

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

Location:	City Hall	Date:	April 3, 2014
	834 Main Street	Time:	6:00 PM
	Ferndale CA 95536	Posted:	March 27, 2014

1. CALL STUDY SESSION TO ORDER – Mayor
 - a. Discussion of Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02
2. ADJOURN STUDY SESSION

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

Location:	City Hall	Date:	April 3, 2014
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	March 27, 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 - None
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 Council Member, staff or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately under "Call Items.")
 - a. Approval of Minutes of the March 6, 2014 Regular City Council Meeting Page 6
 - b. Acceptance of Printed Regular Checks and Checkbook Register for January 21 - February 20, 2014 Page 9
 - c. Acceptance of Financial Statements dated January 31, 2014 Page 21
 - d. General Plan Annual Progress Report Page 51
10. CALL ITEMS
11. PRESENTATION / COMMUNITY FORUM
12. PUBLIC HEARING
 - a. Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance, Ordinance No. 2014-03 Density Bonus Ordinance and Ordinance 2014-05 Reasonable Accommodation Ordinance Page 59
13. BUSINESS
 - a. Design Review Committee Appointment Page 61
 - b. 580 Main Street Update Page 63
 - c. Introduce Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02 Page 64
 - d. Update from Ad Hoc Committee on Old Nilsen Property Page 88
 - e. Resolution 2014-08 Authorization of Additional Planning Staff and City Attorney Time and Materials to Complete Part 1 of the Housing Element Implementation Plan Page 89
 - f. Resolution 2014-06 Authorization of Planning Staff and City Attorney Time and Materials Not to Exceed \$2,000 to Amend Zoning Ordinance 02-02 §7.16 Parking and Loading Page 91
 - g. Update on PG&E Undergrounding..... Page 93
 - h. Contract with Access Humboldt To Manage The Community Media Center And Provide PEG Access Programming And Community Media Services Page 94
 - i. Resolution 2014-07 Authorization to Develop Design and Specifications to Replace Sewer Siphon under Francis Creek Page 119
14. CORRESPONDENCE Page 123
15. REPORTS
 - a. City Manager Report Page 131
 - b. Commissions / Committees and others

- i. Planning Commission Page 142
 - c. Reports from JPA's and other Agencies
 - i. Humboldt County Association of Governments Page 144
 - ii. Redwood Region Economic Development Commission Page 148
- 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,
May 1, 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

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 March 6, 2014

Mayor Stuart Titus called the Regular City Council Meeting to order at 7:03 pm. Those present pledged allegiance to the flag. The City Clerk called roll and present were Mayor Titus, Council Members Ken Mierzwa, John Maxwell and Daniel Brown along with staff City Manager Jay Parrish, City Clerk Elizabeth Conner, and Contract City Engineers Pray White and David Caisse. Council Member Sweeney was absent.

Ceremonial: None

Modifications to the Agenda: None

Study Sessions: None

Public Comment: None.

Consent calendar: No pulled items. **MOTION**: to approve Consent items including Council Minutes of February 6, 2014. **(Mierzwa/Brown) 4-0.**

Call Items or Presentations: None

Public Hearing:

a. Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance and Ordinance No. 2014-03 Density Bonus Ordinance. City Manager Parrish reported that the Planning Commission had considered the proposed ordinance at their February 19th regular meeting. The Planning Commission had a number of recommendations and the hearing was continued until their March 19th regular meeting so that staff could research the items and consult with the City Attorney. **MOTION**: to continue the public hearing until the next regular City Council meeting of April 3. **(Maxwell/Brown) 4-0.**

Business:

a. Planning Commission Appointment. City Clerk Conner presented that the Planning Commission had recommended appointment of Doug Brower to the Planning Commission to replace the seat vacated by Marc Daniels, whose term was from 2012 to 2016. **MOTION**: to appoint Doug Brower to the Planning Commission for the term ending in 2016 and request the City Clerk administer the Oath of Office. **(Mierzwa/Brown) 4-0.** City Clerk Conner swore in Mr. Brower using the Oath of Office and Mayor Titus thanked and congratulated Mr. Brower.

b. Update on PG&E Undergrounding City Manager Parrish reported that a publically noticed meeting took place on Saturday, March 1 and about 15 people came and that three to four alternative areas were identified as required by CEQA process. In public testimony, Mr. Willis Hadley said that it was commendable that the City and Council held the meeting to consider other routes as required by law. The city would be remiss in not considering alternative

undergrounding routes that would be funded with the same amount of money given that there is only enough money to do this every 32-34 years. City Manager Parrish said there would be another public meeting soon.

c. Update from Ad Hoc Committee to Review and Recommend Potential Uses of the Old Nilsen Property. Council Member Brown reported that they had not heard from any groups interested in rehabbing or re-using the barn in the last 30 days. He reported that the barn, really never more than a shed, is in bad condition and those who have looked at repairing it say it is cost prohibitive. He said if we look at tearing the barn down and using the area for parking there could be quite a lot of spaces there and it would be a versatile option and could be used for festivals or a farmers' market. The Ad Hoc plans to have a publically noticed meeting in another few weeks.

d. Introduce Ordinance No. 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02. City Manager Parrish presented the item and said the City Attorney had added the requested language defining blight. Mayor Titus and Council Member Mierzwa said they liked the changes and the additional language on blight. Council Member Maxwell mentioned that there seems to be some incorrect code citations in the revised document and requested that the City Attorney correct them. He also requested the total amount that the City Attorney spent on the update of Nuisance Ordinance. Council Member Maxwell also said he was concerned about over-zealous enforcement by city officials and doesn't want older citizens in town gone after for not having the money to paint their house or landscape their front yard. He said he was hoping to see that there would be two levels of enforcement; one for clearly necessary enforcement of public health and safety concerns such as rats or marijuana grows, the other for more visual nuisances such as blight. He also mentioned that the definition of what is blight or a nuisance may be subjective as in yard art vs junk or stacked fire wood. Council Member Maxwell asked who the enforcement officials would be under this ordinance. City Manager Parrish said it would be the City Manager, the Building Inspector and the Health Inspector depending on the type and severity of nuisance. Council Member Mierzwa said he agreed with many of Council member Maxwell's concerns and thinks the item needs more work. City Manager Parrish suggested a study session before the next council meeting. **MOTION:** To table the Nuisance Ordinance to send back to staff to address City Council concerns and direct staff to schedule a study session. **(Titus/Mierzwa). 3-1.**

e. Introduce Ordinance No. 2014-04 Amending Building Inspector & Construction Codes Ordinance No. 11-01 Section 6.0. City Manager Parrish presented the item and said that the California Building Codes are updated every three years and this ordinance makes sure that Ferndale is using the updated codes. **MOTION:** to read the ordinance title; waive full reading, by substitution of title only, of the ordinance; approve first reading of the ordinance; and direct staff to prepare a summary for publication in the local newspaper per Government Code §36933. **(Maxwell/Mierzwa) 4-0.**

f. Acceptance of Audited Financial Statements for FY 2012-2013. City Manager Parrish presented the item and said that staff had gotten the auditors the additional information they needed to complete the audit with no adverse findings. He said will now send the audit to the City's loan agencies and be back in compliance with all of them. Mayor Titus thanked staff for pulling together all the numbers on the assets in a short period of time and said it's helpful to know the value of the assets for both council and staff and now that the structure has been built to

access this, we can update it fairly easily when needed. **MOTION:** to approve and accept the City Of Ferndale Audited financial statements for FY 2012-2013. **(Titus/Mierzwa) 4-0.**

Mayor Titus adjourned the meeting at 8:14pm.

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 01/21/14 To 02/20/14

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	
47318	01/23/14		ADSTR	ADAM STRICKER		105.25
	10012100			Accounts payable	105.25	
47392	02/12/14		ADSTR	ADAM STRICKER		640.00
	10012100			Accounts payable	640.00	
Total for ADAM STRICKER						745.25
47364	02/05/14		AEROM	AERO-MOD		344.72
	10012100			Accounts payable	344.72	
Total for AERO-MOD						344.72
100	01/23/14	EFT	AFLAC	AFLAC - REMIT. PROCESSING SERV.		78.64
	10012100			Accounts payable	78.64	
Total for AFLAC - REMIT. PROCESSING SERV.						78.64
47426	02/12/14		ALLAP	ALLENS COMMERCIAL APPLIANCE		976.74
	10012100			Accounts payable	976.74	
Total for ALLENS COMMERCIAL APPLIANCE						976.74
47328	01/27/14		ARNKE	ARNOLD C. KEMP		978.76
	10012100			Accounts payable	978.76	
47449	02/20/14		ARNKE	ARNOLD C. KEMP		2,710.52
	10012100			Accounts payable	2,710.52	
Total for ARNOLD C. KEMP						3,689.28
47300	01/21/14		ASAP	ASAP LOCK & KEY		29.98
	10012100			Accounts payable	29.98	
Total for ASAP LOCK & KEY						29.98
47319	01/23/14		PHIAY	AYCOCK & EDGMON		6,517.50
	10012100			Accounts payable	6,517.50	
47393	02/12/14		PHIAY	AYCOCK & EDGMON		2,518.00
	10012100			Accounts payable	2,518.00	
Total for AYCOCK & EDGMON						9,035.50
47417	02/12/14		BAKTA	BAKER & TAYLOR		352.28
	10012100			Accounts payable	352.28	
Total for BAKER & TAYLOR						352.28
47394	02/12/14		BAYWE	BAY WEST SUPPLY, INC.		383.63
	10012100			Accounts payable	383.63	
Total for BAY WEST SUPPLY, INC.						383.63
47320	01/23/14		BRSMT	BRET SMITH		64.94
	10012100			Accounts payable	64.94	
Total for BRET SMITH						64.94
47301	01/21/14		CALLA	CALIFORNIA LABOR LAW POSTER SERVICE		125.50
	10012100			Accounts payable	125.50	
Total for CALIFORNIA LABOR LAW POSTER SERVI						125.50

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
47334	01/27/14		CALST	CALIFORNIA STATE DISBURSEMENT UNIT		557.52
10012100				Accounts payable	557.52	
Total for CALIFORNIA STATE DISBURSEMENT UNI						557.52
47302	01/21/14		CAPPO	CAPPO		130.00
10012100				Accounts payable	130.00	
Total for CAPPO						130.00
47327	01/23/14		CHACO	CHAMBER OF COMMERCE		5,518.09
10012100				Accounts payable	5,518.09	
Total for CHAMBER OF COMMERCE						5,518.09
47422	02/12/14			CHAPMAN ACCOUNTING AND BOOKKEEPING		455.00
10165054				Audit and accounting	455.00	
Total for CHAPMAN ACCOUNTING AND BOOKKEEP						455.00
47365	02/05/14		CITEU	CITY OF EUREKA		539.00
10012100				Accounts payable	539.00	
Total for CITY OF EUREKA						539.00
47357	02/03/14		CITFO	CITY OF FORTUNA		1,016.66
10012100				Accounts payable	1,016.66	
47366	02/05/14		CITFO	CITY OF FORTUNA		825.00
10012100				Accounts payable	825.00	
47415	02/12/14		CITFO	CITY OF FORTUNA		66.00
10012100				Accounts payable	66.00	
Total for CITY OF FORTUNA						1,907.66
47416	02/12/14		CORRE	COLLEGE OF THE REDWOODS		400.00
10012100				Accounts payable	400.00	
Total for COLLEGE OF THE REDWOODS						400.00
47358	02/03/14		CRAFT	CRAFTSMAN'S MALL		54.00
10012100				Accounts payable	54.00	
Total for CRAFTSMAN'S MALL						54.00
47367	02/05/14		CRYST	CRYSTAL SPRINGS BOTTLED WATER CO.		23.50
10012100				Accounts payable	23.50	
Total for CRYSTAL SPRINGS BOTTLED WATER CO.						23.50
47395	02/12/14		DCFROST	DC FROST ASSOCIATES, INC.		1,488.96
10012100				Accounts payable	1,488.96	
Total for DC FROST ASSOCIATES, INC.						1,488.96
47303	01/21/14		DCIBU	DCI BUILDERS		479.56
10012100				Accounts payable	479.56	
47396	02/12/14		DCIBU	DCI BUILDERS		2,000.00
10012100				Accounts payable	2,000.00	
Total for DCI BUILDERS						2,479.56

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Acct No.	Type		Override Description	Amount	Amount	
47368	02/05/14		DELOR	DEL ORO WATER CO., FDLE. DIST.		435.63
10012100				Accounts payable	435.63	
Total for DEL ORO WATER CO., FDLE. DIST.						435.63
47304	01/21/14		DOCST	DOCUSTATION INC. \ DOCUSTATION		84.84
10012100				Accounts payable	84.84	
47397	02/12/14		DOCST	DOCUSTATION INC. \ DOCUSTATION		77.43
10012100				Accounts payable	77.43	
Total for DOCUSTATION						162.27
47305	01/21/14		EZIDS	EASY ID SOLUTIONS INC		48.00
10012100				Accounts payable	48.00	
Total for EASY ID SOLUTIONS INC						48.00
47336	01/30/14		EDWJO	EDWARD JONES & COMPANY		7,432.06
10012100				Accounts payable	7,432.06	
Total for EDWARD JONES & COMPANY						7,432.06
47329	01/27/14		EELRI	EEL RIVER DISPOSAL		306.21
10012100				Accounts payable	306.21	
Total for EEL RIVER DISPOSAL						306.21
100	01/23/14	EFT	EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		3,591.11
10012100				Accounts payable	3,591.11	
47330	01/27/14		EMPDE	EMPLOYMENT DEVELOPMENT DEPARTMENT		526.41
10012100				Accounts payable	526.41	
Total for EMPLOYMENT DEVELOPMENT DEPART						4,117.52
47321	01/23/14		FERTR	FERNBRIDGE TRACTOR & EQUIP. CO.		1,406.05
10012100				Accounts payable	1,406.05	
Total for FERNBRIDGE TRACTOR & EQUIP. CO.						1,406.05
47421	02/10/14			FERNDALE HIGH BOOSTER		200.00
10044297				Town hall rent - Refund	200.00	
Memo: HALL DEPOSIT CK WAS DEPOSIT						
Note: HALL DEPOSIT CK WAS DEPOSITED						
Total for FERNDALE HIGH BOOSTER						200.00
47398	02/12/14		COMAS	FERNDALE TECH.		1,308.78
10012100				Accounts payable	1,308.78	
Total for FERNDALE TECH.						1,308.78
47306	01/21/14		FORAP	FORTUNA AUTO & TRUCK PARTS INC		7.51
10012100				Accounts payable	7.51	
Total for FORTUNA AUTO & TRUCK PARTS INC						7.51
47307	01/21/14		FORAT	STEVES FORTUNA AUTOMOTIVE \ FORTUNA AUTOMOTIV		937.80
10012100				Accounts payable	937.80	
Total for FORTUNA AUTOMOTIVE						937.80

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Acct No.	Type			Override Description	Amount	Amount
47369	02/05/14		FORPD	FORTUNA POLICE DEPT		10.50
10012100				Accounts payable	10.50	
Total for FORTUNA POLICE DEPT						10.50
47370	02/05/14		FRONT	FRONTIER		902.63
10012100				Accounts payable	902.63	
Total for FRONTIER						902.63
47308	01/21/14		GALIN	GALL'S INC.		223.57
10012100				Accounts payable	223.57	
Total for GALL'S INC.						223.57
47399	02/12/14		GECAP	GE CAPITAL		221.34
10012100				Accounts payable	221.34	
Total for GE CAPITAL						221.34
47400	02/12/14		HSBS	HEALTHSMART BENEFIT SOLUTIONS, INC.		291.48
10012100				Accounts payable	291.48	
Total for HEALTHSMART BENEFIT SOLUTIONS, IN						291.48
47401	02/12/14		HORBU	HORIZON BUSINESS SERVICES		25.89
10012100				Accounts payable	25.89	
Total for HORIZON BUSINESS SERVICES						25.89
47371	02/05/14		HUMSH	HUMBOLDT CO SHERIFF DEPT		166.60
10012100				Accounts payable	166.60	
Total for HUMBOLDT CO SHERIFF DEPT						166.60
47309	01/21/14		HUMTE	HUMBOLDT TERMITE & PEST		49.00
10012100				Accounts payable	49.00	
47322	01/23/14		HUMTE	HUMBOLDT TERMITE & PEST		65.00
10012100				Accounts payable	65.00	
47402	02/12/14		HUMTE	HUMBOLDT TERMITE & PEST		49.00
10012100				Accounts payable	49.00	
47423	02/12/14		HUMTE	HUMBOLDT TERMITE & PEST		65.00
10012100				Accounts payable	65.00	
Total for HUMBOLDT TERMITE & PEST						228.00
47335	01/27/14		INTRE	INTERNAL REVENUE SERVICE		20.08
10012100				Accounts payable	20.08	
Total for INTERNAL REVENUE SERVICE						20.08
47337	01/30/14		JAYPA	JAY PARRISH		400.00
10012100				Accounts payable	400.00	
Total for JAY PARRISH						400.00
47403	02/12/14		LMREN	L & M RENNER, INC.		1,495.19
10012100				Accounts payable	1,495.19	
Total for L & M RENNER, INC.						1,495.19

