 02-02 of the City of Ferndale entitled "Zoning Ordinance".
- d.f. The placement of any sign in violation of Ordinance No. 13-02 of the City of Ferndale entitled "Sign Ordinance".

§3.02.3 Any condition determined by the Enforcement Official to be a nuisance.

§3.02.4 Any violation of the Ferndale Municipal Code, expressly including, without limitation, the Medical Marijuana Dispensary and Cultivation Ordinance (Ordinance No. 2012-03), the Building Code Ordinance (Ordinance No. 2011-01), the Zoning Ordinance (Ordinance No. 02-02) and any and all other Ordinances and regulations in the City of Ferndale which affect public health and welfare.

Article 4 ENACTMENT

§4.1 **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.

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

PASSED AND ADOPTED on this Xth day of XXXX 2014 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:	February 6, 2014	Agenda Item Number	13.c.
Agenda Item Title	Resolution No. 2014-03 Setting Election on Appointive City Clerk and City Treasurer Election		
Presented By:	City Manager Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Approve Resolution No. 2014-03 Setting Election on Appointive City Clerk and City Treasurer Election.

BACKGROUND

California Government Code requires that City's that charter/general law cities hold an election to authorize appointment rather than election of the offices of City Clerk and City Treasurer. Sections 36508 to 36509 of the CGC authorize the City Council to submit to the City voters the question of whether the elective offices of City Clerk and City Treasurer should be appointed by the City Council instead of elected by vote of the City electorate.

In Ferndale, the City Clerk and City Treasurer positions have been appointed for the last sixty-two (62) years where before that the positions were elected. Although the assumption is that such an election was held, current City staff can find no evidence to verify that prior City Councils put the question to the City voters whether the elective offices of City Clerk and City Treasurer should be appointed instead of elected.

In order to ensure the City's record is complete as to compliance with state law on this matter, City Attorney and staff feel it would be prudent to take this question to the voters at the earliest possible date, which is the statewide primary election on June 3, 2014.

FINANCIAL IMPACT:

It is uncertain at this time.

RESOLUTION NO. 2014-03**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF FERNDALE
CALLING ELECTION ON APPOINTIVE CITY CLERK AND CITY TREASURER**

WHEREAS, California Government Code sections 36508 to 36509 authorize the City Council to submit to the City voters the question of whether the elective offices of City Clerk and City Treasurer should be appointed by the City Council instead of elected by vote of the City electorate; and

WHEREAS, the Ferndale City Clerk and City Treasurer positions have been appointed for the previous sixty-two (62) years and the City Council would like to continue this practice; and

WHEREAS, no evidence can be found to verify that prior City Councils put the question to the City voters whether the elective offices of City Clerk and City Treasurer should be appointed instead of elected and the City Council wants to ensure the City's record is complete as to compliance with state law on this matter; and

WHEREAS, the City Council therefore desires to submit to the City voters the question of whether the elective offices of City Clerk and City Treasurer should be appointed by the City Council instead of elected by vote of the City electorate and that this question be submitted to the voters at the statewide primary election on June 3, 2014, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ferndale as follows:

1. Pursuant to California Government Code sections 36508 and 36509 and Elections Code section 10201, the City Council hereby orders that:

a. There shall be an election for the City voters to consider the question of whether the elective offices of City Clerk and City Treasurer should be appointed by the City Council instead of elected by vote of the City electorate;

b. In accordance with Government Code section 36509 (designating form of ballot question), the measure that appears on the election ballot shall read as follows:

“City of Ferndale Measure Concerning Appointive City Clerk and City Treasurer. Shall the offices of City Clerk and City Treasurer continue to be appointed as they have since 1952?

Yes _____

No _____”

c. The measure shall be submitted to the City voters at the primary statewide election scheduled for June 3, 2014.

2. Pursuant to California Elections Code sections 10002 and 10403 and other applicable authority, the City Council hereby requests the Humboldt County Board of Supervisors and the Humboldt County Clerk to: (a) consolidate the election on this City measure with, and place it upon the same ballot as that provided for, the primary statewide election scheduled for Tuesday, June 3, 2014; and (b) perform election services relating to the vote on the City proposition in accordance with the City of Ferndale resolution requesting election services on behalf of the City for the June 3, 2014 election.

4. The City Clerk is hereby authorized and directed forthwith to file certified copies of this resolution with the Humboldt County Board of Supervisors and the Humboldt County Clerk.

5. The City Manager, City Clerk and their designees are hereby authorized and directed to take all other actions that are necessary or appropriate to have the City's measure properly submitted to the City voters at the June 3 2014 election.

6. The positions of City Clerk and Treasurer shall continue to be appointive on an interim basis pending submission of the ballot measure recited in this Resolution to the voters of the City of Ferndale.

PASSED AND ADOPTED by the City Council of the City of Ferndale on this 6th day of February 2014, on a motion made by Council Member _____ and seconded by Council Member _____ by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Stuart Titus, Mayor

Attest:

Elizabeth Conner, City Clerk

Meeting Date:	February 6, 2014	Agenda Item Number	13.d.
Agenda Item Title	Acceptance of Audited Financial Statements for FY 2012-2013		
Presented By:	City Manager, Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION

Approve the City of Ferndale Audited Financial Statements for FY 2012-2013.

BACKGROUND:

The City has all financial transactions audited every year. This audit reviews looks at how the city conducts business and represents that the city's transactions were done properly and in compliance with all state and federal laws and standard accounting procedures.

The Certified Public Accountant firm of JJCPA, Inc. did an independent audit report on the City's Financial Statements for the fiscal year ending June 30, 2013.

After the adoption of the Audited Financial Statements, the statements are sent to various agencies and lending institutions including the State of California, PARSAC, and the agencies from which the City currently has outstanding loans.

FISCAL IMPACT:

None

Meeting Date:	February 6, 2014	Agenda Item Number	
Agenda Item Title	Consider Adopting Resolution 2014-05 Authorization to Postpone Preparation of the City of Ferndale General Plan Noise & Air Quality Element and to Update Housing Element for State Housing Regulation Compliance		
Presented By:	Contract City Planner		
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/> Discussion <input type="checkbox"/> Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/> Voice Vote <input type="checkbox"/> Roll Call Vote

RECOMMENDATION: Adopt Resolution 2014-05 Authorization to Postpone Preparation of the City of Ferndale General Plan Noise & Air Quality Element and to Update Housing Element for State Housing Regulation Compliance.

BACKGROUND: The Housing Element is one of the seven mandated General Plan elements. Housing Element law requires that local governments plan to meet the existing and projected housing needs of all economic segments of the community. The Regional Housing Need Allocation (RHNA) Plan quantifies each jurisdiction's share of this regional housing need, and forms the basis for each jurisdiction's General Plan Housing Element. The RHNA is a minimum projection of additional housing units needed to accommodate projected household growth of all income levels by the end of the housing element's planning period. The 2014-2019 RHNA Plan containing fair share housing allocations for all cities and the County by income level has been adopted by Humboldt County Association of Governments (HCAOG) and certified by the Department of Housing and Community Development (HCD; see attached).