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Acct No.	Type			Override Description	Amount	Amount
47310	01/21/14		LEACA	LEAGUE OF CALIFORNIA CITIES		50.00
10012100				Accounts payable	50.00	
Total for LEAGUE OF CALIFORNIA CITIES						50.00
47359	02/03/14		MANHD	MANHARD CONSULTING LTD		1,306.25
10012100				Accounts payable	1,306.25	
Total for MANHARD CONSULTING LTD						1,306.25
47425	02/12/14		MERFR	MERCER FRASER COMPANY		349.22
10012100				Accounts payable	349.22	
Total for MERCER FRASER COMPANY						349.22
47360	02/03/14		MIRRE	MIRANDA'S RESCUE		450.00
10012100				Accounts payable	450.00	
Total for MIRANDA'S RESCUE						450.00
47331	01/27/14		MISSN	MISSION UNIFORM & LINEN		73.42
10012100				Accounts payable	73.42	
47372	02/05/14		MISSN	MISSION UNIFORM & LINEN		36.71
10012100				Accounts payable	36.71	
Total for MISSION UNIFORM & LINEN						110.13
47373	02/05/14		MBDVZ	MITCHELL, BRISSO. DELANEY & VRIEZE		2,043.00
10012100				Accounts payable	2,043.00	
Total for MITCHELL, BRISSO. DELANEY & VRIEZE						2,043.00
47404	02/12/14		NVCCJ	NAPA VALLEY COLLEGE CRIMINAL JUSTICE		500.00
10012100				Accounts payable	500.00	
Total for NAPA VALLEY COLLEGE CRIMINAL JUS						500.00
47374	02/05/14		NILCO	NILSEN COMPANY		255.38
10012100				Accounts payable	255.38	
47405	02/12/14		NILCO	NILSEN COMPANY		359.32
10012100				Accounts payable	359.32	
Total for NILSEN COMPANY						614.70
47311	01/21/14		NORCO	NORTH COAST LABORATORIES LTD.		298.00
10012100				Accounts payable	298.00	
47375	02/05/14		NORCO	NORTH COAST LABORATORIES LTD.		2,013.00
10012100				Accounts payable	2,013.00	
Total for NORTH COAST LABORATORIES LTD.						2,311.00
100	01/23/14	EFT	NORVA	NORTH VALLEY BANK		15,133.34
10012100				Accounts payable	15,133.34	
47362	02/03/14		NORVL	NORTH VALLEY BANK (1) \ NORTH VALLEY BANK		1,374.04
10012100				Accounts payable	1,374.04	
Total for NORTH VALLEY BANK						16,507.38
47406	02/12/14		PACECORISK	PACIFIC ECORISK		6,272.75
10012100				Accounts payable	6,272.75	

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Acct No.		Type		Override Description	Amount	Amount
Total for PACIFIC ECORISK						6,272.75
47385	02/05/14		PACGA	PACIFIC GAS & ELECTRIC		1,203.22
	10012100			Accounts payable	1,203.22	
47418	02/12/14		PACGA	PACIFIC GAS & ELECTRIC		5,493.77
	10012100			Accounts payable	5,493.77	
Total for PACIFIC GAS & ELECTRIC						6,696.99
47376	02/05/14		PLANW	PLANWEST PARTNERS, INC.		1,008.74
	10012100			Accounts payable	1,008.74	
47448	02/18/14		PLANW	PLANWEST PARTNERS, INC.		3,078.10
	10012100			Accounts payable	3,078.10	
Total for PLANWEST PARTNERS, INC.						4,086.84
47332	01/27/14		POSTM	POSTMASTER		98.00
	10012100			Accounts payable	98.00	
47447	02/18/14		POSTM	POSTMASTER		196.00
	10012100			Accounts payable	196.00	
Total for POSTMASTER						294.00
47377	02/05/14		REDME	REDWOOD MEMORIAL HOSPITAL		309.30
	10012100			Accounts payable	309.30	
Total for REDWOOD MEMORIAL HOSPITAL						309.30
47312	01/21/14		RESTIF	RESTIF CLEANING SERVICES		100.00
	10012100			Accounts payable	100.00	
47333	01/27/14		RESTIF	RESTIF CLEANING SERVICES		102.00
	10012100			Accounts payable	102.00	
Total for RESTIF CLEANING SERVICES						202.00
47363	02/03/14		ROBSM	ROBIN SMITH		153.47
	10012100			Accounts payable	153.47	
Total for ROBIN SMITH						153.47
47323	01/23/14		SCOUTS	SCOUTS		450.00
	10012100			Accounts payable	450.00	
Total for SCOUTS						450.00
47378	02/05/14		SEQGA	SEQUOIA GAS COMPANY		107.64
	10012100			Accounts payable	107.64	
47407	02/12/14		SEQGA	SEQUOIA GAS COMPANY		1,624.70
	10012100			Accounts payable	1,624.70	
Total for SEQUOIA GAS COMPANY						1,732.34
47391	02/06/14		SDRMA	SPECIAL DISTRICT RISK MANAGEMENT AUT		13,774.63
	10012100			Accounts payable	13,774.63	
Total for SPECIAL DISTRICT RISK MANAGEMENT A						13,774.63
47379	02/05/14		STJOS	ST. JOSEPH HOSPITAL		105.00
	10012100			Accounts payable	105.00	

City of Ferndale

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

Printed Regular Checks

General Checking - Distribution Detail - From 01/21/14 To 02/20/14

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
Total for				ST. JOSEPH HOSPITAL		105.00
47380	02/05/14		STAPE	STAPLES CREDIT PLAN		31.00
	10012100			Accounts payable	31.00	
Total for				STAPLES CREDIT PLAN		31.00
47381	02/05/14		STAW2	STATE WATER RESOURCES CONTROL BO (1) \ STATE WATE		170.00
	10012100			Accounts payable	170.00	
Total for				STATE WATER RESOURCES CONTROL BO		170.00
47316	01/21/14		FARSH	THE FARM SHOP		101.16
	10012100			Accounts payable	101.16	
Total for				THE FARM SHOP		101.16
47408	02/12/14		FEREN	THE FERNDALE ENTERPRISE		55.00
	10012100			Accounts payable	55.00	
47424	02/12/14		FEREN	THE FERNDALE ENTERPRISE		32.50
	10012100			Accounts payable	32.50	
Total for				THE FERNDALE ENTERPRISE		87.50
47382	02/05/14		THOMSONREUT	THOMSON REUTERS - WEST		163.41
	10215012			Office expense	163.41	
Total for				THOMSON REUTERS - WEST		163.41
47313	01/21/14		TIMST	TIMES STANDARD		1,350.84
	10012100			Accounts payable	1,350.84	
47419	02/12/14		TIMST	TIMES STANDARD		1,142.04
	10012100			Accounts payable	1,142.04	
Total for				TIMES STANDARD		2,492.88
47324	01/23/14		TIPMO	TIPPLE MOTORS, INC.		147.51
	10012100			Accounts payable	147.51	
47409	02/12/14		TIPMO	TIPPLE MOTORS, INC.		485.65
	10012100			Accounts payable	485.65	
Total for				TIPPLE MOTORS, INC.		633.16
47325	01/23/14		USBNK	U.S. BANK CORPORATE PAYMENT SYSTEM		1,145.05
	10012100			Accounts payable	1,145.05	
47383	02/05/14		USBNK	U.S. BANK CORPORATE PAYMENT SYSTEM		292.72
	10012100			Accounts payable	292.72	
Total for				U.S. BANK CORPORATE PAYMENT SYSTE		1,437.77
47314	01/21/14		USABL	USABBLUEBOOK		172.62
	10012100			Accounts payable	172.62	
Total for				USABBLUEBOOK		172.62
47410	02/12/14		VALGR	VALLEY GROCERY		14.66
	10012100			Accounts payable	14.66	
Total for				VALLEY GROCERY		14.66

City of Ferndale

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General Checking - Distribution Detail - From 01/21/14 To 02/20/14

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
47326	01/23/14		VALLU	VALLEY LUMBER		153.78
	10012100			Accounts payable	153.78	
47411	02/12/14		VALLU	VALLEY LUMBER		277.69
	10012100			Accounts payable	277.69	
Total for VALLEY LUMBER						431.47
47384	02/05/14		VERZN	VERIZON		279.49
	10012100			Accounts payable	279.49	
Total for VERIZON						279.49
47315	01/21/14		WELF	WELLS FARGO FINANCIAL LEASING		134.38
	10012100			Accounts payable	134.38	
47412	02/12/14		WELF	WELLS FARGO FINANCIAL LEASING		163.38
	10012100			Accounts payable	163.38	
Total for WELLS FARGO FINANCIAL LEASING						297.76
47317	01/21/14		WILSA	WILDWOOD SAW		410.63
	10012100			Accounts payable	410.63	
47413	02/12/14		WILSA	WILDWOOD SAW		359.35
	10012100			Accounts payable	359.35	
Total for WILDWOOD SAW						769.98
Total for the 106 checks					115,128.72	115,128.72

Account Distributions

Account No.	Account Description	Amount
10012100	Accounts payable	114,310.31
10044297	Town hall rent	200.00
10165054	Audit and accounting	455.00
10215012	Office expense	163.41
		115,128.72

City of Ferndale

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

Checkbook Register

General Checking

From 01/21/14 To 02/20/14 - By Check Number

Number	Date	Payee/Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
		Beginning balance				226,936.41
Deposit	01/22/14	AR Deposit			62,783.04	289,719.45
Deposit	01/23/14	AR Deposit			473,584.19	763,303.64
Deposit	01/29/14	AR Deposit			14,576.89	777,880.53
Deposit	01/30/14	AR Deposit			3,246.62	781,127.15
Deposit	02/04/14	AR Deposit			19,974.45	801,101.60
Deposit	02/18/14	AR Deposit			10,981.94	812,083.54
Deposit	02/19/14	AR Deposit			10,200.00	822,283.54
100	01/23/14	AFLAC - REMIT. PROCESSING SE		78.64		822,204.90
100	01/23/14	EMPLOYMENT DEVELOPMENT D		3,591.11		818,613.79
100	01/23/14	NORTH VALLEY BANK		15,133.34		803,480.45
47282	01/21/14	MARY ELLEN BOYNTON		83.20		803,397.25
47283	01/21/14	KEVIN BRADSHAW		182.70		803,214.55
47284	01/21/14	WILLIAM O. BRIGGS		62.12		803,152.43
47285	01/21/14	ELIZABETH CONNER		1,307.77		801,844.66
47286	01/21/14	STEVE L. COPPINI		1,730.59		800,114.07
47287	01/21/14	DMITRIY GAVRYUSH		933.15		799,180.92
47288	01/21/14	JOHNNY F. HOPPIS		965.55		798,215.37
47289	01/21/14	TYLER JAMES		934.45		797,280.92
47290	01/21/14	NANCY S. KAYTIS-SLOCUM		18.49		797,262.43
47291	01/21/14	JAY D. PARRISH		2,330.56		794,931.87
47292	01/21/14	DIANNA L. RICHARDSON		83.21		794,848.66
47293	01/21/14	BRET A. SMITH		1,394.65		793,454.01
47294	01/21/14	ADAM D. STRICKER		1,314.62		792,139.39
47295	01/21/14	DANIEL V. SUTTON		1,027.30		791,112.09
47296	01/21/14	KRISTENE H. TAVARES		464.05		790,648.04
47297	01/21/14	STEVE A. THRAP		1,197.99		789,450.05
47298	01/21/14	DONNA E. TIMMERMAN		1,365.02		788,085.03
47299	01/21/14	CHRISTOPHER D. WILLIAMS		1,006.96		787,078.07
47300	01/21/14	ASAP LOCK & KEY		29.98		787,048.09
47301	01/21/14	CALIFORNIA LABOR LAW POSTE		125.50		786,922.59
47302	01/21/14	CAPPO		130.00		786,792.59
47303	01/21/14	DCI BUILDERS		479.56		786,313.03
47304	01/21/14	DOCUSTATION	DOCUSTATION I	84.84		786,228.19
47305	01/21/14	EASY ID SOLUTIONS INC		48.00		786,180.19
47306	01/21/14	FORTUNA AUTO & TRUCK PART		7.51		786,172.68
47307	01/21/14	FORTUNA AUTOMOTIVE	STEVES FORTUN	937.80		785,234.88
47308	01/21/14	GALL'S INC.		223.57		785,011.31
47309	01/21/14	HUMBOLDT TERMITE & PEST		49.00		784,962.31
47310	01/21/14	LEAGUE OF CALIFORNIA CITIES		50.00		784,912.31
47311	01/21/14	NORTH COAST LABORATORIES L		298.00		784,614.31
47312	01/21/14	RESTIF CLEANING SERVICES		100.00		784,514.31
47313	01/21/14	TIMES STANDARD		1,350.84		783,163.47
47314	01/21/14	USABLUEBOOK		172.62		782,990.85
47315	01/21/14	WELLS FARGO FINANCIAL LEA		134.38		782,856.47

City of Ferndale

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

Checkbook Register

General Checking

From 01/21/14 To 02/20/14 - By Check Number

Number	Date	Payee/Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
47316	01/21/14	THE FARM SHOP		101.16		782,755.31
47317	01/21/14	WILDWOOD SAW		410.63		782,344.68
47318	01/23/14	ADAM STRICKER		105.25		782,239.43
47319	01/23/14	AYCOCK & EDGMON		6,517.50		775,721.93
47320	01/23/14	BRET SMITH		64.94		775,656.99
47321	01/23/14	FERNBRIDGE TRACTOR & EQUI		1,406.05		774,250.94
47322	01/23/14	HUMBOLDT TERMITE & PEST		65.00		774,185.94
47323	01/23/14	SCOUTS		450.00		773,735.94
47324	01/23/14	TIPPLE MOTORS, INC.		147.51		773,588.43
47325	01/23/14	U.S. BANK CORPORATE PAYMEN		1,145.05		772,443.38
47326	01/23/14	VALLEY LUMBER		153.78		772,289.60
47327	01/23/14	CHAMBER OF COMMERCE		5,518.09		766,771.51
47328	01/27/14	ARNOLD C. KEMP		978.76		765,792.75
47329	01/27/14	EEL RIVER DISPOSAL		306.21		765,486.54
47330	01/27/14	EMPLOYMENT DEVELOPMENT D		526.41		764,960.13
47331	01/27/14	MISSION UNIFORM & LINEN		73.42		764,886.71
47332	01/27/14	POSTMASTER		98.00		764,788.71
47333	01/27/14	RESTIF CLEANING SERVICES		102.00		764,686.71
47334	01/27/14	CALIFORNIA STATE DISBURSEM		557.52		764,129.19
47335	01/27/14	INTERNAL REVENUE SERVICE		20.08		764,109.11
47336	01/30/14	EDWARD JONES & COMPANY		7,432.06		756,677.05
47337	01/30/14	JAY PARRISH		400.00		756,277.05
47338	02/04/14	BRET A. SMITH		1,394.64		754,882.41
47339	02/04/14	MARY ELLEN BOYNTON		83.21		754,799.20
47340	02/04/14	KEVIN BRADSHAW		210.10		754,589.10
47341	02/04/14	WILLIAM O. BRIGGS		202.27		754,386.83
47342	02/04/14	ELIZABETH CONNER		1,307.76		753,079.07
47343	02/04/14	STEVE L. COPPINI		1,888.12		751,190.95
47344	02/04/14	DMITRIY GAVRYUSH		923.51		750,267.44
47345	02/04/14	JOHNNY F. HOPPIS		1,054.84		749,212.60
47346	02/04/14	TYLER JAMES		1,016.97		748,195.63
47347	02/04/14	NANCY S. KAYTIS-SLOCUM		57.78		748,137.85
47348	02/04/14	JAY D. PARRISH		2,330.55		745,807.30
47349	02/04/14	DIANNA L. RICHARDSON		83.20		745,724.10
47350	02/04/14	MARIA A. ROSA		217.64		745,506.46
47351	02/04/14	ADAM D. STRICKER		1,321.07		744,185.39
47352	02/04/14	DANIEL V. SUTTON		991.78		743,193.61
47353	02/04/14	KRISTENE H. TAVARES		884.32		742,309.29
47354	02/04/14	STEVE A. THRAP		1,210.80		741,098.49
47355	02/04/14	DONNA E. TIMMERMAN		1,406.96		739,691.53
47356	02/04/14	CHRISTOPHER D. WILLIAMS		975.70		738,715.83
47357	02/03/14	CITY OF FORTUNA		1,016.66		737,699.17
47358	02/03/14	CRAFTSMAN'S MALL		54.00		737,645.17
47359	02/03/14	MANHARD CONSULTING LTD		1,306.25		736,338.92
47360	02/03/14	MIRANDA'S RESCUE		450.00		735,888.92