Now that the RHNA Plan is complete and adopted, it is time to update the City's General Plan Housing Element. HCD's updated schedule lists June 30, 2014 as the due date for Ferndale's next Housing Element Update adoption.

DISCUSSION: A compliant Housing Element allows the City to apply for various housing program grants (CDBG, HOME, etc.); is an effective way to implement regional housing goals; and provides an opportunity to build support for, and review, local housing goals and to analyze housing in relation to job growth and decline.

Ferndale began updating its current Housing Element in 2009 and adopted the updated Element in early 2012. Because the City put considerable effort into preparing the 2009-2014 update to HCD's standards, staff does not anticipate the 2014 update taking as much time or resources to complete. In addition, staff anticipates that California Environmental Quality Act (CEQA) compliance may be achieved by preparing an addendum to the Negative Declaration prepared for the Housing Element Update 2012.

Since updating the Housing Element exceeds the annual allocation for the General Plan Update, staff is recommending that this be done in place of Noise & Air Quality Element, which could be completed after the June 30th Housing Element deadline.

ENVIRONMENTAL REVIEW: The authorization to prepare the City of Ferndale General Plan Housing Element Update 2014 is not a project under CEQA per Section 15378, although environmental review will be required prior to adoption of the Element.

FISCAL IMPACT: City Planner time and materials not to exceed the remainder of the funds budgeted for the General Plan Update.

Resolution Number 2014 - 05**THE CITY COUNCIL OF THE CITY OF FERNDALE****RESOLUTION 2014-05 AUTHORIZATION TO POSTPONE PREPARATION OF THE CITY OF FERNDALE
GENERAL PLAN NOISE & AIR QUALITY ELEMENT AND TO UPDATE HOUSING ELEMENT FOR STATE
HOUSING REGULATION COMPLIANCE.**

WHEREAS, the City of Ferndale updates the General Plan Housing Element periodically to comply with state requirements and regional housing needs allocations; and

WHEREAS, the General Plan Housing Element Update must be prepared and adopted by June 30, 2014 to comply with Department of Housing and Community Development (HCD) certification requirements; and

WHEREAS, a certified Housing Element allows the City to apply for various housing program grants (CDBG, HOME, etc.) and implement regional housing goals, and provides an opportunity to build support for, and review, local housing goals; and

WHEREAS, the authorization to prepare the City of Ferndale General Plan Housing Element Update 2014 is not a project under the California Environmental Quality Act per Section 15378, although environmental review will be required prior to adoption of the Element;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ferndale authorizes postponing preparation of the City of Ferndale General Plan Noise & Air Quality Element and updating the Housing Element for state housing regulation compliance. City Planner time and materials to prepare the City of Ferndale General Plan Housing Element Update 2014 for State housing regulation compliance not to exceed the remainder of the funds budgeted for the General Plan Update.

PASSED AND ADOPTED on this 6th day of February 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

City Clerk / Deputy City Clerk

Stuart Titus, Mayor

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Ave
Sacramento, CA 95833-1829
916) 263-2911 FAX: (916) 263-7453
www.hcd.ca.gov



January 10, 2014

Ms. Marcella Clem, Executive Director
Humboldt County Association of Governments
611 I Street, Suite B
Eureka, CA 95501

Dear Ms. Clem:

RE: Review of Adopted 2014-2019 Regional Housing Need Allocation (RHNA) Plan

Thank you for submitting the Humboldt Council of Governments (HCAOG) Fifth Cycle Regional Housing Need Allocation (RHNA) Plan adopted on December 19, 2013 as revised by technical correction made on December 31, 2013. Pursuant to Government Code Section 65584.05(h), the Department of Housing and Community Development (Department) is required to approve RHNA plans for consistency with statutory requirements.

The Department completed its review and is pleased to approve HCAOG's adopted RHNA Plan upon finding it consistent with the Department's June 30, 2012 RHNA Determination of 2,060 housing unit need. Please distribute the RHNA Plan to all local governments to address in their fifth cycle housing element updates due June 30, 2014 for the 5-year planning period, between 2014 and 2019.

In updating their housing elements, the jurisdiction authorized to permit a particular residential development may take RHNA credit for new units approved, permitted, and/or built since the start date of the RHNA projection period, January 1, 2014. Information on the RHNA projection period for each region and housing element update due dates can be found on the Department website at: <http://www.hcd.ca.gov/hpd/hrc/plan/he/>.

The Department is committed to assisting HCAOG's local governments in preparing and implementing updated housing elements. HCOAG housing elements can effectively address the housing need and local land use strategies to conserve land resources, encourage affordable housing, and a variety of housing types, including infill and transit oriented development, where adequate, furthering the State's economic and environmental objectives.

We appreciate your and HCAOG member jurisdictions' efforts, in completing the RHNA process. If you have any questions, or need further assistance, please contact me or Anda Draghici, Housing Policy Senior Specialist, at (916) 263-2911.

Sincerely,


Glen A. Campora
Assistant Deputy Director

Meeting Date:	February 6, 2014	Agenda Item Number	13.f.
Agenda Item Title	Update from Ad Hoc Committee to Review and Recommend Potential Uses of the Old Nilsen Property		
Presented By:	City Council Members Brown and Sweeney		
Type of Item:	<input type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Receive and file report from Council Members Brown and Sweeney on the activities of the Ad Hoc Committee to Review Potential Uses of the Old Nilsen Property.

BACKGROUND

At the City Council Meeting of December 5, 2013, the Council appointed Council Members Dan Brown and Michael Sweeney to the Ad Hoc Committee to Review and Recommend Potential Uses of the Old Nilsen Property.

FINANCIAL IMPACT:

None.

Section 14

CORRESPONDENCE

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

Gable Properties
PO Box 1044
Ferndale, CA95536

Jan 27, 2014

City of Ferndale
P O Box 1095
Ferndale, CA95536-1095

RECEIVED
JAN 29 2014

BY:.....

Re Building Permit for 580 Main Street (previously issued and placed on hold)

Attn :City Clerk

To Whom it may concern:

This letter is to address my request at the Planning Commission meeting of Jan 15th, 2014 to have the issue date of the building permit previously issued to Gable Properties, but later placed on "hold" by the City some many weeks ago via e mail, pending the outcome of these meetings, changed to the first new issue date it could be used.

The Contract Deputy Clerk in attendance at the meeting indicated me she would speak to the City Clerk about getting this adjustment done. Recently I have received correspondence from the Contract City Planner dated Jan 21, 2014 and it did not address this issue.