City of Ferndale

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

Checkbook Register

General Checking

From 01/21/14 To 02/20/14 - By Check Number

Number	Date	Payee/Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
47362	02/03/14	NORTH VALLEY BANK	NORTH VALLEY B	1,374.04		734,514.88
47363	02/03/14	ROBIN SMITH		153.47		734,361.41
47364	02/05/14	AERO-MOD		344.72		734,016.69
47365	02/05/14	CITY OF EUREKA		539.00		733,477.69
47366	02/05/14	CITY OF FORTUNA		825.00		732,652.69
47367	02/05/14	CRYSTAL SPRINGS BOTTLED WA		23.50		732,629.19
47368	02/05/14	DEL ORO WATER CO., FDLE. DI		435.63		732,193.56
47369	02/05/14	FORTUNA POLICE DEPT		10.50		732,183.06
47370	02/05/14	FRONTIER		902.63		731,280.43
47371	02/05/14	HUMBOLDT CO SHERIFF DEPT		166.60		731,113.83
47372	02/05/14	MISSION UNIFORM & LINEN		36.71		731,077.12
47373	02/05/14	MITCHELL, BRISSO. DELANEY &		2,043.00		729,034.12
47374	02/05/14	NILSEN COMPANY		255.38		728,778.74
47375	02/05/14	NORTH COAST LABORATORIES L		2,013.00		726,765.74
47376	02/05/14	PLANWEST PARTNERS, INC.		1,008.74		725,757.00
47377	02/05/14	REDWOOD MEMORIAL HOSPI		309.30		725,447.70
47378	02/05/14	SEQUOIA GAS COMPANY		107.64		725,340.06
47379	02/05/14	ST. JOSEPH HOSPITAL		105.00		725,235.06
47380	02/05/14	STAPLES CREDIT PLAN		31.00		725,204.06
47381	02/05/14	STATE WATER RESOURCES CON	STATE WATER R	170.00		725,034.06
47382	02/05/14	THOMSON REUTERS - WEST		163.41		724,870.65
47383	02/05/14	U.S. BANK CORPORATE PAYMEN		292.72		724,577.93
47384	02/05/14	VERIZON		279.49		724,298.44
47385	02/05/14	PACIFIC GAS & ELECTRIC		1,203.22		723,095.22
47391	02/06/14	SPECIAL DISTRICT RISK MANAGE		13,774.63		709,320.59
47392	02/12/14	ADAM STRICKER		640.00		708,680.59
47393	02/12/14	AYCOCK & EDGMON		2,518.00		706,162.59
47394	02/12/14	BAY WEST SUPPLY, INC.		383.63		705,778.96
47395	02/12/14	DC FROST ASSOCIATES, INC.		1,488.96		704,290.00
47396	02/12/14	DCI BUILDERS		2,000.00		702,290.00
47397	02/12/14	DOCUSTATION	DOCUSTATION I	77.43		702,212.57
47398	02/12/14	FERNDALE TECH.		1,308.78		700,903.79
47399	02/12/14	GE CAPITAL		221.34		700,682.45
47400	02/12/14	HEALTHSMART BENEFIT SOLUT		291.48		700,390.97
47401	02/12/14	HORIZON BUSINESS SERVICES		25.89		700,365.08
47402	02/12/14	HUMBOLDT TERMITE & PEST		49.00		700,316.08
47403	02/12/14	L & M RENNER, INC.		1,495.19		698,820.89
47404	02/12/14	NAPA VALLEY COLLEGE CRIMI		500.00		698,320.89
47405	02/12/14	NILSEN COMPANY		359.32		697,961.57
47406	02/12/14	PACIFIC ECORISK		6,272.75		691,688.82
47407	02/12/14	SEQUOIA GAS COMPANY		1,624.70		690,064.12
47408	02/12/14	THE FERNDALE ENTERPRISE		55.00		690,009.12
47409	02/12/14	TIPPLE MOTORS, INC.		485.65		689,523.47
47410	02/12/14	VALLEY GROCERY		14.66		689,508.81
47411	02/12/14	VALLEY LUMBER		277.69		689,231.12

City of Ferndale

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

Checkbook Register

General Checking

From 01/21/14 To 02/20/14 - By Check Number

Number	Date	Payee/Description	Vendor Name	Checks \ Payments	Deposits \ Additions	Balance
47412	02/12/14	WELLS FARGO FINANCIAL LEA		163.38		689,067.74
47413	02/12/14	WILDWOOD SAW		359.35		688,708.39
47415	02/12/14	CITY OF FORTUNA		66.00		688,642.39
47416	02/12/14	COLLEGE OF THE REDWOODS		400.00		688,242.39
47417	02/12/14	BAKER & TAYLOR		352.28		687,890.11
47418	02/12/14	PACIFIC GAS & ELECTRIC		5,493.77		682,396.34
47419	02/12/14	TIMES STANDARD		1,142.04		681,254.30
47421	02/10/14	FERNDALE HIGH BOOSTER		200.00		681,054.30
		Memo: HALL DEPOSIT CK WAS DEPOSIT				
47422	02/12/14	CHAPMAN ACCOUNTING AND B		455.00		680,599.30
47423	02/12/14	HUMBOLDT TERMITE & PEST		65.00		680,534.30
47424	02/12/14	THE FERNDALE ENTERPRISE		32.50		680,501.80
47425	02/12/14	MERCER FRASER COMPANY		349.22		680,152.58
47426	02/12/14	ALLENS COMMERCIAL APPLIAN		976.74		679,175.84
47427	02/18/14	MARY ELLEN BOYNTON		18.49		679,157.35
47428	02/18/14	KEVIN BRADSHAW		228.38		678,928.97
47429	02/18/14	WILLIAM O. BRIGGS		105.45		678,823.52
47430	02/18/14	ELIZABETH CONNER		1,307.77		677,515.75
47431	02/18/14	STEVE L. COPPINI		1,730.59		675,785.16
47432	02/18/14	DMITRIY GAVRYUSH		1,001.81		674,783.35
47433	02/18/14	JOHNNY F. HOPPIS		1,054.83		673,728.52
47434	02/18/14	TYLER JAMES		902.73		672,825.79
47435	02/18/14	NANCY S. KAYTIS-SLOCUM		64.71		672,761.08
47436	02/18/14	JAY D. PARRISH		2,330.56		670,430.52
47437	02/18/14	DIANNA L. RICHARDSON		83.20		670,347.32
47438	02/18/14	BRET A. SMITH		1,394.64		668,952.68
47439	02/18/14	ADAM D. STRICKER		1,178.58		667,774.10
47440	02/18/14	DANIEL V. SUTTON		1,041.31		666,732.79
47441	02/18/14	KRISTENE M. TAVARES		936.12		665,796.67
47442	02/18/14	STEVE A. THRAP		1,159.56		664,637.11
47443	02/18/14	DONNA E. TIMMERMAN		1,355.91		663,281.20
47444	02/18/14	BONNIE K. VON BRAUN		66.32		663,214.88
47445	02/18/14	ROBERT A. WIDEMAN		546.39		662,668.49
47446	02/18/14	CHRISTOPHER D. WILLIAMS		957.58		661,710.91
47447	02/18/14	POSTMASTER		196.00		661,514.91
47448	02/18/14	PLANWEST PARTNERS, INC.		3,078.10		658,436.81
47449	02/20/14	ARNOLD C. KEMP		2,710.52		655,726.29

City of Ferndale
Financial Statements
January 31, 2014

City of Ferndale
Financial Statements
January 31, 2014

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City of Ferndale
General Fund
Balance Sheet

As of January 31, 2014

ASSETS

Current Assets	
Cash	\$ 454,539.27
Petty cash	60.00
Cash-Restricted-insurance	15,000.00
Undeposited funds	1,874.69
Revenue receivable	16,520.03
Interest receivable	427.26
Due from other funds	<u>34,100.20</u>
 Total Current Assets	 \$ <u>522,521.45</u>
 TOTAL ASSETS	 \$ <u><u>522,521.45</u></u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accounts payable	\$ 35,834.88
Garnishments payable	151.92
Health insurance payable	4,984.98
Federal withholding payable	18,567.06
FICA payable	27,452.13
State withholding payable	5,182.88
State disability payable	1,794.66
State unemployment payable	2,442.04
FUTA Payable	(152.37)
Federal P/R Tax Deposits	(45,253.78)
State P/R Tax Deposits	(8,843.99)
Unearned income	<u>585.23</u>
 Total Current Liabilities	 \$ <u>42,745.64</u>
 Total Liabilities	 \$ <u>42,745.64</u>
Fund Balance	
Fund balance-unappropriated	\$ 588,234.08
Fund balance-special purposes	10,000.00
Revenue over (under) expenditures	<u>(118,458.27)</u>
Total Fund Balance	<u>\$ 479,775.81</u>
 TOTAL LIABILITIES AND FUND BALANCE	 <u>\$ 522,521.45</u>

City of Ferndale
Russ Park Fund
Balance Sheet

As of January 31, 2014

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 January 31, 2014

ASSETS

Current Assets		
Cash-Restricted-Fireman's PK	219.24	
Cash-Restricted-Bocce Ball Court	<u>1,854.92</u>	
Total Current Assets		\$ <u>2,074.16</u>
TOTAL ASSETS		\$ <u><u>2,074.16</u></u>
LIABILITIES AND NET ASSETS		
Current Liabilities		
Due to other funds	\$ <u>6,596.47</u>	
Total Current Liabilities		\$ <u>6,596.47</u>
Total Liabilities		\$ <u>6,596.47</u>
Fund Balance		
Fund balance-unappropriated	\$ 4,590.54	
Revenue over (under) expenditures	<u>(9,112.85)</u>	
Total Fund Balance		\$ <u>(4,522.31)</u>
TOTAL LIABILITIES AND FUND BALANCE		\$ <u><u>2,074.16</u></u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
Gas Tax Fund
Balance Sheet

As of January 31, 2014

ASSETS

Current Assets

Cash	\$	<u>56,246.68</u>
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Total Current Assets	\$	<u>56,246.68</u>
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TOTAL ASSETS	\$	<u><u>56,246.68</u></u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes	\$	70,618.83
Revenue over (under) expenditures		<u>(14,372.15)</u>
Total Fund Balance	\$	<u>56,246.68</u>

TOTAL LIABILITIES AND FUND BALANCE	\$	<u><u>56,246.68</u></u>
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City of Ferndale
TEA 21
Balance Sheet

As of January 31, 2014

ASSETS

Current Assets

Cash \$ 66,741.13

Total Current Assets \$ 66,741.13

TOTAL ASSETS \$ 66,741.13

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes \$ 66,741.13

Total Fund Balance \$ 66,741.13

TOTAL LIABILITIES AND
FUND BALANCE \$ 66,741.13

City of Ferndale
Transportation Development Act
Balance Sheet

As of January 31, 2014

ASSETS

Current Assets

Cash	\$	<u>228,955.40</u>
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Total Current Assets	\$	<u>228,955.40</u>
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TOTAL ASSETS	\$	<u><u>228,955.40</u></u>
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LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes	\$	251,687.21
Revenue over (under) expenditures		<u>(22,731.81)</u>
Total Fund Balance	\$	<u>228,955.40</u>

TOTAL LIABILITIES AND FUND BALANCE	\$	<u><u>228,955.40</u></u>
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City of Ferndale
Integrated Waste Management

As of January 31, 2014

ASSETS

Current Assets

Cash	\$ <u>36,614.90</u>	
Total Current Assets		\$ <u>36,614.90</u>
TOTAL ASSETS		<u>\$ 36,614.90</u>

LIABILITIES AND NET ASSETS

Current Liabilities

Fund Balance

Fund balance-special purposes	\$ 36,825.69	
Revenue over (under) expenditures	<u>(210.79)</u>	
Total Fund Balance		\$ <u>36,614.90</u>
TOTAL LIABILITIES AND FUND BALANCE		<u>\$ 36,614.90</u>

City of Ferndale
Drainage Fund
Balance Sheet

As of January 31, 2014

ASSETS

Current Assets		
Cash	\$	<u>129,321.98</u>
Total Current Assets		\$ <u>129,321.98</u>
TOTAL ASSETS		<u>\$ 129,321.98</u>
LIABILITIES AND NET ASSETS		
Current Liabilities		
Acrued interest payable	\$	<u>613.02</u>
Total Current Liabilities		\$ <u>613.02</u>
Total Liabilities		\$ <u>613.02</u>
Fund Balance		
Fund balance-special purposes	\$	173,517.43
Revenue over (under) expenditures	<u></u>	<u>(44,808.47)</u>
Total Fund Balance		\$ <u>128,708.96</u>
TOTAL LIABILITIES AND FUND BALANCE		<u>\$ 129,321.98</u>

City of Ferndale
TE Funds - Ped. and Bicycle Path

As of January 31, 2014

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>\$ 27,503.74</u>	
Total Current Liabilities		\$ <u>27,503.74</u>
Total Liabilities		\$ <u>27,503.74</u>
Fund Balance		
Fund balance-special purposes	\$ (0.09)	
Revenue over (under) expenditures	<u>(5,290.19)</u>	
Total Fund Balance		\$ <u>(5,290.28)</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 January 31, 2014

ASSETS	
Current Assets	
Cash	\$ <u>424,829.74</u>
Total Current Assets	\$ <u>424,829.74</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>12,153,641.30</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>87,678.69</u>
Total Fund Equity	\$ <u>7,256,860.91</u>
TOTAL LIABILITIES AND FUND EQUITY	\$ <u><u>12,153,641.30</u></u>

City of Ferndale
 Governmental Fixed Assets
 Balance Sheet
 As of January 31, 2014

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	(115,290.51)	
Less accumulated depreciation	10,541,275.00	
Accumulated depreciation- Roadways	(3,787,557.00)	
Sidewalks	163,000.00	
Accumulated depreciation - Sidewalks	(98,010.00)	
Sewer system	25,200.00	
accumulated depreciation - Streetlights	(12,600.00)	
Less accumulated depreciation	<u>13,000.00</u>	
 Total Fixed Assets		 <u>\$ 7,193,707.54</u>
 TOTAL ASSETS		 <u><u>\$ 7,193,707.54</u></u>
 LIABILITIES AND FUND BALANCE		
Fund Balance		
Investment in Fixed Assets	<u>\$ 7,193,707.54</u>	
Total Fund Balance		<u>\$ 7,193,707.54</u>
 TOTAL LIABILITIES AND FUND BALANCE		 <u><u>\$ 7,193,707.54</u></u>

City of Ferndale
 General Government Long term Debt
 Balance Sheet
 As of January 31, 2014

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

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Revenues					
Taxes					
10014102 - Property tax-secured	\$ 64,288.32	\$ 64,288.32	\$ 140,000.00	\$ (75,711.68)	(46)%
10014104 - Property tax-unsecured	6,195.19	6,195.19	5,000.00	1,195.19	(124)%
10014107 - Supplemental role	2,661.79	2,661.79	4,000.00	(1,338.21)	(67)%
10014110 - Sales and use tax	25,716.37	60,293.23	110,000.00	(49,706.77)	(55)%
10014111 - Trash franchise	1,081.25	2,089.08	4,040.00	(1,950.92)	(52)%
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	187.00	17,379.50	17,000.00	379.50	(102)%
10014118 - Real property transfer tax	1,385.17	1,385.17	2,000.00	(614.83)	(69)%
10014120 - Transient lodging tax	<u>7,862.74</u>	<u>59,866.65</u>	<u>80,000.00</u>	<u>(20,133.35)</u>	<u>(75)%</u>
Total Taxes	<u>109,377.83</u>	<u>219,947.08</u>	<u>388,540.00</u>	<u>(168,592.92)</u>	<u>57%</u>
Licenses and Permits					
10024132 - Construction permits	\$ 3,348.40	\$ 15,262.07	\$ 18,500.00	\$ (3,237.93)	(83)%
10024164 - Health protection	0.00	650.00	4,000.00	(3,350.00)	(16)%
10024166 - Encroachment permits	35.00	210.00	200.00	10.00	(105)%
10024278 - Animal license fees	<u>84.25</u>	<u>3,021.00</u>	<u>2,800.00</u>	<u>221.00</u>	<u>(108)%</u>
Total Licenses and Permits	<u>3,467.65</u>	<u>19,143.07</u>	<u>25,500.00</u>	<u>(6,356.93)</u>	<u>75%</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	\$ 177.88	\$ 43.02	\$ 1,100.00	\$ (1,056.98)	(4)%
10044297 - Town hall rent	995.00	2,985.00	12,000.00	(9,015.00)	(25)%
10044297.1 - Community Center rents	<u>1,915.00</u>	<u>13,056.07</u>	<u>30,000.00</u>	<u>(16,943.93)</u>	<u>(44)%</u>
Total Use of Money and Property	<u>3,087.88</u>	<u>16,084.09</u>	<u>43,100.00</u>	<u>(27,015.91)</u>	<u>37%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

REVENUE - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Intergovernmental					
10054204 - Motor vehicle in-lieu tax	\$ 61,547.26	\$ 62,159.92	\$ 150,000.00	\$ (87,840.08)	(41)%
10054222 - Home owners prop. tax relief	1,010.43	1,010.43	2,000.00	(989.57)	(51)%
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	2,120.28	2,120.28	3,000.00	(879.72)	(71)%
10054310 - COPS program	<u>15,918.77</u>	<u>26,385.25</u>	<u>100,000.00</u>	<u>(73,614.75)</u>	<u>(26)%</u>
Total Intergovernmental	<u>80,596.74</u>	<u>93,575.88</u>	<u>262,000.00</u>	<u>(168,424.12)</u>	<u>36%</u>
Fees for Service					
10084271 - Parking fees	\$ 0.00	\$ 61.75	\$ 500.00	\$ (438.25)	(12)%
10084279 - Copy machine fees - Library	0.00	7.65	225.00	(217.35)	(3)%
10084280 - Copy machine fees - City	1.50	2.00	125.00	(123.00)	(2)%
10084291 - Special police services	200.00	2,950.00	12,712.39	(9,762.39)	(23)%
10084298 - Fair racing revenue	<u>0.00</u>	<u>1,959.76</u>	<u>2,500.00</u>	<u>(540.24)</u>	<u>(78)%</u>
Total Fees for Service	<u>201.50</u>	<u>4,981.16</u>	<u>16,062.39</u>	<u>(11,081.23)</u>	<u>31%</u>
Other Revenue					
10094284 - Donations - Library	\$ 0.00	\$ 0.00	\$ 300.00	\$ (300.00)	0%
10094284.1 - Donations - City	0.00	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	300.00	4,977.54	3,600.00	1,377.54	(138)%
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>300.00</u>	<u>6,756.02</u>	<u>82,970.00</u>	<u>(76,213.98)</u>	<u>8%</u>
TOTAL REVENUE	<u>197,031.60</u>	<u>360,487.30</u>	<u>823,172.39</u>	<u>(462,685.09)</u>	<u>44%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

	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	764.02	400.00	(364.02)	191%
10115044 - Meeting and dues - Council	130.00	130.00	500.00	370.00	26%
10115045 - LAFCO fees	<u>4,271.23</u>	<u>4,271.23</u>	<u>2,000.00</u>	<u>(2,271.23)</u>	<u>214%</u>
Total Mayor and City Council	<u>4,401.23</u>	<u>5,165.25</u>	<u>3,250.00</u>	<u>(1,915.25)</u>	<u>159%</u>
City Manager and City Clerk					
10105002 - Salary - City Manager	\$ 2,074.66	\$ 18,765.33	\$ 29,144.13	\$ 10,378.80	64%
10105006 - SSI tax	213.68	1,490.49	2,331.53	841.04	64%
10105007 - Medical insurance	1,039.90	13,966.50	6,659.57	(7,306.93)	210%
10105007.5 - Dental/Vision insurance	39.60	39.60	0.00	(39.60)	0%
10105009 - Workers comp. insurance	0.00	0.00	850.00	850.00	0%
10105010 - Deferred comp	7,432.06	8,006.96	2,331.53	(5,675.43)	343%
10125002 - Salary - City Clerk	5,151.81	16,252.92	46,873.67	30,620.75	35%
10125006 - Payroll taxes	667.15	1,579.38	3,749.89	2,170.51	42%
10125007 - Insurance Med/Den/Vis	1,164.99	3,973.03	15,936.07	11,963.04	25%
10125007.5 - Dental/Vision insurance	78.00	78.00	0.00	(78.00)	0%
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>17,861.85</u>	<u>64,825.52</u>	<u>112,826.28</u>	<u>48,000.76</u>	<u>57%</u>
Operating Expenditures					
10125012 - Office expense	\$ 1,198.10	\$ 7,953.33	\$ 6,000.00	\$ (1,953.33)	133%
10125044 - Meetings and dues	50.00	373.00	2,050.00	1,677.00	18%
10125063 - Contract Services	3,037.46	16,880.93	35,413.44	18,532.51	48%
10125099 - Miscellaneous	<u>0.00</u>	<u>7.50</u>	<u>0.00</u>	<u>(7.50)</u>	<u>0%</u>
Total Operating Expenditures	<u>4,285.56</u>	<u>25,214.76</u>	<u>43,463.44</u>	<u>18,248.68</u>	<u>58%</u>
City Attorney					
10145052 - Professional services	<u>\$ 2,043.00</u>	<u>\$ 13,990.53</u>	<u>\$ 10,000.00</u>	<u>\$ (3,990.53)</u>	<u>140%</u>
Total City Attorney	<u>2,043.00</u>	<u>13,990.53</u>	<u>10,000.00</u>	<u>(3,990.53)</u>	<u>140%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Government Buildings					
10155002 - Salary - permanent	\$ 2,479.80	\$ 6,411.86	\$ 2,607.90	\$ (3,803.96)	246%
10155005 - Salary - overtime	0.00	5.64	0.00	(5.64)	0%
10155006 - SSI tax	262.58	640.36	260.79	(379.57)	246%
10155009 - Workers comp. insurance	0.00	0.00	306.72	306.72	0%
10155020 - Building and ground maint.	148.72	3,614.68	20,000.00	16,385.32	18%
10155030 - Trash service	306.21	466.66	450.00	(16.66)	104%
10155031 - Water	46.03	686.02	500.00	(186.02)	137%
10155032 - Utilities electric	171.65	1,521.76	1,750.00	228.24	87%
10155033 - Utilities gas	1,095.42	2,684.09	4,600.00	1,915.91	58%
10155034 - Telephone	<u>276.98</u>	<u>2,323.41</u>	<u>2,450.00</u>	<u>126.59</u>	<u>95%</u>
Total Government Buildings	<u>4,787.39</u>	<u>18,354.48</u>	<u>32,925.41</u>	<u>14,570.93</u>	<u>56%</u>
Nondepartmental					
10165015 - Property tax admin. fees	\$ 4,267.00	\$ 4,267.00	\$ 3,568.00	\$ (699.00)	120%
10165052 - SB 90 Cost recovery	0.00	0.00	700.00	700.00	0%
10165054 - Audit and accounting	2,518.00	26,287.50	15,000.00	(11,287.50)	175%
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	84.84	2,168.26	4,250.00	2,081.74	51%
10165095 - Capital outlay	0.00	60.00	1,500.00	1,440.00	4%
10165096 - Car Allowance	400.00	2,800.00	4,800.00	2,000.00	58%
10165099 - Miscellaneous	<u>575.50</u>	<u>5,792.10</u>	<u>1,800.00</u>	<u>(3,992.10)</u>	<u>322%</u>
Total Nondepartmental	<u>7,845.34</u>	<u>57,640.36</u>	<u>56,418.00</u>	<u>(1,222.36)</u>	<u>102%</u>
Community Promotion					
10175024 - Supplies - public restroom	\$ 401.59	\$ 1,460.74	\$ 1,500.00	\$ 39.26	97%
10175031 - Water - public restroom	80.44	740.52	850.00	109.48	87%
10175032 - Electric - public restroom	0.00	169.49	250.00	80.51	68%
10175072 - Chamber of Commerce	5,518.09	16,579.27	22,122.36	5,543.09	75%
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>6,000.12</u>	<u>29,818.95</u>	<u>36,372.36</u>	<u>6,553.41</u>	<u>82%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

EXPENDITURES - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
Police	Actual	Actual	Budget		
10215002 - Salary - permanent	\$ 14,748.26	\$ 111,127.15	\$ 181,616.77	\$ 70,489.62	61%
10215005 - Salary - overtime	493.94	4,670.41	4,000.00	(670.41)	117%
10215006 - SSI tax	1,643.82	9,837.82	14,849.34	5,011.52	66%
10215007 - Medical insurance	5,651.05	21,995.12	38,172.19	16,177.07	58%
10215007.5 - Dental/Vision insurance	66.78	66.78	0.00	(66.78)	0%
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	413.54	981.93	1,800.00	818.07	55%
10215014 - Vehicle expense	1,489.99	4,836.03	7,500.00	2,663.97	64%
10215016 - Fuel	792.45	7,416.54	14,000.00	6,583.46	53%
10215020 - Building and grounds maint.	98.00	845.68	2,800.00	1,954.32	30%
10215024 - Special department supply	711.68	1,770.10	19,712.39	17,942.29	9%
10215026 - Uniform expense	199.96	2,099.96	250.00	(1,849.96)	840%
10215026.1 - Uniform allowance	0.00	0.00	1,900.00	1,900.00	0%
10215029 - Water	35.06	333.84	400.00	66.16	83%
10215031 - Gas	0.00	97.18	600.00	502.82	16%
10215032 - Utilities electric	162.27	931.54	1,400.00	468.46	67%
10215034 - Telephone	480.32	3,231.83	4,200.00	968.17	77%
10215035 - Dispatch service	1,016.66	7,116.62	12,199.92	5,083.30	58%
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	0.00	650.70	1,000.00	349.30	65%
10215052 - Professional services	105.00	553.00	1,250.00	697.00	44%
10215053 - Lexipol Services	0.00	2,950.00	2,950.00	0.00	100%
10215063 - Contract Services	0.00	176.74	478.56	301.82	37%
10215086 - Booking fees	166.60	452.20	600.00	147.80	75%
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>75.44</u>	<u>1,459.09</u>	<u>1,500.00</u>	<u>40.91</u>	<u>97%</u>
Total Police	<u>28,350.82</u>	<u>185,857.05</u>	<u>357,508.51</u>	<u>171,651.46</u>	<u>52%</u>
Animal Control					
10225096 - Animal control	<u>\$ 450.00</u>	<u>\$ 3,150.00</u>	<u>\$ 5,500.00</u>	<u>\$ 2,350.00</u>	<u>57%</u>
Total Animal Control	<u>450.00</u>	<u>3,150.00</u>	<u>5,500.00</u>	<u>2,350.00</u>	<u>57%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

EXPENDITURES - Continued	Current Period	Year To Date	Annual	Variance	Percent of Budget
	Actual	Actual	Budget		
Health					
10245052 - Professional services	\$ 153.47	\$ 1,124.29	\$ 2,200.00	\$ 1,075.71	51%
Total Health	<u>153.47</u>	<u>1,124.29</u>	<u>2,200.00</u>	<u>1,075.71</u>	<u>51%</u>
Street and Roads					
10315002 - Salary - permanent	\$ 2,381.02	\$ 9,143.57	\$ 11,762.40	\$ 2,618.83	78%
10315005 - Salary - overtime	0.00	56.63	0.00	(56.63)	0%
10315006 - SSI tax	236.70	401.59	940.99	539.40	43%
10315007 - Medical insurance	520.53	1,196.23	2,096.91	900.68	57%
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%
10315020 - Building and ground maint.	102.00	131.98	0.00	(131.98)	0%
10315044 - Meetings and dues	0.00	152.94	60.00	(92.94)	255%
10315055 - Contractual services	<u>539.00</u>	<u>539.00</u>	<u>0.00</u>	<u>(539.00)</u>	<u>0%</u>
Total Streets and Roads	<u>3,779.25</u>	<u>11,804.83</u>	<u>16,648.36</u>	<u>4,843.53</u>	<u>71%</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	\$ 47.59	\$ 200.00	\$ 152.41	24%
10415052 - General planning services	1,218.10	11,666.30	12,000.00	333.70	97%
10415053 - Reimbursable fees	348.00	3,413.88	7,500.00	4,086.12	46%
10415055 - General plan review fund	811.00	6,173.00	12,500.00	6,327.00	49%
10415058 - Special Planning Projects	<u>701.00</u>	<u>13,344.30</u>	<u>7,508.00</u>	<u>(5,836.30)</u>	<u>178%</u>
Total Expenditures	<u>3,078.10</u>	<u>34,645.07</u>	<u>39,708.00</u>	<u>5,062.93</u>	<u>87%</u>
Net Planning Expenditures	<u>\$ (3,078.10)</u>	<u>\$ (34,645.07)</u>	<u>\$ (37,708.00)</u>	<u>\$ 3,062.93</u>	<u>(92)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

	Current Period	Year To Date	Annual	Variance	Percent of Budget
	Actual	Actual	Budget		Budget
EXPENDITURES - Continued					
City Engineer					
Revenues Collected					
10084270 - Plan check fees	\$ 72.00	\$ 2,049.92	\$ 3,250.00	\$ 1,200.08	63%
10084287.2 - Developer reimbursed fe	<u>0.00</u>	<u>28,296.13</u>	<u>8,000.00</u>	<u>(20,296.13)</u>	<u>354%</u>
Total Revenue Collected	<u>72.00</u>	<u>30,346.05</u>	<u>11,250.00</u>	<u>(19,096.05)</u>	<u>270%</u>
Expenditures					
10425052 - General engineering	\$ 0.00	\$ 4,827.40	\$ 15,000.00	\$ 10,172.60	32%
10425053 - Developer engineering	0.00	7,831.45	5,000.00	(2,831.45)	157%
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>12,658.85</u>	<u>32,670.00</u>	<u>20,011.15</u>	<u>39%</u>
Net City Engineer Expenditures	<u>\$ 72.00</u>	<u>\$ 17,687.20</u>	<u>\$ (21,420.00)</u>	<u>\$ 39,107.20</u>	<u>(83)%</u>
Building Regulation					
10435052 - Building regulation/inspectio	<u>\$ 978.76</u>	<u>\$ 10,822.03</u>	<u>\$ 10,000.00</u>	<u>\$ (822.03)</u>	<u>108%</u>
Total Building Regulation	<u>978.76</u>	<u>10,822.03</u>	<u>10,000.00</u>	<u>(822.03)</u>	<u>108%</u>
Library					
10615002 - Salary - permanent	\$ 506.00	\$ 2,695.22	\$ 5,451.46	\$ 2,756.24	49%
10615006 - SSI tax	64.47	297.68	436.12	138.44	68%
10615009 - Workers comp. insurance	0.00	0.00	700.00	700.00	0%
10615012 - Office expense	0.00	308.19	600.00	291.81	51%
10615020 - Building and ground maint.	14.66	1,898.65	1,200.00	(698.65)	158%
10615024 - Books	506.63	2,931.95	5,000.00	2,068.05	59%
10615031 - Gas	529.28	2,727.77	3,600.00	872.23	76%
10615032 - Utilities	12.49	986.88	1,650.00	663.12	60%
10615033 - Water	30.29	186.50	300.00	113.50	62%
10615034 - Telephone	142.07	968.62	1,300.00	331.38	75%
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>1,805.89</u>	<u>13,001.46</u>	<u>30,337.58</u>	<u>17,336.12</u>	<u>43%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
General Fund
Statement of Activities-Cash Basis
Actual vs. Budget
For the 7 Months Ended January 31, 2014

EXPENDITURES - Continued	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
Parks and Recreation					
10625002 - Salary Permanent	\$ 578.00	\$ 2,210.00	\$ 1,632.00	\$ (578.00)	135%
10625006 - SSI Tax	74.85	248.62	16.32	(232.30)	1,523%
10625020 - Building and ground maint.	11.79	1,721.52	2,500.00	778.48	69%
10625024 - Special department supply	0.00	724.30	150.00	(574.30)	483%
10625032 - Utilities - electric	29.23	195.27	650.00	454.73	30%
10625033 - Water	<u>93.64</u>	<u>750.18</u>	<u>900.00</u>	<u>149.82</u>	<u>83%</u>
Total Parks and Recreation	<u>787.51</u>	<u>5,849.89</u>	<u>5,848.32</u>	<u>(1.57)</u>	<u>100%</u>
Community Center					
10635002 - Salary	\$ 128.14	\$ 5,644.64	\$ 10,921.18	\$ 5,276.54	52%
10635005 - Salary - overtime	0.00	51.69	0.00	(51.69)	0%
10635006 - SSI tax	14.94	483.99	873.69	389.70	55%
10635007 - Medical insurance	1.51	551.79	1,800.25	1,248.46	31%
10635009 - Wokers 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	256.02	3,066.64	7,000.00	3,933.36	44%
10635031 - Water	56.04	536.27	750.00	213.73	72%
10635032 - Utilities	383.63	1,536.38	3,000.00	1,463.62	51%
10635033 - Gas	107.64	1,573.63	4,000.00	2,426.37	39%
10635055 - Contractual Services	<u>0.00</u>	<u>1,759.98</u>	<u>1,478.56</u>	<u>(281.42)</u>	<u>119%</u>
Total Community Center	<u>947.92</u>	<u>15,368.30</u>	<u>30,947.37</u>	<u>15,579.07</u>	<u>50%</u>
Total General Fund Expenditures	<u>\$ 87,484.21</u>	<u>\$ 478,945.57</u>	<u>\$ 813,373.63</u>	<u>\$ 334,428.06</u>	<u>59%</u>
Revenues over (under) Expenditures	<u>\$ 109,547.39</u>	<u>\$ (118,458.27)</u>	<u>\$ 9,798.76</u>	<u>\$ (128,257.03)</u>	<u>1,209%</u>
Transfers in (out)					
Rvenues over (under) Expenditures and Transfers in (out)	<u>\$ 109,547.39</u>	<u>\$ (118,458.27)</u>	<u>\$ 9,798.76</u>	<u>\$ (128,257.03)</u>	<u>(1,209)%</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 7 Months Ended January 31, 2014

	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	\$ 0.00	\$ 9,327.35	\$ 8,500.00	\$ (827.35)	110%
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>0.00</u>	<u>9,327.35</u>	<u>9,800.00</u>	<u>472.65</u>	<u>95%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ (9,112.85)</u>	<u>\$ (1,300.00)</u>	<u>\$ (7,812.85)</u>	<u>\$ (701)</u>

RESTRICTED FOR MANAGEMENT'S USE ONLY.