According to my records that date would begin the day after Jan 15 plus 10 (business days) past the 15th which would make it Feb 5th. My calculations for business days do not include Fridays as City Hall is not open for business on Fridays. And it does not include Jan 20th as that is a Federal and State Holiday.

Please confirm that the new "start date " for the building permit is now Feb 5, 2014 or beyond.

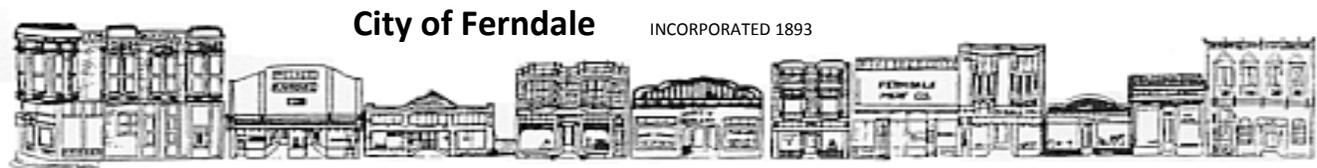
Please respond in writing to this query as I want a permanent record, for the record of this change.

Until something is received in written correspondence I am assuming the "hold" that was previously placed on the permit is still prevailing.

Thank you for your consideration.

Nancy Trujillo, Member
Gable Properties

- 580 Main St
- Correspondence
- Bldg Inspector



Jan 29, 2014

Nancy Trujillo
Gable Properties
PO Box 1044
Ferndale, CA 95536

Re: Building Permit for 580 Main Street

Dear Ms. Trujillo,

I am in receipt of your letter of January 27, 2014 about your building permit for 580 Main Street. Thank you for writing to request clarification on the matter.

Your project was approved at the Planning Commission meeting of January 15, 2014. The decision of the Planning Commission became final on January 26, 2014 as the appeals period is "10 calendar days of the date of the Planning Commission action, as set forth in Zoning Ordinance Article XI." That "calendar days" are used rather than "business days" is clearly set forth in the Design Review Application, page 5 of 8, as well as numerous other locations.

January 26, 2014 also coincides with the date our Building Inspector informed me your Building Permit was now complete.

For your records, therefore, please use January 26, 2014 as the date of issuance of your Building Permit.

You have now completed everything required by the City and are all set to go on your project. Please contact me if you have any questions.

Sincerely,

Elizabeth Conner
City Clerk

CC: 580 Main Street File
Correspondence File
City Manager
Building Inspector



Suzannah E. Mellon ©1992

January 20, 2014

California Energy Commission
Contracts, Grants, and Loans Office
Attn: PON-13-606
1516 Ninth Street, MS-18
Sacramento, CA 95814

The City of Ferndale is pleased to partner with the Redwood Coast Energy Authority (RCEA) to develop an electric vehicle charging network for the North Coast region under the California Energy Commission's "Electric Vehicle Charging Infrastructure" solicitation (PON-13-606). Ferndale supports plug-in electric vehicles as a valuable transportation option for our community, and RCEA's proposed project is an excellent next step to facilitate local adoption of electric vehicles by our residents, businesses, and local governments.

The City of Ferndale commits to serve as a host site for electric vehicle charging infrastructure and will work in partnership with RCEA on the installation and ongoing future operations and maintenance of that infrastructure as a part of RCEA's regional charging network.

We look forward to working with RCEA and the other project partners on this project and is committed to the successful development of an electric vehicle charging network for the North Coast.

Sincerely,

Jay Parrish
City Manager

Section 15

REPORTS

City of Ferndale, Humboldt County, California USA**City Manager's Report** for February 6, 2014 City Council Meeting.

Reporting to January 20, 2014

CITY MANAGER ACTIVITY**Meetings**

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
- City Council meeting – Jan 2nd –Study session 6:30 pm- Regular meeting from 7:00 – 9:30 pm
- SRWC meeting- Jan 14th- 2:00-4:00 pm
- Met with Pat Thompson- City Manager Range Rider ICMA January 15th 3:00- 4:00 pm
- City Manager meeting 16th 3:00- 5:00 pm *missed*
- Met with Ad Hoc committee to go over best use of Nilsen Barn site Jan 16th -3:30-5:00 pm
- Numerous conversations with Chamber of Commerce President Karen Pingitore and a couple other citizens regarding replacement of the Main Street streetlights. We are looking at replacing hardware on poles instead of replacing lamp posts.
- Numerous discussions with Auditor and our accountant and financial officer regarding getting it ready for next council meeting.
- Monthly meetings and conversations with HWMA executive director Jill Duffy regarding solid waste issues and several meetings to discuss JPA issues. Going through a process to recommend disposal site. The JPA is considering proposals for a solid waste dump site as our agreement with present landfill sites is coming to a close. Many communications with committee members related to the RFP process by the evaluation subcommittee members.
- Conversation with CalRecycle to receive moneys related to curbside pickup.
- Meetings with staff to go over workload and efficiency. We have engaged Elizabeth Conner, who helped us during the Ferndale Housing acquisition, as City Clerk to help us through the transition period until the new City Clerk is up to speed. The new financial officer should be getting her feet on the ground by then as well as the Administrative Assistant. Planwest had originally helped us in this process
- Numerous meetings with Mayor Titus and individual council members to go over a myriad of City issues such as updates about representation on the various joint power authorities and issues that relate to our membership on those organizations. We have also added a couple of Ad Hoc committees that have increased the amount of interaction to include those subjects.
- Multiple conversations and meetings with Rio Dell CM and Fortuna CM to discuss common issues .
- Several discussions with Gerald Silva regarding Russ Park LLA agreement. The City gave Gerald our sincere condolences for the loss of his mother Irene. Gerald said that the LLA is on hold until they get back to us.
- Numerous meetings with Elias and Rick Souza regarding the SRRP and City issues. I am hoping to extend present agreement with them to accept the City's effluent for irrigation purposes on their agricultural lands.
- Check signing and invoice review for the City.
- Conversations with John Driscoll, Rep. Jared Huffman's representative.
- Met with Shining Light Foundation as to continuing fund raising plans to complete the Fresnel lens assembly in the museum.
- Several discussions with Jo Ann Rennie, executive director of Parsac, related to risk management issues, 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 included in our coverage. We

are hoping to bring the updated Personnel Policy Manual so we can get reimbursed by a grant through them.