City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 7 Months Ended January 31, 2014

	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)	3,246.62	3,246.62	1,000.00	2,246.62	(325)%
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>3,246.62</u>	<u>15,834.24</u>	<u>47,499.00</u>	<u>31,664.76</u>	<u>33%</u>
Expenditures					
22315002 - Salary - permanent	\$ 328.87	\$ 16,767.76	\$ 22,907.55	\$ 6,139.79	73%
22315005 - Overtime	0.00	87.56	0.00	(87.56)	0%
22315006 - SSI tax	34.33	1,324.78	1,832.60	507.82	72%
22315007 - Medical insurance	807.16	1,887.07	3,332.84	1,445.77	57%
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	2,424.68	9,759.27	14,500.00	4,740.73	67%
22315063 - Contract Services	<u>0.00</u>	<u>176.74</u>	<u>957.12</u>	<u>780.38</u>	<u>18%</u>
Total Expenditures	<u>3,595.04</u>	<u>30,206.39</u>	<u>46,362.71</u>	<u>16,156.32</u>	<u>65%</u>
Revenues Over (under) Expenditures	<u>\$ (348.42)</u>	<u>\$ (14,372.15)</u>	<u>\$ 1,136.29</u>	<u>\$ 15,508.44</u>	<u>\$ (1,265)</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 7 Months Ended January 31, 2014

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Transportation Development Act</u>					
Revenues					
24314231 - Transportation devel. act	\$ (14.02)	\$ 19,985.98	\$ 42,049.00	\$ (22,063.02)	(48)%
Total Revenue	(14.02)	19,985.98	42,049.00	(22,063.02)	48%
Expenditures					
24315002 - Wages	\$ 157.80	\$ 7,174.33	\$ 15,719.82	\$ 8,545.49	46%
24315005 - Salary - overtime	0.00	72.46	0.00	(72.46)	0%
24315006 - SSI tax	17.11	607.53	1,257.59	650.06	48%
24315007 - Medical insurance	5.24	848.79	227.60	(621.19)	373%
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	153.61	2,189.45	1,000.00	(1,189.45)	219%
24315016 - Fuel	523.32	4,118.42	8,500.00	4,381.58	48%
24315020 - Building & ground maintenance	83.62	840.92	1,750.00	909.08	48%
24315021 - Street maintenance	772.65	3,845.55	5,000.00	1,154.45	77%
24315022 - Street project	0.00	18,865.34	0.00	(18,865.34)	0%
24315024 - Special department	0.00	1,210.89	500.00	(710.89)	242%
24315032 - Utilities	269.02	1,181.55	2,000.00	818.45	59%
24315033 - Water	31.99	247.59	425.00	177.41	58%
24315034 - Telephone	76.64	526.48	650.00	123.52	81%
24315055 - Shaw ave - Construction	0.00	343.75	0.00	(343.75)	0%
24315063 - Contract Services	0.00	47.53	478.56	431.03	10%
24315088 - Equipment repair	359.35	389.37	500.00	110.63	78%
Total Expenditures	2,450.35	42,717.79	40,016.16	(2,701.63)	107%
Revenues Over (under) Expenditures	\$ (2,464.37)	\$ (22,731.81)	\$ 2,032.84	\$ (24,764.65)	\$ (1,118)

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City of Ferndale
 Special Revenue Funds
 Statement of Revenues and Expenditures
 Actual vs. Budget
 For the 7 Months Ended January 31, 2014

	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	\$ 374.94	\$ 1,350.38	\$ 5,267.01	\$ 3,916.63	26%
25315006 - SSI tax	38.62	113.24	421.36	308.12	27%
25315007 - Medical insurance	0.00	401.16	3,023.20	2,622.04	13%
25315007.5 - Dental/vision insurance	30.84	30.84	0.00	(30.84)	0%
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>444.40</u>	<u>1,895.62</u>	<u>10,359.81</u>	<u>8,464.19</u>	<u>18%</u>
Revenues Over (under) Expenditures	<u>\$ (444.40)</u>	<u>\$ (210.79)</u>	<u>\$ (359.81)</u>	<u>\$ 149.02</u>	<u>\$ 59</u>

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City of Ferndale
Special Revenue Funds
Statement of Revenues and Expenditures
Actual vs. Budget
For the 7 Months Ended January 31, 2014

	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	\$ 141.39	\$ 7,845.30	\$ 12,130.98	\$ 4,285.68	65%
26315005 - Salary - overtime	0.00	53.57	0.00	(53.57)	0%
26315006 - SSI tax	15.00	655.35	970.48	315.13	68%
26315007 - Medical insurance	669.05	1,285.62	2,171.29	885.67	59%
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	0.00	176.74	1,914.24	1,737.50	9%
26315194 - Interest-Six Rivers loan	<u>1,374.04</u>	<u>36,341.24</u>	<u>25,133.76</u>	<u>(11,207.48)</u>	<u>145%</u>
Total Expenditures	<u>2,199.48</u>	<u>46,614.83</u>	<u>44,058.00</u>	<u>(2,556.83)</u>	<u>106%</u>
Revenues Over (under) Expenditures	<u>\$ (2,199.48)</u>	<u>\$ (44,808.47)</u>	<u>\$ (20,508.00)</u>	<u>\$ (24,300.47)</u>	<u>\$ 218</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	\$ 5,290.19	\$ 8,000.00	\$ 2,709.81	66%
Total Expenditures	<u>0.00</u>	<u>5,290.19</u>	<u>8,000.00</u>	<u>2,709.81</u>	<u>66%</u>
Revenues Over (under) Expenditures	<u>\$ 0.00</u>	<u>\$ (5,290.19)</u>	<u>\$ 0.00</u>	<u>\$ 5,290.19</u>	<u>\$ -</u>

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City of Ferndale
Proprietary Fund
Statement of Revenues and Expenditures
For the 7 Months Ended January 31, 2014

	Current Period Actual	Year To Date Actual	Annual Budget	Variance	Percent of Budget
<u>Sewer Fund</u>					
Revenues					
30514274 - Sewer service charge	\$ 387,502.74	\$ 387,502.74	\$ 458,516.01	\$ (71,013.27)	(85)%
30514275 - Sewer connection fees	7,038.00	12,220.00	10,000.00	2,220.00	(122)%
30514307 - Miscellaneous revenue	0.00	14,868.00	75,000.00	(60,132.00)	(20)%
30514308 - Revenue reserved for plant	<u>0.00</u>	<u>1,742.42</u>	<u>194,089.99</u>	<u>(192,347.57)</u>	<u>(1)%</u>
Total Revenue	<u>394,540.74</u>	<u>416,333.16</u>	<u>737,606.00</u>	<u>321,272.84</u>	<u>56%</u>
Expenditures					
30515002 - Salary - permanent	\$ 11,139.31	\$ 98,465.33	\$ 132,056.24	\$ 33,590.91	75%
30515005 - Salary - overtime	273.04	3,569.98	13,599.60	10,029.62	26%
30515006 - SSI tax	1,192.48	8,266.38	11,652.47	3,386.09	71%
30515007 - Medical insurance	109.96	11,489.09	35,156.23	23,667.14	33%
30515007.5 - Dental/Vision insurance	76.26	76.26	0.00	(76.26)	0%
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	0.00	513.24	1,000.00	486.76	51%
30515014 - Vehicle expense	438.82	1,119.54	2,000.00	880.46	56%
30515016 - Vehicle gas	179.42	1,412.03	4,500.00	3,087.97	31%
30515024 - Special department supply	0.00	305.35	1,000.00	694.65	31%
30515030 - Garbage/sludge	0.00	15,545.84	20,000.00	4,454.16	78%
30515032 - Utilities - electric - plant	3,516.94	32,220.49	70,000.00	37,779.51	46%
30515034 - Telephone	206.11	1,860.37	4,500.00	2,639.63	41%
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	0.00	8,823.60	17,135.52	8,311.92	51%
30515092 - Sewer plant permit	0.00	7,045.11	6,000.00	(1,045.11)	117%
30515094 - Safety equipment	0.00	718.74	1,000.00	281.26	72%
30515095 - Capital outlay	0.00	10,384.01	20,000.00	9,615.99	52%
30515099 - Miscellaneous	0.00	0.00	1,000.00	1,000.00	0%
30515121 - Sewer plant maintenance	2,174.61	11,092.87	15,000.00	3,907.13	74%
30515122 - Sewer line maintenance	2,000.00	3,140.02	10,000.00	6,859.98	31%
30515125 - Chemicals	0.00	29.44	2,000.00	1,970.56	1%
30515157 - Testing and monitoring	9,408.75	13,460.75	32,000.00	18,539.25	42%
30515158 - Postage and shipping	77.95	367.53	600.00	232.47	61%
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>3,346.59</u>	<u>3,346.59</u>	<u>30,000.00</u>	<u>26,653.41</u>	<u>11%</u>
Total Expenditures	<u>34,140.24</u>	<u>328,654.47</u>	<u>693,164.56</u>	<u>364,510.09</u>	<u>47%</u>
Revenues Over (under) Expenditures	<u>\$ 360,400.50</u>	<u>\$ 87,678.69</u>	<u>\$ 44,441.44</u>	<u>\$ (43,237.25)</u>	<u>\$ 197</u>

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Supplemental Information

City of Ferndale
Summary of Cash Balances and Investments
January 31, 2014

CASH BY FUND	<u>AMOUNT</u>	<u>PERCENT</u>
General Fund Cash		
Cash - unrestricted	\$ 454,539.27	
Petty cash	60.00	
Cash-restricted-insurance	<u>15,000.00</u>	
Total General Fund	<u>\$ 469,599.27</u>	<u>33.10%</u>
Park Fund Cash		
Cash - restricted - Fireman's	\$ 219.24	
Cash - restricted - Bocce Ball Courts	<u>1,854.92</u>	
Total Park Fund	<u>\$ 2,074.16</u>	<u>0.15%</u>
Gas Tax Cash		
Cash - restricted	<u>\$ 56,246.68</u>	<u>3.96%</u>
TEA 21 Cash		
Cash - restricted	<u>\$ 66,741.13</u>	<u>4.70%</u>
Transportation Development Act Cash		
Cash - restricted	<u>\$ 228,955.40</u>	<u>16.14%</u>
Integrated Waste Management Cash		
Cash - restricted	<u>\$ 36,614.90</u>	<u>2.58%</u>
Drainage Fund Cash		
Cash - restricted	<u>\$ 129,321.98</u>	<u>9.11%</u>
TE Funds		
Russ Park Fund Cash		
Cash - restricted	<u>\$ 4,459.20</u>	<u>0.31%</u>
Sewer Fund Cash		
Cash -unrestricted	<u>\$ 424,829.74</u>	
Total Sewer Fund	<u>\$ 424,829.74</u>	<u>29.94%</u>
 TOTAL CASH BY FUND	 <u><u>\$ 1,418,842.46</u></u>	 <u><u>100%</u></u>
 CASH BY ACCOUNT		
General Checking Six Rivers	\$ 715,120.66	50.40%
LAIF	703,661.80	49.59%
Petty cash	<u>60.00</u>	0.00%
TOTAL CASH BY ACCOUNT	<u><u>\$ 1,418,842.46</u></u>	<u><u>100%</u></u>

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Meeting Date:	April 3, 2014		Agenda Item Number	9.d.	
Agenda Item Title	General Plan Annual Progress Report				
Presented By:	City Manager Parrish				
Type of Item:		Action		Discussion	x Information
Action Required:	x	No Action		Voice Vote	Roll Call Vote

RECOMMENDATION: Review the following General Plan Annual Progress Report as required by California Government Code Section 65400.

BACKGROUND: California Government Code Section 65400(a) requires Planning Departments to compile an annual report documenting the City's progress towards meeting its share of regional housing needs as well as the City's General Plan status and progress towards its implementation. Staff prepared the attached report and will submit it to the Department of Housing and Community Development (HCD) and the Office of Planning and Research in compliance with this regulation. The Planning Commission reviewed the report at the March 19, 2014 meeting.

DISCUSSION: Ferndale's General Plan Annual Progress Report demonstrates that the City has made progress towards meeting its share of regional housing needs. Figuring in historical growth and economic trends, the City estimated development of approximately 24 of the 52 units allocated to the City in the HCAOG Regional Housing Needs Plan for the period 2009 to 2014. So far 15 of those units have been permitted (see Table B of attached report). This figure does not include the 52 renovated and now occupied units at Ferndale Housing.

The report also demonstrates the City's progress towards updating the General Plan. In 2012, the City completed and adopted both the Housing Element and Historical & Cultural Resources Element. HCD certified the Housing Element and commended the City on its efforts. The Draft Safety Element Update is complete and ready for environmental review, and the Draft Noise & Air Quality Element is well underway; both elements are expected to be ready for adoption in 2014. The Housing Element 2014 is currently being prepared and will be ready for public hearings, study sessions and submittal to HCD for certification in the next month or two.

The City has made great progress towards implementing Housing Element 2012 implementation programs, including completion of the Wastewater Treatment Facility and the Ferndale Housing Project, as shown on Table C (attached). Phase I of the Housing Element Implementation Plan 2013 is nearly complete, with the proposed Ordinances and amendments scheduled to go to the City Council for adoption next month pending Planning Commission recommendation. The Ordinances and amendments for Phase I completion would bring the City into compliance with state housing regulations.

FISCAL IMPACT: None

Attachment: General Plan Annual Progress Report

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Ferndale
Reporting Period 1/1/2013 - 12/31/2013

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information						Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions			
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
831 Main Street	SU	R		1			1				Secondary dwelling units are considered affordable to lower income households due to their small size and low rents. Second units rent for approx. \$800 or less which is affordable to lower income households based on the 2011 Humboldt County Area Median Income of \$40,376.
(9) Total of Moderate and Above Moderate from Table A3 ▶▶			0	1		1					
(10) Total by income Table A/A3 ▶▶				1		1	2				
(11) Total Extremely Low-Income Units*			0								

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction Ferndale
Reporting Period 1/1/2013 - 12/31/2013

Table A2

Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3

**Annual building Activity Report Summary for Above Moderate-Income Units
 (not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	1					1	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction Ferndale
Reporting Period 1/1/2013 - 12/31/2013

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2009	2010	2011	2012	2013	2014				Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	14										14
	Non-deed restricted											
Low	Deed Restricted	8			6						6	-2
	Non-deed restricted			2	1	1					4	
Moderate	Deed Restricted	9			2						2	7
	Non-deed restricted											
Above Moderate		21		2		1					3	18
Total RHNA by COG. Enter allocation number:		52										
Total Units ▶ ▶ ▶			0	4	0	9	2				15	37
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction Ferndale
Reporting Period 1/1/2013 - 12/31/2013

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
I. Adequate Sites	Encourage affordable housing	Ongoing	Carried over to Housing Element 2014
	Maintain GIS database	Ongoing	Database now accessible to City staff and residents at City Hall
	Amend Zoning Ordinance for SB2 compliance and multifamily housing by right in R3 and R4 zones	2012	Expected completion in 2014
	Multi-family site evaluation and potential rezoning for multi-family use	Ongoing	Carried over to Housing Element 2014
	Small lots research and identification	2013	Carried over to Housing Element 2014
II. Permanent Housing Availability	Evaluate density bonus	2012	Expected completion in 2014
	Outreach to developers	Ongoing	Carried over to Housing Element 2014
	Apply for grant funding	Annual	Carried over to Housing Element 2014
III. Design Review	Research best practices in design guidelines	2012	Carried over to Housing Element 2014
	Clarify design review process	2011	Completed
IV. Infrastructure Needs	Construct WWTF upgrades	2010-2012	Completed
V. Housing Equity	Amend Zoning Ordinance	2012	Expected completion in 2014
	Disseminate fair housing information	2012 and Ongoing	Carried over to Housing Element 2014
	Resolve fair housing complaints	Ongoing	Carried over to Housing Element 2014
VI. Manufactured Housing	Amend Zoning Ordinance	1-Feb-13	Expected completion in 2014
VII. Housing Unit Preservation and Rehabilitation	Explore City adoption of a rehabilitation loan program	2013	Carried over to Housing Element 2014
	Research and apply for rehabilitation funding grants	Ongoing	Carried over to Housing Element 2014

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

Jurisdiction Ferndale

Reporting Period 1/1/2013 - 12/31/2013

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
VIII. Energy Conservation and Weatherization	Research and promote energy conservation strategies	2011 and Ongoing	Carried over to Housing Element 2014
	Develop grant/loan assistance program list	2012 and Ongoing	Carried over to Housing Element 2014
IX. Ferndale Housing Project	Facilitate Ferndale Housing Project and comply with Gov't Code §65583.1	W/in 2 yrs of agreement with property manager	Completed

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	Ferndale
Reporting Period	1/1/2013 - 12/31/2013

General Comments:

The City of Ferndale is working on updating outdated General Plan elements. The Housing Element 2012 and Historical & Cultural Resource Element have been adopted (2012). The Safety Element is near completion, and the Noise and Air Quality Element is well underway; both elements are expected to be adopted in 2014. The Housing Element 2014 is near completion and expected to be adopted June 30, 2014. Implementation of adopted elements is ongoing.

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:	April 3, 2014	Agenda Item Number	
Agenda Item Title	Public Hearing - Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance, Ordinance No. 2014-03 Density Bonus Ordinance, and Ordinance 2014-05 Reasonable Accommodation Ordinance		
Presented By:	City Manager Parrish or Contract City Planner x		
Type of Item:	Action	Discussion	Information
Action Required:	No Action	x Voice Vote	Roll Call Vote

RECOMMENDATION: Continue the Public Hearing to the May 1, 2014 City Council Meeting to consider adoption of the following ordinances:

1. Ordinance 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance,
2. Ordinance 2014-03 Density Bonus Ordinance, and
3. Ordinance 2014-05 Reasonable Accommodation Ordinance.

BACKGROUND: Ferndale's General Plan 2012 Housing Element Update contains implementation programs for a balanced supply of housing, serving all socioeconomic groups and household types. State housing regulations require such programs. In 2013, the City Council authorized staff to organize Housing Element programs into manageable phases. The Planning Commission reviewed the complete Housing Element Implementation Plan and recommended it to the Council, which approved the plan.

The Implementation Plan organizes Housing Element programs into three phases, the first of which encompasses Zoning Ordinance amendments required by State housing regulation. In November 2013, the City Council authorized staff to complete this phase of the Plan. Staff prepared Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance and Ordinance No. 2014-03 Density Bonus Ordinance. Adoption of these Ordinances will satisfy the zoning-related programs the City designed and approved when it adopted the 2012 Housing Element, while also bringing the City into compliance with State housing regulations.

On February 6th, the City Council directed staff to postpone the Noise & Air Quality Element and prepare the 2014 Housing Element Update to meet the Department of Housing and Community Development's (HCD) June 30, 2014 adoption deadline. HCD will require compliance with State housing regulations prior to certifying the Housing Element.

DISCUSSION: The Planning Commission considered the proposed Ordinances at the February 19th regular meeting and made a number of recommendations for revising the proposed Ordinances. Based on the potentially extensive nature of the proposed revisions, staff recommended that the Commission continue the public hearing and postpone final action on the item pending staff research and coordination with the City Attorney. The Commission passed a motion to continue the hearing at their March 19th meeting. At the March 19th meeting, the Commission voted to continue the hearing at a special meeting in March 26th in order to review the agenda packet materials. Due to lack of turnaround time to produce the agenda packet, the meeting was postponed and the public hearing will continue at the regularly scheduled Planning Commission meeting on April 16th.

FISCAL IMPACT: The City Council authorized City Planner time and materials not to exceed \$2,000 for Housing Element implementation. The full amount authorized has been used. The authorization did not include Planning staff and City Attorney time to respond to Planning Commission questions and concerns or staff time for Planning Commission regular and special meetings. Staff is recommending authorization of additional funds in the business section of tonight's agenda.

Section 13

BUSINESS

Meeting Date:	April 3, 2014		Agenda Item Number	13.a.		
Agenda Item Title	Design Review Committee Appointment					
Presented By:	City Manager, Jay Parrish or City Clerk, Elizabeth Conner					
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Discussion	<input checked="" type="checkbox"/>	Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	Voice Vote	<input type="checkbox"/>	Roll Call Vote

RECOMMENDATION:

Appoint Michael Warner to fill the Design Review Committee seat left open by Marc Daniels, whose term runs from 2012 through 2016 and ask the City Clerk to administer the Oath of Office.

BACKGROUND

On December 31, 2013 the City received a letter from Planning Commission and Design Review Committee Member Daniels resigning from both appointments due to taking a job out of the area. At its meeting of January 15, 2014 the Planning Commission accepted Mr. Daniels resignation and declared a vacancy for both positions.

On March 4, 2014 the City Clerk placed a public notice of the vacancy in the Ferndale Enterprise as well as posting the notice on the City's three public bulletin boards. The notice gave March 12, 2014 at 4:00 pm at the deadline for receiving application for the position.

An application for Design Review Committee membership was received from Michael Warner. At its regular meeting on March 19, 2014, the Planning Commission interviewed Mr. Warner and voted unanimously to recommend to the City Council his appointment to the Design Review Committee.

FISCAL IMPACT:

None.

ATTACHMENT:

Design Review Committee Application from Michael Warner

City of Ferndale
DESIGN REVIEW COMMITTEE APPLICATION

Name: Michael Warner
Address: 724 Main Street (PO Box 291)
Phone: 602 418 0142 email: irun2far@gmail.com

Please list education and/or experience which you feel relates to or would be beneficial to the role of Design Review Committee Member (this may include serving on a board, commission or council, past or present government or civic experience, completed courses or knowledge in planning, architecture, landscape architecture, historical restoration or similar experience related to the design of physical improvements, etc.)

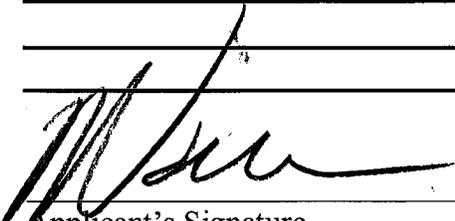
Former city planner, city of Hayley (county seat for Sun Valley ID)
Author of Design Review Guidelines and sign ordinance Hayley ID.
Masters of Landscape Architecture. (Sigma Lambda Alpha)
American Institute of Certified Planners
American Society of Landscape Architects
Professional planner (25 years)
Founder Transcom Environmental, Inc.

Please describe your knowledge or familiarity with Ferndale's General Plan, Zoning Ordinance, and Design Review standards:

Reviewed documents and standards prior to
purchase of our home. Submitted plans in
conformance with plans and standards.
Participated in Design Review for our home
improvements.

Please list any design review issues with which you may find yourself in conflict:

None.


Applicant's Signature

3/12/14
Date

Meeting Date:	April 3, 2014		Agenda Item Number	13.b.	
Agenda Item Title	580 Main Street Update				
Presented By:	City Manager, Jay Parrish				
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Discussion	Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	Voice Vote	Roll Call Vote

RECOMMENDATION:

Receive and file update from City Manager, Jay Parrish related to the 580 Main Street Project.

BACKGROUND

City Council held a Special Closed Session Meeting on October 17, 2013 to consider initiation of litigation against Gable Properties, LLC, regarding the property located at 580 Main Street, Ferndale, California (noncompliance with Building Code and Public Nuisance). In mid-November 2013, the City Attorney and counsel for Gable Properties reached an agreement, and the Council concurred, that the City would allow Gable Properties until the December 5th City Council meeting to obtain a building permit to apply the siding before initiating litigation to abate the nuisance.

On November 21st, Nancy Trujillo, on behalf of Gable Properties, LLC, submitted a Building Permit application and a corresponding Design Review Use Permit application to apply siding the building at 580 Main Street. The applicant proposed materials and colors other than those approved by the Design Review Use Permit issued in January 2013. Due to the change, a new Design Review Use Permit was required, along with a CEQA review.

The Design Review Permit was approved by the Planning Commission at its regular meeting of January 16, 2014. A Building Permit was issued on January 26, 2014.

As of March 27, 2014, no progress in putting up the new siding has been observed. Ferndale's Building Permit Application contains the following statement which is signed by the applicant: "Plans must be retrieved within 180 days of approval, or they will have to be resubmitted. Work will commence within 60 days after date of issuance of permit." Staff will send a letter to Gable Properties apprising them of the deadlines and seeking verification that work has begun.

FINANCIAL IMPACT:

None.

Meeting Date:	April 3, 2014		Agenda Item Number	13.c.		
Agenda Item Title	Introduce Ordinance 2014-01 Amending Nuisance Ordinance 06-04 Section 3.02					
Presented By:	City Manager Parrish or 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.

At its regular meeting on February 6, 2014 the Council requested adding a specific definition of blight and requested the Ordinance be brought back for a First Reading.

DISCUSSION: At its regular meeting on March 6, 2014 the Council requested revisions to the Statutory Authority section of the Ordinance, clarification on enforcement and the Enforcement Official, and a reduction to the extent of the proposed amendments regarding the definition of a nuisance and visual blight. Staff has made the following changes to the proposed revisions:

1. The penal codes in the Statutory Authority sections of both the existing Nuisance Ordinance and the proposed enacting Ordinance 2014-01 Amending the Nuisance Ordinance have been revised.
2. Rather than include only the amended sections in the proposed enacting Ordinance, staff has included the entire Nuisance Ordinance, with proposed amendments in blue strikeout and red underline, as Exhibit A to the enacting Ordinance. This should provide context and improved clarity, and may serve to answer some of the Council's concerns regarding enforcement and abatement procedures.
3. Changes to Section 3.02 were reduced to the originally proposed amendments plus one subsection defining visual blight.

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 May City Council meeting for a Second Reading and possible adoption.

FISCAL IMPACT: Up to \$2,500 Planning staff and City Attorney time and materials authorized on November 7, 2013.

Attachments: Ordinance 2014-01 Amending Nuisance Ordinance
Exhibit A to Ordinance 2014-01

ORDINANCE NO 2014-01

AN ORDINANCE OF THE CITY OF FERNDALE, STATE OF CALIFORNIA, AMENDING NUISANCE ORDINANCE 06-04 SECTIONS 2.01 AND 3.02 AND ADDING SECTION 5.08 FOR CITY ORDINANCE AND VISUAL BLIGHT ENFORCEMENT

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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 for City Ordinance and Visual Blight Enforcement.”
- §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, Sign Ordinance 13-02, Medical Marijuana Dispensary and Cultivation Ordinance 2012-03, and to add a definition of visual blight and provision for denial of building permits.

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 3491 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 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 City of Ferndale Nuisance Ordinance 06-04 shall be revised as provided in Exhibit A to this Ordinance.

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

Stuart Titus, Mayor

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

Exhibit A

ORDINANCE NO. 06-04

AN ORDINANCE OF THE CITY OF FERNDALE ESTABLISHING NUISANCE
 ABATEMENT PROCEDURES, PENALTIES AND COST RECOVERY PLAN AND
 REPEALING ORDINANCE 01-01

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

ARTICLE 1: SHORT TITLE, PURPOSE AND SCOPE

- §1.01 This ordinance shall be known and cited as the “Nuisance Ordinance”.
- §1.02 The City of Ferndale has a responsibility to its residents and business owners to promote conditions that are beneficial to the health, safety and welfare of the entire community. The existence of public nuisances may have a detrimental effect on another person or property or a substantial number of other people and properties as well as the overall aesthetic quality of the City. The abatement of these conditions is in the best interest of the City and its residents and business owners.
- §1.03 The purpose of the Nuisance Ordinance is to provide a comprehensive method for identification of certain public nuisances within the City of Ferndale, encourage compliance where a public nuisance violation exists, and to establish the authority to abate and recover costs of abatement when the responsible party fails to comply.
- §1.04 The provisions adopted in this ordinance shall not be exclusive but shall be cumulative and complementary to any other provisions of Ferndale City ordinances and County, State and Federal laws. Nothing in this ordinance shall be read, interpreted or construed so as to limit any existing right or power of the City to pursue abatement of and/or abate any and all public nuisances.
- §1.05 This ordinance shall apply to any and all properties within the city limits of Ferndale.
- §1.06 The adoption of this ordinance will repeal Ordinance 01-01.

ARTICLE 2: STATUTORY AUTHORITY / ENFORCEMENT AUTHORITY

- §2.01 California Government Code section 38771 authorizes a city to declare by ordinance what constitutes a public nuisance. Civil Code section ~~3493~~3491 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.
- §2.02 The California Constitution (Article XI, section 7) grants cities the police power to enforce their nuisance ordinance.
- §2.03 The City Manager (or in his/her absence the Mayor), or his/her designee, shall be the Enforcement Official.

CHAPTER ONE – PROPERTY NUISANCES

ARTICLE 3: DEFINITIONS:

- §3.01 The legal principle of public nuisance prohibits unreasonable, noxious, or disturbing activities that negatively affect a community or neighborhood.
- §3.02 A nuisance is hereby defined to be:
- 3.02.1 Any condition declared by statute of the State of California or ordinance of the County of Humboldt or City of Ferndale to be a nuisance.
- 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".

- f. The placement of any sign in violation of Ordinance No. 13-02 of the City of Ferndale entitled "Sign Ordinance".
- g. Any condition that constitutes a visual blight. For purposes of this Code, visual blight is any unreasonable, nonpermitted or unlawful condition or use of real property, premises or of building exteriors which by reason of its appearance as viewed from the public right-of-way, is detrimental to the property of others or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood.
- d.h. 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.

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

ARTICLE 4: PROPERTY NUISANCES DESCRIBED

Following are some examples of situations that constitute a property nuisance. The list shall not be considered exhaustive. Additional situations may be determined to be a public nuisance by the City's Enforcement Official.

§4.01 Streets, alleys, public-use sidewalks

- 4.01.1 It shall be the duty of every person owning or occupying any lot or block or land in the City of Ferndale which shall be bounded on any side by any legally established public-use sidewalk, street, lane, or alley, or other public thoroughfare to keep such street, public-use sidewalk, lane or alley free from all rubbish, filth, garbage, and obstructions of every kind, as far as the middle of such street or alley and as far as the edge of such public-use sidewalk nearest to the street, and as far in length as the corresponding dimensions of such lot or block. This ordinance shall not prevent a person from using one half of the street adjoining his premises for a reasonable time when such use may be necessary for the purpose of collecting and using material for building or repairing buildings, nor to prevent any person from depositing goods, wares, and merchandise upon any public-use sidewalk, lane, or alley in Ferndale for the purpose of immediately conveying them across the same.
- 4.01.2 No person shall throw, deposit, or place any rubbish, filth, garbage, or obstruction of any kind except as herein above provided in or upon any public street, lane, public-use sidewalk, or alley.
- 4.01.3 It is unlawful for any person, firm or corporation to deposit, drain, wash, allow to run over or upon, divert onto, across or upon any public-use sidewalk, street or alley within the City of Ferndale mud, sand, oil, petroleum or any toxic substance.
- 4.01.4 It shall be unlawful for any person, firm or corporation to wash or cause to be washed, polish or cause to be polished, any vehicle or part thereof upon any public-use sidewalk, street or alley in the City of Ferndale when a charge is made for such service, unless permission is obtained from the City of Ferndale.
- 4.01.5 It shall be unlawful for any person, firm or corporation to deposit on any public-use sidewalk, street, or alley in the City of Ferndale any material that by excessive weight will cause to crack, break or collapse, or that may be harmful to the pavement thereof, or any waste material, glass or other articles that may do injury to any person, animal or property.
- 4.01.6 Car repair. It is unlawful for any person, firm or corporation to repair or cause to be repaired, grease or cause to be greased, construct or cause to be constructed any vehicle or any part thereof upon any public-use sidewalk, street or alley in the City of Ferndale. Provided, however, temporary emergency repairs may be made upon a public street.