- Hazard Mitigation Plan: We are in the State/FEMA Review, Revisions and Adoption phase of the hazard mitigation plan update process. On November 27, 2013, we sent our plan to Cal OES for review. This week we received feedback that will necessitate some work on our part. Rob and I are working closely with OES staff and have resolved a few of the issue through simple clarification. We have submitted a proposed approach for responding to the requested revisions. If that proposal is accepted, we will be able to take care of the revisions next week. Once OES receives and accepts our revisions, they will forward the plan to FEMA with a recommendation to approve. We do not know how long the FEMA review will take but will keep you posted. So far, the revisions are clarifying in nature and do not constitute substantive changes. However, Cal OES has indicated that FEMA may require those of us who adopted the plan already to re-adopt the revised version.
- 12/30/13 – 3:30 pm. Meeting with Donna Chambers, Jeremy Svehla, Curtis Ihle and Steve Coppini to go over Eastside drainage configuration alternatives as they relate to SRRP. Steve Coppini and I have been asked to have conversations with a couple of property owners to explore one of the possible routes for the eastside drainage/ Francis Creek connection. Also had several discussions with Chief Wastewater operator as to possible routes of eastside drainage as to how it enters Francis Creek. RCD and Jeremy Svehla from GHD a trying to find a route that is amenable to property owners that would improve the situation on Port Kenyon Road. We plan to meet with a few property owners to help in that effort.
- Several discussions with Dick Hooley regarding kitchen meter reading at the community center. It is not exactly clear what happened but it seems the City has been paying for the kitchen meter instead of the hall. The result of that has been an over charge of the city by Sequoia Gas, and a corresponding under charge for the Senior Resource Center. This goes back to when the meter was originally installed by Sequoia Gas. Preliminary conversations indicate that the city is due restitution and that SRC is in talks with Sequoia Gas regarding their bill. The interaction has pointed out that we should look at our rental agreement as it relates to compensation to the Senior Resource Center when we rent out the kitchen. Our present agreement does not take that into regard, nor does it take in regard the SRC using the hall a couple times a month for their luncheon and the fuel consumed for the heater during their exercise classes. We are working on some type of agreement addendum to include these additional uses.
- Also related to the kitchen in the Community Center we are in a process of having the burners reconditioned to optimize the fuel mixture. It has come to our attention that the ovens that were purchased many years ago were originally adjusted for natural gas and that propane should actually be different sized apertures. We have scheduled this reconditioning to happen on the 29th and should be finished on the 31st. We did not schedule a rental of the Center that weekend in case it takes some time on Saturday to button up the fine tuning.
- Meeting with Laco personnel to show area that PG&E wants to assess for the undergrounding project up Francis Creek.
- Conversations with Ad Hoc committee members regarding the Russ Park and the Nilsen property.
- I have been very happy with the amount and quality of work that the new staff has put out over the last couple of months. We were very fortunate to have them apply for these critical positions.
- 580 Main St. has received a building permit and there is nothing that is holding it back from putting the approved siding on.
- PW's is ordering a laptop to begin interacting with the office and other departments. This is something I believe will greatly enhance communication with that department as well as documenting their activities.

CITY CLERK ACTIVITY

Dec 21, 2013 to Jan 22, 2014

Meetings

- Daily Meetings with City Manager regarding work schedule.
- Attended:
 - Regular City Council Meeting 1/9/14
 - Design Review Meeting 1/23/14
- Wrote agenda items and compiled packets for:
 - Regular City Council Meeting 1/9/14
 - Regular Planning Commission Meeting 1/15/14
 - Ad Hoc Committee on Old Nilsen Barn Uses
- Transcribed meeting minutes and uploaded meeting videos for:
 - Regular City Council Meeting 1/9/14
 - Regular Planning Commission Meeting 1/15/14
- Posted all meeting agendas and public notices on City Hall and Post Office bulletin boards.
- Uploaded meeting packets to City website.

Projects

- Daily work with front counter and telephones assisting the public, answering questions and information requests.
- Processed numerous building and DR permits, discussed with building inspector and maintained the record.
- Trained new AA Kris Tavares in the following areas: processing dog and business licenses, building permits, deposits, phone and counter protocol, renting out city facilities and maintaining the City calendar, filing systems, City databases, processing correspondence, and posting of public notices and meeting materials.
- Helped orient new Finance Officer on office procedures, phone answering, filing, calendars and other issues.
- Worked on processing parade permits, consulting with Chief Smith.
- Updated and maintained City web site (with contractor).
- Provided reports on building permits to County Auditor, CA Department of Real Estate, CA Department of Finance and US Department of Commerce.
- Posted Planning Commission vacancy notice in Enterprise and on City Hall and PO bulletin boards.
- On-going communications with contract Planners.
- Answered survey by US Dept. of Labor.
- Assisted with coding and paying bills.
- On-going correspondence with FPPC re current and future Form 700 filings.
- Discussed procedural issues with new DRC member Gregson.
- Procured office supplies and stamps for the office.
- Sent reminders, and made reminder phone calls, to PC and DRC members about upcoming meetings.
- Worked with County on auditing use of City facilities and provided information on same.
- Numerous discussions with County Elections Dept. re potential June election date; conducted research and prepared election timeline for City Manager and consulted with City Attorney on the Resolution.
- Sent and received emails daily.
- Wrote and processed City correspondence daily.

- On-going work with Joe Mellet from the County to correct sewer charges.
- 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 and City Hall rental applicants.
- Processed dog licenses: mail and over the counter.
- Processed yearly business licenses: mail and over the counter.
- Organized and filed paperwork.
- Correspondence and discussions re 580 Main Street.
- Signed and filed resolutions and ordinances of the City Council and the Planning Commission.
- Deposited checks into the bank.

Finance Officer's Activities

January 6 - January 20, 2014

Allow me to introduce myself, my name is Donna Timmerman. I assumed the position of finance/deputy clerk on January 6th.

Meetings

- Meetings with City Manager – Annual Audit Report and other office issues
- Meetings with Phil Aycock and Stacey Edgmon - Year End and Annual Audit Report
- Contacted Administrators of our Employee Benefit Programs

Tasks

- Payroll
- Accounts Payable
- Account Receivable
- Answer phones
- Processed new hire

CITY PLANNER ACTIVITY

Task 1 – General Planning

- Coordinated with City Manager and City Clerk on planning and development projects (some Administrative function).
- Responded to public inquiry regarding Vacation Rental requirements in the Community Commercial Design Control Qualified Combining Zone (Planner and Administrative function).
- Responded to public inquiry regarding Parcel Merger application process and requirements. Revised Parcel Merger Checklist. (Administrative function)
- Attended 1/9 City Council Meeting. Prepared Continuation for Public Hearing for Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations and 580 Main Street Update.
- Attended 1/15 Planning Commission Meeting. Prepared and presented Consider Recommending Ordinance No. 2013-04 Amending Zoning Ordinance 02-02 Design Review and Sign Regulations to the City Council for Approval and Consider Approving Design Review Use Permit for 580 Main Street.
- Reviewed Sign Ordinance for temporary banner requirements and standards (Administrative function).
- Prepared project report for 989 Milton Ave Design Review Use Permit application.

- Assisted with preparation of Design Review Committee applications and project reports, including findings and CEQA determinations (Administrative function).