§4.02 Weeds, Rubbish, Debris, Junk

- 4.02.1 It is unlawful for any person owning, occupying, renting, managing, or controlling any real property in the City to cause or permit any weeds, or to place, cause or permit any rubbish to be or remain on any real property in the city or on portions of streets adjoining such real property to the center line of such streets. It shall be the duty of every such person to remove or destroy such weeds and/or rubbish. Destruction by burning within the city is unlawful unless the written permission of the Chief of the Fire Department is first obtained.
- 4.02.2 Trash disposal must be made in an appropriate manner, i.e. through the City's contracted trash pick up service, self-haul to an approved disposal site, or composting in a back yard compost pile.

§4.03 Real Property Maintenance

It is unlawful for any person owning, renting, leasing, occupying, managing or having charge, or possessing of any real property in this City to maintain such premises in such a manner that any of the following conditions are found to exist thereon:

- 4.03.1 A building, structure or portion thereof which is in a dilapidated or dangerous condition so as to be unfit, unsafe, or unsuitable for human occupancy. Such conditions include but are not limited to:
- a. Inadequate or inoperable mechanical, electrical, plumbing, or sanitation systems or equipment;
 - b. Lack of sound and effective exterior walls or roof covering to provide weather protection;
 - c. Lack of structural integrity, including deteriorated or inadequate foundations, joints, vertical or horizontal support;
 - d. Broken, missing, or inoperable windows or doors constituting a hazardous condition or a potential attraction to trespassers;
 - e. Broken, deteriorated, or substantially defaced structures visually impacting on the neighborhood or presenting a risk to public safety.
- 4.03.2 An abandoned building or structure such as:
- a. An unoccupied and unsecured building or structure;
 - b. A partially constructed, reconstructed, or demolished building or structure where work is abandoned for 180 consecutive days;
 - c. A damaged or partially destroyed building or structure not removed or repaired within 180 days after the damage or destruction, or, if the removal or repair cannot reasonably be accomplished within 180 days, arrangements must be made with the City Building Official.
- 4.03.3 Property maintained in a condition so defective, unsightly, or in a state of such deterioration, disrepair or neglect that it causes a health, safety or fire hazard or an attractive nuisance to children such as the

following. “Attractive Nuisance” shall mean any condition, instrumentality or machine located in a building or on premises, which is or may be unsafe or dangerous to children by reason of their inability to appreciate the peril therein, and which may reasonably be expected to attract children to the premises and risk injury by playing with, in, or on it.

- a. The accumulation of dirt, litter, refuse, trash or debris in carports, parking areas, driveways, front yards, side yards, rear yards, vestibules, doorways of buildings, the adjoining sidewalk, or alley;
- b. Storage of personal property (other than items designated for outdoor use) in front, exterior side, or rear yard areas visible to public view, including, but not limited to unregistered, inoperative or dismantled vehicles or vehicle parts, 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, debris, rubbish, and broken or discarded furniture;
- c. Trees, weeds or other vegetation which are dead, decayed, infested, diseased, overgrown, or likely to harbor rats or vermin, or which are visually unsightly;
- d. Abandoned and broken equipment or machinery, or parts thereof;
- e. Fences or walls which lack structural support because of missing or wet soil, missing or failed footings, or missing or failed fastenings, or which otherwise do not stand erect; which are in disrepair due to damage, crumbling mortar, missing bricks or wood, rotted wood, breaks or dents in their structure.
- f. A vehicle or vehicles parked or stored in a front or side yard, except on a driveway or a paved area or behind a solid fence or wall a minimum of six (6) feet in height, on lots in a residentially zoned district.
- g. Parking of vehicles on dirt, grass, or yard surfaces not intended and approved for parking.
- h. Clothing, linen, towels, laundry, rugs, mattresses, and other similar material hung, placed, or attached to power lines, trees, bushes, fences, buildings, railings, or walls and visible from public property or an area open to the public. Properly installed and maintained clotheslines are permitted.
- i. Waste matter or personal property placed on rooftops.
- j. Vehicle or vessel repair which occurs in a residentially zoned district and is offensive or detrimental to the health, safety, or welfare of other persons, or which substantially interferes with the reasonable enjoyment of property by other persons, because of the substances, odors, noise, or visual clutter created by the repair; or because of the items stored in connection with the

- repair, or because the repair is performed on a vehicle not owned by the occupant of the property.
- 4.03.4 Buildings, structures, or other surfaces upon which graffiti exists. Graffiti, as used in this section, shall mean defacement, damage, or destruction by the presence of paint or ink, chalk, dye, or other similar substances; or by carving, etching, or other engraving.
- 4.03.5 Any building or structure that is a public nuisance under common law.

ARTICLE 5: ABATEMENT

- §5.01 Abatement Definition: the removal, stoppage, or destruction of that which causes a nuisance.
- §5.02 Abatement Authority
- 5.02.1 The California Constitution (Article XI, section 7) grants cities the police power to enforce their nuisance ordinance.
- 5.02.2 The City has the authority to make the costs of any and all abatement proceedings a special assessment against the parcel collectible at the same time and in the same manners as ordinary taxes through recording a lien on the property.
- §5.03 Summary Abatement (Immediate or Emergency need)
- 5.03.1 Summary Abatement shall be executed when the Enforcement Official determines that the public nuisance constitutes an immediate and/or imminent peril to public health, safety or general welfare.
- 5.03.2 Summary Abatement is the abatement of the nuisance by the City, or a contractor of the City, by removal, demolition, repair or other acts with or without notice to the owner, agent or occupant of the property. The abatement shall be at the expense of the person causing, committing or maintaining the nuisance or the owner of the property on which it is occurring.
- §5.04 Administrative Abatement (Non-emergency)
- Administrative Abatement proceedings as described below will take place when the nuisance is of a non-emergency nature, and the Enforcement Official concurs that the nuisance violates this ordinance.
- 5.04.1 Courtesy Letter: Upon determination by an Enforcement Official that a nuisance exists, a Courtesy Letter will be delivered to the owner, occupant, lessee and/or agent of the property where the nuisance is occurring. The Courtesy Letter will:

- a. Give a sufficient description to identify the property where the nuisance is occurring and shall include the parcel number and address.
 - b. Quote appropriate Ordinance section pertaining to the complaint.
 - c. Describe the condition causing the nuisance.
 - d. Include a description of corrective action that must occur to remedy the violation.
 - e. Advise the owner, occupant, lessee and/or agent of the property that the nuisance must be abated within four (4) weeks of the date of receipt of the Courtesy Letter
 - f. Advise the owner, occupant, lessee and/or agent of the property that failure to abate the nuisance within four (4) weeks will result in further action.
- 5.04.2 Notice and Order: If the nuisance is not abated within four (4) weeks of delivery of the Courtesy Letter, the City will deliver by Certified Mail a Notice of Violation and Order to Abate to the owner, occupant, lessee and/or agent. The Notice and Order may be recorded in the Office of the County Recorder of the County of Humboldt. The Notice and Order will:
- a. Give a sufficient description to identify the property where the nuisance is occurring and shall include the parcel number and address.
 - b. Quote appropriate Ordinance section pertaining to the complaint
 - c. Describe the condition causing the nuisance
 - d. Include a description of corrective action that must occur to remedy the violation.
 - e. Provide dates by which the violation must be commenced and entirely abated;
 - i. Commencement must occur within two (2) weeks and abatement must be complete in a specified amount of time no less than four (4) weeks and no more than six (6) weeks from the delivery of the Notice and Order, depending on the nuisance, unless an extension is granted by the Enforcement Official. The dates shall be set by the Enforcement Official.
 - f. Provide a description of the penalties of failure to remedy the nuisance within the specified time defined as fifty dollars (\$50.00) per day each day beyond the specified time limits until the nuisance is abated, including fifty dollars (\$50.00) per day if the abatement is not commenced within two (2) weeks, and fifty dollars (\$50.00) per day if the abatement is not completed within the time period specified in the Notice and Order up to a maximum of one thousand dollars (\$1000.00).
 - i. Give notice that if the nuisance has not been abated within two (2) weeks of the specified time limit the City shall have the authority to abate the nuisance itself or via

a contractor and that the responsibility for the costs of abatement, including the costs of actual removal or demolition and the associated administrative and legal costs, will be assessed to the owner, lessee and/or occupant of the land on which the nuisance is located and that failure to comply may also warrant the pursuit of further civil and/or criminal charges in accordance with the laws of the State of California.

- ii. Describe the rights of the owner, lessee and/or occupant of the land to request a public hearing before the City Council. (Refer to Section 5.06)

5.04.3 Weed Abatement

- a. The City shall gain the authority to abate/destroy weeds, dry grass, rubbish and other inflammable material or vegetation ten (10) days from the delivery of the Courtesy Letter/Notice to Destroy Weeds. The costs of such abatement, including administrative costs, shall be the responsibility of the property owner.

§5.05 Delivery of Notices

- 5.05.1 Any notice or letter required to be delivered by the ordinance shall be deemed to have been delivered when a copy of said notice is either served personally or has been deposited in the mail, postage prepaid, certified, return receipt requested to the owner and/or occupant, lessee or agent of the property. A copy of the notice may also be prominently affixed to the premises. If no address can be found or is known to the City, then any notice shall be so mailed to such person at the address of the premises where the nuisance is occurring. The failure of any person to receive such notice shall not affect the validity of the proceedings of this ordinance.

§5.06 Public Hearing

- 5.06.1 Upon written request by the owner, lessee or occupant of the property received by the City within two (2) weeks of delivery of the Notice and Order, a public hearing shall be scheduled before the next regularly scheduled City Council meeting. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and may cross-examine the Enforcement Official, and other witnesses. The hearing may be continued from time to time by motion of the majority of the City Council. The City may set the matter for public hearing whether or not a public hearing has been requested by an affected owner, lessee or occupant of the property.
- 5.06.2 Within the same two (2) week time period, the owner, lessee or occupant of the property may submit to the City in writing a sworn

declaration that the nuisance does not exist and/or is not their responsibility. In this case, the enforcement officer may call a public hearing and the hearing may proceed without the party present. The decisions made by the City Council shall be binding.

- 5.06.3 Determination of the Council - Upon conclusion of a hearing, the Council may terminate the abatement proceedings or order the abatement to proceed.
- a. The City Council may grant additional time for the responsible party to effect the abatement of the nuisance, provided that such an extension is warranted and limited to a specific time period, set by a motion and passed by a majority of the City Council.
 - b. If the City Council determines that the nuisance shall be abated, the violator shall have 14 days from that determination to abate the nuisance. Failure to do so will result in the accruing of penalty fees and further action.

§5.07 Jurisdiction to Abate

- 5.07.1 Should any public nuisance not be abated within two (2) weeks of the date stated in the Notice and Order or within the time extension granted by the City Council, the City shall have the authority to enter the property and abate the public nuisance.

5.07.2 In abating the nuisance, the City may go to whatever legal extent necessary to complete the abatement of the public nuisance including removal and demolishing of the nuisance. In its discretion the City may seek judicial review and permission to abate any nuisance from any court of competent jurisdiction. All costs shall be recoverable.

§5.08 Denial of Building Permit

~~5.07.2~~5.08.1 All departments, officers and public employees vested with the duty or authority to issue permits, certificates or licenses shall issue no permit, certificate or license for any building or property for which a nuisance abatement proceeding is ongoing, and any such permit, certificate or license issued in conflict with this provision shall be null and void. The City shall have the discretion, but not the obligation, to condition issuance of any permit, certificate or license on abatement of the nuisance condition for which the abatement proceeding is ongoing.

ARTICLE 6: PENALTIES/COST RECOVERY/LIENS

§6.01 Penalty

- 6.01.1 Each day in which a public nuisance is not abated following the commencement and completion dates specified in the Notice and Order will constitute a separate infraction of this ordinance with a penalty of fifty dollars (\$50.00) per day, including fifty dollars (\$50.00) per day if not commenced by the specified date and fifty

dollars (\$50.00) per day each day that the nuisance continues to exist on the property beyond the specified abatement deadline, up to a maximum of one thousand dollars (\$1000.00). Additional civil and criminal charges or penalties may be imposed in accordance with the laws of the State of California.

- 6.01.2 Repeat violations of this ordinance by the same responsible party within one year of delivery of the first Notice and Order may result in higher per day penalties, up to one hundred dollars (\$100.00) per day, up to a maximum of two-thousand dollars (\$2,000.00).

§6.02 Cost Recovery

- 6.02.1 Costs: In the event that the owner, lessee, occupant does not abate the nuisance within the time period specified in the Notice and Order, the City shall retain the right to abate the public nuisance at the expense of the responsible party. Expenses to the owner, lessee, or occupant shall include the actual costs of abatement as well as the associated administrative and legal costs, including court costs and attorneys' fees, city personnel costs, and penalties.
- 6.02.2 Assessment of Costs and Penalties: At a regularly scheduled City Council meeting, of which responsible parties will be notified, the Council shall hear and consider the account, penalties and proposed assessment, together with objections and protests. The Council may make such modifications and revisions of the proposed assessment as it deems just, and may order the account and proposed assessment confirmed or denied, in whole or in part, or as modified and revised. The determination of the Council shall be final and conclusive.
- 6.02.3 Penalties and/or Costs will be billed directly to the responsible party. Failure to pay will result in the preparation and recording of a lien.

§6.03 Lien

- 6.03.1 Upon failure of the responsible party to pay penalties and costs, and upon confirmation by the Enforcement Official the Enforcement Official shall cause to be prepared and recorded in the Office of the County Recorder of the County of Humboldt, a Notice of Lien. Said Notice shall contain the following:
- a. An address, parcel number, legal description or other description sufficient to identify the premises.
 - b. A description of the proceedings under which the special assessment was made, including the order of the Council confirming the assessment.
 - c. The amount of the assessment.
 - d. A claim of lien upon the described premises.
- 6.03.2 Upon the recordation of such Notice of Lien, the amount claimed shall constitute a lien upon the described premises.
- 6.03.3 Collection with Ordinary Taxes: The Notice of Lien, after recordation, shall be delivered to the County Auditor who shall enter the amount of the lien on the assessment roll as special assessments. Thereafter the

amount set forth shall be collected at the same time and in the same manner as ordinary City taxes are collected, and shall be subject to the same penalties and interest, and to the same procedures for foreclosure and sale in case of delinquency, as is provided for ordinary city taxes, and all laws applicable to the levy, collection and enforcement of City taxes are hereby made applicable to such assessment.

- 6.03.4 The City reserves the right to take such other and further enforcement and/or collection action, as it deems appropriate.

CHAPTER TWO – CONDUCT NUISANCES

ARTICLE 7: CONDUCT NUISANCE DESCRIBED

§7.01 Drugs/Drinking

- 7.01.1 It shall be unlawful for any person to drink or possess upon his or her person an open container of any alcoholic beverage upon any public street, alley or automobile upon public property except as authorized below:
- 7.01.2 No person shall drink or possess upon his or her person any open container of any alcoholic beverage on any park or playground, except with meals at specifically designated areas of any park where facilities are provided.
- 7.01.3 No person shall drink or possess upon his or her person any open container of any alcoholic beverage on any public street or public property, except when specifically authorized in a defined area during a community event that has been duly issued a “Daily On Sale General License” by the State of California Alcoholic Beverage Control Board.
- 7.01.4 Notwithstanding Number 3 above, it shall not be unlawful to drink alcoholic beverages on any park or playground during such time as a permit to sell alcoholic beverages, issued by the State of California Alcoholic Beverage Control Board, is in effect on such park or playground.

§7.02 Dances, parties

- 7.02.1 It shall be unlawful for any person, firm or corporation to conduct a public dance or dance hall in the City of Ferndale without first complying with the terms of this Section.
- 7.02.2 A dance or dance hall is defined as any hall, park, or place where the public is invited to attend a dance, whether an admission fee is charged or not.
- 7.02.3 Any person, firm or corporation desiring to hold a public dance in the City of Ferndale, shall first obtain from the Ferndale Police Chief, a permit. An application for such a permit should be filed with the Police Chief at least three (3) full weeks prior to the date of the

proposed dance. No application shall be accepted from any person, firm or corporation unless said person, firm or corporation holds a valid, current Ferndale City Business License.