Task 2 – Reimbursable Fee Planning

- 580 Main Street Design Review Use Permit Amendment – Prepared and presented project report for 1/15 Planning Commission Meeting. Corresponded with applicant (Administrative function).
- 989 Milton Ave Generator Use Permit – Processed application, corresponded with applicant, prepared project report, conducted environmental review.

Task 3 – Special Projects

- Coordinated with staff on adopted Sign Ordinance permitting requirements.

Task 4 – Additional Authorizations

- Coordinated with City Attorney on Nuisance Ordinance update. Initiated preparation of Public Notice, Ordinance and report for 2/6 City Council meeting.

Task 5 – General Plan Review Fund

- Continued preparation of Noise & Air Quality Element Chapter 4 Noise. Initiated preparation of Authorization Request to City Council to begin updating Housing Element.

CITY ENGINEER**Sewer Projects –**

- 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 prepared and is being modified slightly based on recent conversations with the Coastal Commission. Final revised version is expected to be completed and submitted in December.
 - Working with Steve to discuss potential cost saving solutions for sludge disposal. Possibilities include onsite drying beds and storage, trucking, etc.

Pedestrian Improvement Project -

- Rose Street: (Phase 2)
 - The project has been advertised and bids have been opened. The project was awarded to V & C Construction. The contracts are being executed however, the construction was placed on hold until the summer of 2014. In the process of working with CalTrans and V&C Construction to determine amount of work that can be completed with the remaining funds. Once determined, Change Order No. 1 will be prepared and brought to City Council for approval.

Applications –

- 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. The agent is in the process of completing the drainage plans. 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 - This project included a two parcel subdivision and lot line adjustment located off Rose Avenue. On September 18, 2013, the Planning Commission approved the Lot Line Adjustment for Assessor Parcel Numbers (APNs) 031-241-09 and 031-241-10. The Notice of Lot Line Adjustment and Certificate of Subdivision Compliance for both parcels are complete and we are in the process of recording the Notice of Lot Line Adjustment and Certificate of Subdivision Compliance at the Humboldt County Recorder's Office. The applicant has completed all of the conditions of approval for this project. This project will be considered complete once the aforementioned documents are recorded. At the request of the applicant, recording has been put on hold until further notice.

At the same hearing, the Planning Commission approved a minor subdivision of APN 031-241-09. The Conditions of Approval were modified during the hearing by the Planning Commission. The Commission requested to remove Condition of Approval 3 related to recording a new deed to establish the appropriate ownerships. The City Engineer's Office recognized this was unnecessary as both parcels will remain under the same ownership and waived Condition of Approval Number 3. Condition of Approval Number 9 originally required that new water service for each parcel be installed at the same time. Because the new parcel will not be developed immediately, the City Engineer's Office, at the request of the Planning Commission, modified Condition Number 9 to allow the applicant to defer the installation of water service to Parcel Number 2 until which time an application for any structures or earthwork activity is proposed to the City of Ferndale. The City Planning and Engineering Offices are currently working with the applicant to satisfy the Conditions of Approval for this project. We anticipate the Conditions of Approval will be satisfied sometime during 2014.

- 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 –

- 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. The map has been prepared and is ready for distribution. Once feedback has been received, any changes in the map will be completed and brought to City Council for approval.

Meetings and Committees –

- HCAOG Meeting - Attended January Meeting

WASTEWATER OPERATIONS FOR DEC 2013-JAN 2014;

- Monthly samples prepared and sent to North Coast Labs
- CPO attended East Side Drainage meeting at city hall; CPO met with Rick Sousa following the meeting to discuss possibility of use of Sousa property for drainage.
- Monthly No Spill Certification completed
- Sewer call at 790 Herbert. CPO determined plug was on home owner's side
- CPO and OIT Thrap snake cleanout at high school as preventative maintenance
- OIT Thrap pressure washed drive way
- Weekly safety meetings held, including public works employees
- OITs Thrap and Bradshaw perform maintenance service on blowers, disc filter, and belt press
- Filed online SSO report
- Dewater throughout the month for approximately 24 total hours
- CPO obtained quotes from Steve's Septic, Wyckoff, and Rotorooter to potentially haul sludge from our digester to Rio Dell in the event we need to do so. Still looking into alternatives for sludge disposal
- CPO contacted Dry Creek Landfill in southern Oregon about requirements needed for them to accept sludge
- CPO took sludge samples to North Coast Labs. Results sent to Rio Dell
- OIT Thrap and OIT Bradshaw perform lab tests daily to measure efficiency of plant
- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- CPO and City Manager met to discuss further possibilities for sludge disposal
- Yearly report for state water board completed
- Coliform tests to Fortuna each Tuesday and BOD/TSS samples each Thursday
- CPO changed out hoses on ph and turbidimeter
- Turn sludge at drying facility
- OIT Thrap cleaned walls and catwalks
- The facility received a total of 17 septic dumps from Roto Rooter & Wyckoff's totaling 31,700 gallons and generating \$5,526 in revenue for the facility.
- Total flows through the collection system were 3.48 MG. Of that, .117 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 3.37 MG for the month of December. .299 MG was irrigated to Sousa ranch. The average effluent flow to Francis Creek was .109 MGD

Public Works Report for December 20, 2013 – Jan 20, 2014

- Mowed City Hall, Police Station, and entrance to town, City Park and Ball field.
- Repainted green curb at elementary school.
- Cleaned out gutters at community center.
- Finished painting public works office.
- Took down the garland decorations that were on the light poles on main St.
- Went around town patching asphalt.
- Took down Christmas lights that were on the light poles at City Hall.
- Repaired cross drain at Berding and Eugene
- Swept Main St.
- Cleaned curbs at Arlington and Main.
- Took Christmas trees to the city's spoils lot.
- Refilled dog poo dispensers.
- Removed back stairs on the deck of Scout Hall.
- Went around town scraping gutters and drains for the incoming storm.
- Inspected stove at Community Center called Allen's Appliance to come service the stove.
- Swept up broken glass at City parking lot.
- Went to Eureka for supplies.
- Painted stop bars on McKinley Ave.

- Mowed alley's around town.
- Mowed the edge of town by Nilsen.
- Plant new tree on Main St.
- Picked up brush on Eugene St.
- Trimmed trees on Hooley's alley.
- Filled in potholes on Eugene St.
- Replace battery in smoke detector at Scout Hall.

Police Department

- 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.
- The police department continues targeted enforcement of peripheral areas impacting the Ferndale quality of life.
- Chief Smith is working with other local police chiefs in obtaining additional funding through AB109 monies.

Police Statistics – December 2013

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	2	
Assault	4	
Burglary	1	
Vehicle Theft	0	
TOTAL	7	
SECONDARY CRIMES	3	
Calls for Service	75	
Reports Written	15	
Traffic Citations	1	
Other Citations	3	
Parking Citations	0	
Warnings	23	
ARRESTS	6	
AGENCY ASSISTS	13	
TRAFFIC COLLISIONS	0	

City of Ferndale, Humboldt County, California USA

Minutes for Planning Commission Meeting of November 20, 2013

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

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:09 pm. Commissioners Uffe Christiansen, Lino Mogni, along with staff City Clerk Elizabeth Conner, Deputy City Clerk Christina Wile, and City Planner Rheaume were present. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial — None.

3.0 Update Agenda

3.1 Proposed changes, modifications to agenda items — Item 7.1 should be a public hearing items as it has been noticed as such and was moved to items 6.1.

3.2 Commissioners comments — Chair Von Frausing-Borch introduced and welcomed new City Clerk Elizabeth Conner.

4.0 Approval of previous minutes

MOTION: (Von Frausing-Borch /Christiansen) to approve the minutes of September 18, 2013.
Unanimous.

5.0 Public Comment — The contractor for the Humboldt Medical Group gave the Commission a heads-up that they may want to come in and apply for a variance to the current parking standards. He said they want to make sure the parking issue is solved before applying for a building permit.

6.0 Public Hearing

6.1 Planning commission Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking: City Planner Melanie Rheaume presented the item. She explained that the Ordinance had amended the Design Review section of the Zoning Code by changing the word “Victorian” to “historical” and adding some strengthening provisions related to Design review. She explained that the Ordinance also addressed parking issues by proposing to relax the current regulations for off-street parking given how much the city is built out, allowing for a parking in-lieu fee option, other shared off-site parking options, or for the Planning Commission to work out with an applicant what amount of off-site parking would be appropriate for a specific property. Chair commented on the need for enforcement of existing parking policy. Planner Rheaume clarified that this ordinance is to address off-street parking only but should help with enforcement because it will allow for the Zoning Code to better match the current reality in the city and it would provide more leeway and options for the city. The Chair opened the public hearing. A member of the public commented that the needs of businesses for parking should be put before the needs of the residents on top of the businesses and that the parking laws need to be enforced. Another member of the audience commented that he liked the amendments and that there needs to be an opportunity to apply for a variance and the amount for applying should be set so the public would know. Planner Rheaume said that applying for a variance is always possible and that it would be a one-time fee that will be set by the council and it would be less than the amount to create a new parking space. Chair Von Frausing-Borch moved to approve the Ordinance, and to amend the zoning ordinance and

send to the city council. Motion died for lack of a 2nd. Two Planning Commission members asked for more time to review the materials. **MOTION (Von Frausing-Borch /Christiansen)** to continue the public hearing until the December 2013 meeting of the Planning Commission Mogni abstained. Motion passed 2-0-1.

7.0 Business

7.2 General Plan Update – Noise & Air Quality Element Chapters 1-3 - City Planner Melanie Rheaume explained that staff had prepared Chapters 1-3 and presented some background information. She explained that the City would be holding one study session and 3 public hearings and that the Planning Commission will have another opportunity to have input. She asked the Commissions for input on the initial chapters. Chair Von Frausing-Borch said he is pleased with the first three chapters.

7.3 Design Review Committee Applicant — The Planning Commission received Paul Gregson's letter of interest and application and heard from and interviewed Mr. Gregson. Mr. Gregson said that he is interested in joining the Design Review Committee because he has seen the value and importance of the committee and wants to make a contribution to the City. **MOTION (Von Frausing-Borch /Christiansen)** to recommend to the City Council the appointment of Mr. Paul Gregson to the Design Review Committee. Unanimous.

7.4 Building and Land Use Permits - Planner reported that the City has been having discussion with Gerald Silva to discuss a potential LLA between Russ Park and Silva. For now, this is an informational item and staff will bring the item to the Planning Commission when and if the application is complete.

7.5 Design Review Committee Report – No report.

8.0 Correspondence and Oral Communications —No comments from commission.

9.0 City Planner's and Deputy City Clerk's Staff Reports — None.

10.0 Design Review Minutes — No DR minutes were approved since the last meeting.

11.0 Adjournment – Meeting adjourned at 7:56 pm.

Respectfully submitted,
Elizabeth Conner, City Clerk

City of Ferndale, Humboldt County, California USA

Minutes for Special Planning Commission Meeting of November 25, 2013

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

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:06 pm. Commissioners Uffe Christiansen, Marc Daniels, Dean Nielsen, along with staff City Manager Jay Parrish were present. Those present saluted the flag.

2.0 Ceremonial — None.

3.0 Public Comment — None.

4.0 Public Hearings

4.1 Planning Commission Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review, Sign and Parking Regulations: City Manager Parrish presented the item. The item was discussed by Commissioners and an alternative motion was presented. **Motion (Nielsen/Christiansen)** to inventory the number of parking spaces in the commercial area of Ferndale, determine the number of spaces required for businesses to operate profitably and involve the businesses, property owners and residents in determining long range solutions to our lack of adequate parking; to form a Ferndale work group made up of business representatives, property owners, residents, City Council, Planning Commission and City staff to study parking issues in the commercial area of Ferndale, recommend solutions to our inadequate parking situation, propose practices and regulations to remedy the issues; and to hold a special Planning Commission meeting to consider a non-precedent variance to allow the relocation of the Medical Center. **Motion passed 4-0.**

5.0 Adjournment – Meeting adjourned at 7:40 pm.

Respectfully submitted,
Jay Parrish, City Manager

City of Ferndale, Humboldt County, California USA

Minutes for Special Planning Commission Meeting of December 9, 2013

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

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:21 pm. Commissioners Uffe Christiansen, Lino Mogni, along with staff City Clerk Elizabeth Conner, Christina Wile, and City Planner Rheame were present. Commissioner Nielsen arrived at 7:25.

2.0 Ceremonial — None.

3.0 Public Comment — None.

4.0 Public Hearings

4.1 638 Main Street Request for Variance from Zoning Ordinance 02-02 §7.16 Pertaining to Off Street Parking Spaces - City Planner Melanie Rheame presented the item. She explained that Ferndale's Zoning Ordinance specifies that three findings must be made in order to grant the Variance. First, the Planning Commission must find that the granting of this variance does not constitute the granting of special privilege; staff opinion is that it is not as numerous downtown businesses operation without providing the required off street parking along with the historic difficulty of enforcing the parking regulations. Next, the Planning Commission must find the granting of the variance is in the public interest of the community and its safety, health and welfare. Staff opinion is that this project is in the public interest as allowing the clinic to relocate to a location with updated facilities, greater parking capacity and ADA compliant parking and loading would improve patient access and treatment for the only medical facility in Ferndale. Lastly, the Planning Commission must make a finding of special circumstance, where, due to special conditions or exceptional characteristics of a property, a literal enforcement of the zoning regulations would result in practical difficulties or unnecessary hardships. Staff opinion is that a literal enforcement of the zoning regulations for this property would require that the proposed relocation of the clinic involve either downsizing or demolition of existing buildings to provide the required off street parking, or that the proposed location remain vacant due to insufficient parking spaces and the clinic remain at its current location despite insufficient parking capacity and outdated facilities. The property currently has 22 spaces; the variance will allow for 20 (2 lost due to ADA spots). The property would need 30 spaces under the current parking ordinance. Overall, Planner Rheame recommended that the Planning Commission could make all three required findings. During discussion of the item, Commissioner Nielsen said this variance is granted because of the timing of creating the new parking regulations for the City and this project points out the critical nature of the parking in Ferndale. Chair Von Frausing-Borch said he would like the City Council to set up an Ad Hoc Committee to look into the parking ordinance and see how to change it. **MOTION (Nielsen/Mogni)** to approve the request of 638 Main Street Request for Variance from Zoning Ordinance 02-02 §7.16 Pertaining to Off Street Parking Spaces with the conditions listed in the staff report. **Unanimous (4-0)**.

4.2 Reading of Ordinance No. 2013-04, An Ordinance Amending Zoning Ordinance 02-02 Design Review and Sign Regulations: City Planner Melanie Rheame presented the item. At the public hearing on the item at the previous meeting the Planning Commission had expressed to staff that the parking regulations required further City deliberation and consequently staff had reviewed all parking regulations from the item. She explained that the Ordinance was necessary

to bring the Zoning Ordinance into compliance with the new Sign Ordinance. Chair Von Frausing-Borch opened the public hearing. **MOTION (Nielsen/Christiansen)** to continue the public hearing until the regular January 2014 meeting of the Planning Commission. Mogni abstained. Motion passed 3-0-1.

5.0 Adjournment – Meeting adjourned at 7:40 pm.

Respectfully submitted,
Elizabeth Conner, City Clerk

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 01/09/14 - 8:30am meeting

Chairman Mark Giacomini opened the meeting at 8:31 a.m. Committee Members Lino Mogni, Paul Gregson, and Doug Brower were present along with Deputy City Clerk Christina Wile and City Manager Jay Parrish.

Approval of Previous Minutes: **MOTION** to approve December 19, 2013 meeting minutes **(Gregson/Brower) Unanimous.**

There were no Modifications to the Agenda or Public Comments.

447 Main Street: The Design Review Committee discussed Sign Ordinance requirements for temporary banners. Questions were raised about the hardware that would be used to attach the banners, how far the banners would extend from the front of the building, how big the lettering would be and how long the banners would be installed. City Staff was directed to contact the applicant and request additional information. The application will be reevaluated at the next design review meeting.

832 Herbert Street: Committee members directed staff to contact applicant and request a plot plan, and paint colors. The application will be considered at the next design review meeting.

638 Main Street: The Design Review Committee and Dennis Del Biaggio reviewed plans and photographs of the building. Dennis explained that the generator cover would extend 4 feet beyond the North side of the building. Siding and colors will match existing colors and materials. **MOTION** to approve replacing the front doors with windows and siding and to install a generator cover and fence for trash and air conditioning units **(Brower/Mogni) Unanimous.**

There were no Design Review Approval Sign Offs.

Correspondence: Marc Daniels submitted his letter of resignation.

There was no further business to discuss. Meeting adjourned at 8:52 am.

Respectfully submitted,

Christina Wile, Deputy City Clerk
City of Ferndale

**Minutes
Meeting of the RREDC Board of Directors
November 25, 2013**

- I. **Call to Order and Flag Salute**

Chair Mike Newman called the meeting to order at 6:32 p.m.
Present:, Julie Fulkerson, Tyler Holmes, Nancy Koke, Mark Lovelace for Virginia Bass, Michael McKaskle, Ken Mierzwa, Mike Newman, Bruce Rupp, Alex Stillman, Dave Tyson, Helen Edwards for Bill Wennerholm, Frank Wilson, Mike Wilson, John Woolley
Absent: Kevin Benjamin, Sue Long
Staff Present: Don Ehnebuske, Bonnie Smoller
- II. **Approval of Agenda and Minutes**

A closed session was agenda item IV with RREDC attorney Russell Gans to attend. Mr. Gans wasn't present at the time the agenda was approved so it was moved to amend the agenda to begin the closed session on Gans arrival.
M/S/P: Rupp/Fulkerson to approve October 28, 2013 agenda with change and minutes of Oct. 28, 2013. Ayes: 13, Noes: 0, Abstain: 1. Motion passed.
- III. **Public input – for non-agenda items**

None
- IV. **Closed Session - none**
- V. **Financial Reports: October 31, 2013**

M/S/P: Wilson/Edwards to approve the financial reports as presented. Motion passed unanimously.
- VI. **Reports – no action required**
 - A. Loan Portfolio Report: October 31, 2013: Report submitted; no action needed.
 - B. Executive Directors Report: Report submitted; no action needed.
- VII. **Old Business**
 - A. **Consideration of approval of \$1400 mini-grant proposal to the Headwaters Fund and approval of \$1400 contract with Kieran Mannion for consulting work on feasibility study of local charter airline service:** The interest in having additional air service has led to the possibility of a locally based air charter service.
Kieran Mannion has submitted a proposal for technical and financial assistance in preparing the needed materials for a pre-feasibility study with a cost of \$2,800.
RREDC staff proposes to submit an application to the Headwaters Fund (HWF) for \$1400 to be used for half the amount of fees needed to hire a qualified consultant to conduct this study. RREDC would match the other \$1400, for a

total of \$2,800. It was requested that staff expand the proposed Scope of Work in the final contract. **M/S: Wilson/Lovelace:** To 1) approve the proposal of a \$1400 mini-grant to the Headwaters Fund, and 2) upon approval, to execute a contract with Kieran Minnion for production of a pre-feasibility study on charter air service, and 3) authorize RREDC staff to review/approve the final Scope of Work. **Ayes:** 13, **Noes:** 1, **Abstain:** 0. Motion passed.

VIII. New Business

- A. **Consideration of Resolution to Recertify the EDA Revolving Loan Fund Plan:** This recertification is required annually by the EDA. **M/S/P: Rupp/Tyson to approve the resolution as presented.** **Ayes:** Edwards, Fulkerson, Holmes, Koke, Lovelace, Mierzwa, Newman, McKaskle, Rupp, Stillman, Tyson, Wilson, Wilson, Woolley; **Noes:** none; **Abstain:** none. Motion passed unanimously.

IX. Member Reports

Reporting were Redway CSD, Humboldt Bay Harbor, McKinleyville CSD, County of Humboldt, City of Eureka, City of Trinidad.

X. Adjourn

The meeting adjourned at 7:51 p.m.

Respectfully submitted:

Bonnie Smoller
Recorder

Mike Newman
Chair



Redwood Coast Energy Authority

633 3rd Street

Eureka, CA 95501

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MEETING MINUTES

Redwood Coast Energy Authority
633 3rd Street, Eureka, CA 95501

December 9, 2013
Monday, 3:15 p.m.

I. ROLL CALL

Board Chair Atkins called the meeting to order at 3:15pm.

Present: Linda Atkins (Chair), Sheri Woo (Vice Chair), Steven Kullman, Tom Davies, Michael Sweeney, Mike Losey, Jack Thompson, Ryan Sundberg

Absent: Susan Ornelas

Staff: Matthew Marshall, Katey Carpenter, Cheryl Clayton

Guests: Aaron Weiss, Matt Hague, and John Goff, David L. Moonie & Co. (RCEA independent financial auditors); Alison Talbott, Scott Willits, Larry Goldberg

II. REPORTS FROM MEMBER ENTITIES

- Director Woo reported on her attendance at the Association of California Water Agencies Fall Conference in Los Angeles. Director Woo reported that the ACWA would be focusing on water and energy education in the future.
- Director Thompson reported that the City of Rio Dell wastewater treatment plant is up and running. The Downtown Gateway is also near completion, and there was a groundbreaking ceremony for the new Dollar General Store.
- Director Kullman reported that the City of Blue Lake's Wastewater Treatment Plant was awarded the Wastewater Treatment Plant of the Year Award for the North Coast Region by the California Water Environment Association. Director Kullman also reported that there will be a Steelhead Derby held by the Mad River Alliance from January 25, 2014 to February 8, 2014.
- Director Sundberg reported that there has been progress made by the County to move forward with the removal of four dams on the Klamath River.

III. ORAL COMMUNICATIONS

None.

IV. CONSENT CALENDAR

A. Approve Minutes of September 16, 2013 Board Meeting

B. Approve attached Warrants

C. Accept attached Financial Reports

Director Sweeney pulled Item C from the consent calendar.

M/S/C: Losey, Sundberg: Approve Consent Calendar items A and B.

V. REMOVED FROM CONSENT CALENDAR ITEMS

C. Accept attached Financial Reports

Director Sweeney asked for some clarifying information regarding the formatting of the financial reports, which Executive Director Marshall provided.

M/S/C: Woo, Kullman: Accept Financial Reports.

VI. NEW BUSINESS

A. Proposition 39 Funding for Local Schools

Executive Director Marshall provided an overview of Prop 39 funding; local school districts will receive approximately \$2.1 million dollars per year in funds for up to 5 years. RCEA is working with local school districts and the Humboldt County Office of Education on how to implement Prop 39 effectively, and is working to establish a consortium of local schools to work with RCEA, with RCEA providing some matching Energy Watch funds to support program implementation. RCEA may also be able to negotiate with PG&E to increase the Energy Watch contract for additional Prop 39 support activities.

M/S/C: Sundberg, Sweeney: Direct staff to develop contract(s) for Proposition 39 implementation support services with local school districts and/or the Humboldt County Office of Education, and authorize staff to negotiate with PG&E for an increase to the Energy Watch contract for up to \$150,000 for Proposition 39 support activities.

The Board agreed to move item VII.A. up in the agenda.

VII. OLD BUSINESS

A. RCEA FY11-12 Financial Audit presented by Aaron Weiss, CPA of David L. Mooney & Co., LLP

Aaron Weiss presented the Board with the results of the financial audit conducted by RCEA independent auditors David L. Mooney & Co. and answered questions from the Board.

M/S/C Sundberg, Kullman: Accept the RCEA FY11-12 Independent Audit Report

VI. NEW BUSINESS - Continued

B. Plug-in Electric Vehicle Program Update

Executive Director Marshall provided an update on the status of the current electric vehicle readiness planning project, and provided information on a new CA Energy Commission grant opportunity to fund electric vehicle charging infrastructure.

M/S/C: Davies, Losey: Approve development of proposal to the CEC for up to \$500,000 for Electric Vehicle charging infrastructure.

C. CalWave Department of Energy Grant

Executive Director Marshall reported that a "CalWave" project lead by Cal Poly San Luis Obispo has been awarded a \$750,000 grant from the U.S. Department of Energy to study the feasibility of a national wave energy test facility in California. The project will evaluate to potential sites, Santa Barbara and Samoa. Humboldt State University will be leading up a North Coast team, including RCEA, to evaluate the Samoa site as part of the project.

M/S/C: Losey, Woo: Authorize staff to develop a contract with Humboldt State University for CalWave DOE grant implementation for up to \$10,000 in grant funding and \$10,000 in in-kind RCEA matching support.

D. Energy Watch Program Update

Executive Director Marshall reported that the Energy Watch Program is behind on 2013-14 energy savings goals due to many programmatic delays and changes, most of which have been beyond RCEA's control. The 2013-2014 program cycle is considered a transitional period, and CPUC has stated an intention to extend this transition period through 2015. CPUC has also outlined a plan to move to a 10-year program cycle period to eliminate the frequent ramp up/ ramp down cycling, as well as to align efficiency program cycles with grid-planning cycles.

To support the Energy Watch residential program, RCEA is planning a Building Performance Institute training course and certification for staff and any contractors interested in participating in the Energy Upgrade CA rebate program (which requires BPI certification).

M/S/C: Woo, Davies: Approve contract with Ourevolution Engineering for up to \$19,140 for Building Performance Institute contractor training course and certifications.

E. Governor's Initiative AmeriCorps Program Update

Executive Director Marshall provided an update on the proposed Governor's Initiative AmeriCorps program. If the program proceeds, RCEA would act as a regional coordinator and hub for the participating AmeriCorps members that would serve the North Coast region.

F. RCEA Staffing

Executive Director Marshall reported that the RCEA operations have increased substantially over the years, while the organization continues to operate with the same level of administrative staffing as when the budget was less than a quarter of what it is currently. Executive Director requested approval for three new positions to support current administrative and program management needs. Executive Director also proposed increasing intern wages in light of state minimum wage increases taking effect later in 2014, and requested the Board appoint a Staffing and Compensation Subcommittee to conduct a review of current positions and compensation levels.

M/S/C: Sundberg, Losey: Approve new Program Manager position; approve new Program Assistant position; approve new Business Manager job classification and position; approve increase to Intern pay rates up to \$10.25/hr for Intern Level I and \$10.90/hr for Intern Level II; appoint Board Chair Atkins and Board Vice Chair Woo to serve as a staff compensation review Board subcommittee.

G. RCEA 2014 Meeting Schedule

The Board approved moving the January 2014 and February 2014 to the fourth Monday of those months to resolve the conflict with national holidays falling on the third Mondays.

VIII. STAFF REPORT

Postponed to next Board meeting due to time constraints.

IX. ADJOURNMENT

Board Chair Atkins adjourned the meeting at 5:00pm.

***The next RCEA Board of Directors Business Meeting
is scheduled for Monday, January 27, 2013 at 3:15p.m.***

Section 16

ADJOURN