- a. Upon receipt of an application for a dance permit, the Police Chief shall determine whether licensed and bonded private security will be necessary, at the applicant's expense.
- b. If liquor will be available at the dance, applicant must provide a liquor license obtained from ABC.
- c. It shall be unlawful for any person as owner, manager, proprietor, employee or otherwise to keep open any public dance in the City of Ferndale, or to permit any dancing between the hours of 12:00 midnight and 8:00 am of the succeeding day, provided however, the Police Chief may issue a permit allowing the dance to continue after 12:00 midnight and such permit shall clearly designate the dance to which the permit refers, the location of the same, the hour when dancing shall cease, the name of the personal conducting the same, and the date for which the permit is issued.
- d. Before the issuance of any permits authorizing a public dance, the Police Chief shall first approve the location of the proposed dance and the permit shall be valid only for the location indicated.
- e. Any denial of an application for a permit to hold a public dance in the City of Ferndale by the Police Chief may be appealed to the Ferndale City Council, which decision shall be final.

§7.03 Curfew

- 7.03.1 No minor person under the age of eighteen (18) years shall loiter, loaf or congregate or be present at or be upon any public street, way, square, park, place, building or in any place of business, or business house, or public dance hall or other place designed for the accommodation of the public between the hours of eleven (11:00) p.m. of one day and five (5:00) a.m. of the following day. Any person who has not attained his eighteenth birthday shall be deemed to be under the age of eighteen (18) years.
- 7.03.2 No minor person under the age of sixteen (16) years shall loiter, loaf or congregate or be present at or to be upon any public street, way, square, park, place, building or at or in any place of business, or business house, or public dance hall or other place designed for the accommodation of the public between the hours of ten (10:00) p.m. of one day and five (5:00) a.m. of the following day. Any person who has not attained his sixteenth birthday shall be deemed to be under the age of sixteen (16) years.

- 7.03.3 The provisions of this section shall not apply to any minor who at the time mentioned in 1 and 2 is accompanied by his parent, guardian or other adult person having the lawful custody of such minor.
- 7.03.4 The provisions of this section shall not apply to the following places, public theatres and places where supervised entertainment or play or instruction for minors under the age of eighteen (18) years is conducted; provided that this exception shall apply only to minors who are in attendance at such theatres or places for the purpose of attending the entertainment, supervised entertainment, play or instruction thereby afforded.
- 7.03.5 The provisions of this section shall not apply to any minor while engaged in going to or returning from, in direct route, the place mentioned in 4 and his home or other place of abode, provided such minor does not stop or loiter or loaf or congregate or deviate from such route.
- 7.03.6 The provisions of this section shall not apply to any minor who is lawfully employed, or to such a minor while engaged in going to or place of employment and his place of abode.

§7.04 Noise

- 7.04.1 It shall be unlawful for any person to make, continue or cause to be made or continued, within the limits of the City of Ferndale, any disturbing, excessive or offensive noise which causes discomfort or annoyance to any reasonable persons of normal sensitivity residing in the area.
- 7.04.2 The following acts, among others, are declared to be offensive, loud, disturbing, and unnecessary noises originating from residential properties or on public ways in violation of this section, but such enumeration shall not be deemed to be exclusive:
- a. The using, operating, or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, stereo, television, or other machine or device for producing or reproducing sound in such a manner as to disturb the peace, quiet, and comfort of neighboring residential inhabitants at any time with volume louder than is necessary for convenient hearing for the persons who are in the room, vehicle, or chamber in which such machine or device is operating and who are voluntary listeners. The operation of any such set, instrument, phonograph, stereo, machine, or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50') feet from the residential building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section;
 - b. The using, operating, or permitting to be played, used, or operated of any radio receiving set, stereo, tape recorder, sound

- amplifier, or other machine or device for producing or reproducing sound from any motor vehicle on any public street at any time with volume louder than is necessary for convenient hearing for the persons who are in the motor vehicle in which such sound machine or device is operating and who are voluntary listeners. The operation of any such sound machine or device in such a manner as to be plainly audible at any time at a distance of ten (10') feet from the motor vehicle in which it is located shall be prima facie evidence of a violation of this section; and
- c. Yelling, shouting, hooting, whistling, or singing originating from any residential property or upon any public way at any time so as to annoy or disturb the quiet comfort or repose of persons in the vicinity; and
 - d. Construction-related noise near residential uses. Construction work or related activity which is adjacent to or across a street or right of way from a residential use, except between the hours of 7 a.m. and 7 p.m. on weekdays, or between 8 a.m. and 7 p.m. on Saturday and Sunday. No such construction is permitted on Federal holidays. As used in this section, "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property.

ARTICLE 8: PENALTIES

- §8.01 Any person or persons violating any provision or provisions of Article 7 shall be deemed guilty of a misdemeanor, and shall be punishable on conviction by a fine of not more than One Thousand (\$1000.00) Dollars, or by imprisonment in the County Jail for not more than one (1) year, or by both fine and imprisonment.

CHAPTER THREE – ANIMAL NUISANCES

ARTICLE 9: ANIMAL NUISANCES DESCRIBED

§9.01 Horses and other farm animals (Livestock)

- 9.01.1 It is unlawful for any person to cause or permit or allow any domestic chicken, turkey, duck, swine, goose, horse, burro, mule, cow, bull, steer, ox, sheep, or goat or pig to run at large, or to be astray within the corporate limits of the City of Ferndale.
- 9.01.2 No person shall keep any swine within the city limits except (1) when housed at the Fairgrounds for purposes of exhibition, or (2) when zoning requirements allow for it.
- 9.01.3 It shall be the duty of all animal owners, allowing their animals off their property, to clean up after the animal. Owners allowing animals to defecate on property other than their own, shall clean up after their animal. Owners in violation of this section shall be cited.
- 9.01.4 No person shall ride, drive or lead a horse along or upon any sidewalk in the City of Ferndale.
- 9.01.5 In addition to the summary abatement procedures listed in this ordinance, livestock burial shall be at least 200' from a business or residence.

§9.02 Dogs and other domestic pets

- 9.02.1 Confined to owner's premises: It is unlawful for any person to cause or permit or allow any dog or dogs, owned, harbored, controlled or kept by him, to roam or run or stray away from the premises where the same is or are owned, harbored or kept, at any time, except in the custody and control of the owner or some responsible person authorized by the owner.
- 9.02.2 Leashed when away from home: Dogs shall be kept on a leash not to exceed eight (8) feet in length in all areas of the incorporated City, not on the owner's premises.
- 9.02.3 Puppy vaccination: Pups to be restrained until after vaccination. All dogs under four months of age shall be confined to the premises of, or kept under the physical restraint by the owner, keeper or harborer, and such restraint shall continue until a period of thirty (30) days has elapsed after vaccination of the particular dog with an approved anti-rabies vaccine.
- 9.02.4 Females strictly confined. All unsprayed female dogs shall be strictly confined to the owner's premises when the dog is in breeding condition.
- 9.02.5 Barking Dogs: It shall be unlawful for any person to cause or permit or allow any dog or dogs, owned, harbored, controlled or kept by said

person to disturb the peace of the neighborhood with unnecessary barking for more than five minutes.

- 9.02.6 It shall be the duty of all animal owners, allowing their animals off their property, to clean up after the animal. Owners allowing animals to defecate on property other than their own, shall clean up after their animal. Owners in violation of this section shall be cited.

§9.03 Bees

- 9.03.1 No person shall keep more than two hives of bees on any one assessor's parcel within the City of Ferndale. The provisions of this section shall not apply to the keeping of bees within an educational institution for study or observation or for scientific purposes provided such bees are not permitted to fly at large.

§9.04 Slaughterhouses

- 9.04.1 Slaughterhouses will not be allowed within the City limits.

ARTICLE 10: PENALTY

- §10.01 Any person violating the provisions of Article 9 shall be deemed guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed \$1000 and imprisonment in the county jail not to exceed one year, or both.

ARTICLE 11: SEVERABILITY

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

ARTICLE 12: EFFECTIVE DATE

This ordinance becomes effective thirty (30) days after the date of its enactment.

ARTICLE 13: POSTING REQUIREMENT

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

ARTICLE 14: ENACTING DATE AND SIGNATURES

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
FERNDALE AT A REGULAR MEETING ON November 16, 2006 BY THE
FOLLOWING VOTE.

AYES:

NOES:

ABSENT:

ATTEST:

[Frances Scalvini](#), City Clerk

Mayor

First Reading: August 3, 2006
Second Reading: September 7, 2006
Amended 2nd Reading: November 16, 2006

Meeting Date:	April 3, 2014		Agenda Item Number	13.d.	
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. At the regular City Council meeting of February 6, 2014, Council Members Sweeney and Brown gave an update on the publically noticed walk-through of the Old Nilsen Barn and property. In that update, they invited members of the community to come forward with potential proposals for use of the property or a sub-section of the property in the ensuing 30 days. At the City Council meeting of March 6, 2014, Council Member Brown reported that no proposals for use of the property had come forward and the group was now considering the option of taking down the barn (in a manner that salvaged the old growth redwood) and using the lot as a parking lot.

The Ad Hoc Committee met with interested individuals on March 13th continuing the public input on best use of the Old Nielson property. The committee was asked to give the community a little more time to come up with funds and explore more designs that would incorporate leaving the barn while still adding some parking spaces.

FINANCIAL IMPACT:

None.

Meeting Date:	April 3, 2014		Agenda Item Number	13.e		
Agenda Item Title	Consider Adopting Resolution 2014-08 Authorization of Additional Planning Staff and City Attorney Time and Materials to Complete Part 1 of the Housing Element Implementation Plan					
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 2014-08 Authorization of Additional Planning Staff and City Attorney Time and Materials to Complete Part 1 of the Housing Element Implementation Plan for Housing Element and State housing regulation compliance.

DISCUSSION: The City Council authorized City staff time and materials not to exceed \$2,000 for Housing Element implementation in November 2013. Planning staff reviewed the Housing Element Implementation Plan 2013 as well as state housing regulations the City is required to comply with prior to adoption of the Housing Element Update 2014. Staff then prepared proposed amendments to the Zoning Ordinance as well as stand-alone Density Bonus and Reasonable Housing Accommodation Ordinances for compliance with applicable state housing regulations. The City Attorney reviewed the proposed amendments and Ordinances and made revisions where appropriate. Staff prepared the required public notices and agenda item for a public hearing at the February Planning Commission meeting. The Planning Commission suggested revisions and expressed concerns that required further consultation with the City Attorney. Staff prepared agenda items and brought the proposed amendments and Ordinances, along with a memo prepared by the City Attorney to address the Commission's concerns, back to the March Planning Commission meeting. The Planning Commission voted to table the item for a special meeting on March 26th. Due to unforeseen circumstances, staff was unable to meet the posting requirements for the special meeting. The item will be re-noticed and brought back to the April Planning Commission meeting as three separate items.

The full amount authorized by the City Council for implementation of the Housing Element Implementation Plan 2013 has been used. The authorization did not include Planning staff and City Attorney time to respond to Planning Commission questions and concerns or staff time for presentation at additional Planning Commission meetings. Staff is recommending authorization of additional funds to cover the costs of processing the proposed revisions, preparing and presenting the items at Planning Commission and City Council public hearings, and completing the necessary work once items are enacted.

Due to uncertainty at the extent of Planning Commission concerns and revisions, staff is requesting authorization of an additional \$2,000. As always, work will be completed on a time and materials basis, and staff will aim to control costs wherever possible.

ENVIRONMENTAL REVIEW: On December 1, 2011, the City Council adopted an Initial Study (IS) and Negative Declaration (ND) that programmatically evaluated the City of Ferndale Housing Element Update 2012, including the effects that goals, policies, and related implementation measures proposed in the Elements would potentially have on the environment. The IS focuses on the secondary effects from adoption of the Element and is not as detailed as a project-level IS. Project-level CEQA review will be required for development to occur, to be prepared when applicable development permits are sought.

FISCAL IMPACT: Additional Planning staff and City Attorney time and materials not to exceed \$2,000.

Resolution Number 2014 - 08**THE CITY COUNCIL OF THE CITY OF FERNDALE****RESOLUTION 2013-39 AUTHORIZATION OF PLANNING STAFF AND CITY ATTORNEY TIME AND MATERIALS TO COMPLETE PART 1 OF THE HOUSING ELEMENT IMPLEMENTATION PLAN.**

WHEREAS, the City adopted an updated General Plan Housing Element in February 2012; and

WHEREAS, the Department of Housing and Community Development certified the City of Ferndale General Plan Housing Element in March 2012; and

WHEREAS, the Housing Element contains programs that reflect City's goals and responsibilities; and

WHEREAS, California Government Code §65400 requires that the City's Planning Department investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the General Plan so that it will serve as an effective guide for orderly growth and development; and

WHEREAS, the City Council directed the City Planner to prepare an Implementation Plan to organize the policies and measures contained in the Housing Element into manageable phases, with actions required to complete each phase clearly defined and assigned; and

WHEREAS, the Planning Commission reviewed and recommended the Plan to the City Council; and

WHEREAS, the City Council approved the plan and authorized staff time and materials up to \$2,000 to complete Part 1 of the plan; and

WHEREAS, the Planning Commission has requested that staff complete additional work not included in the initial authorization; and

WHEREAS, the authorization to complete Part 1 is exempt from California Environmental Quality Act per Section 15306 of Article 19 Categorical Exemptions, although environmental review will be required prior to adoption of any Zoning Ordinance amendments;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ferndale authorizes additional Planning staff and City Attorney time and materials not to exceed \$2,000 to complete Part 1 of the Housing Element Implementation Plan for Housing Element and State housing regulation compliance.

PASSED AND ADOPTED on this 3rd day of April 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

Elizabeth Conner, City Clerk

Stuart Titus, Mayor

Meeting Date:	April 3, 2014		Agenda Item Number	13.f.		
Agenda Item Title	Consider Adopting Resolution 2014-06 Authorization of Planning Staff and City Attorney Time and Materials Not to Exceed \$2,000 to Amend Zoning Ordinance 02-02 §7.16 Parking and Loading Facilities.					
Presented By:	City Manager Parrish or 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 2014-06 Authorization of Planning staff and City Attorney time and materials to amend Zoning Ordinance parking regulations to relax the parking requirements and eliminate the requirements for nonconforming structures.

BACKGROUND: The current parking regulations (Zoning Ordinance Section 7.16, attached) do not account for Ferndale's historic downtown area, where buildings were erected without providing parking spaces. There is little space left, especially in the downtown business district, to provide for onsite off-street parking, yet the current regulations require that existing non-conforming uses and structures must conform to the parking requirements. This issue has arisen several times over the past few months. In two instances businesses needed to relocate but wanted to remain within the City. Unfortunately, the proposed locations were nonconforming for off-street parking spaces. One of these business paid the \$696 fee and obtained a Variance; the other has yet to relocate or apply for a Variance. A prospective property buyer inquired with City staff about the implications of purchasing a property within the City that was nonconforming for parking. City staff informed the individual that before any permit could be issued for the property, parking requirements would need to be met or a Variance obtained.

This uncertainty over parking requirements is prohibitive for property and business owners, as well as difficult for City staff to enforce. The requirements have traditionally only been enforced when an application for a permit triggers a parking review by City staff. Under the current regulations, the only remedy for a nonconforming structure is to apply for a Variance. This is problematic for several reasons. First, granting a variance requires making the findings that special circumstances exist; in Ferndale, nonconformance for parking regulations is a norm more than a special circumstance, especially in the downtown business district. Second, applying for a Variance costs applicants \$696 and does not guarantee a favorable outcome.

Relaxing the parking requirements and eliminating the requirements for nonconforming structures will better enable the City to enforce the regulations to address parking issues in Ferndale while reducing the burden and uncertainty on business owners.

ENVIRONMENTAL REVIEW: The adoption of the proposed resolution 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: Work will be completed on a time and materials basis, not to exceed \$2,000.

Resolution Number 2014-06**THE CITY COUNCIL OF THE CITY OF FERNDALE****AUTHORIZATION OF PLANNING STAFF AND CITY ATTORNEY TIME AND MATERIALS NOT TO EXCEED \$2,000 TO AMEND ZONING ORDINANCE 02-02 §7.16 PARKING AND LOADING FACILITIES.**

WHEREAS, parking in Ferndale is currently regulated by Zoning Ordinance §7.16; and

WHEREAS, the City recognizes a need to update parking regulations to reduce the number and size of required spaces and allow provisions for nonconforming structures.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ferndale authorizes Planning staff and City Attorney time and materials not to exceed \$2,000 to amend Zoning Ordinance 02-02 §7.16 Parking and Loading Facilities.

PASSED AND ADOPTED on this 3rd of April 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

City Clerk

Stuart Titus, Mayor

Meeting Date:	April 3, 2014		Agenda Item Number	13.g.	
Agenda Item Title	Update on PG&E Rule 20A Undergrounding Project				
Presented By:	City Manager, Jay Parrish				
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 update on the PG&E Rule 20A Undergrounding Project from City Manager Parrish.

DISCUSSION:

At its regular meeting on February 6, 2014, the City Council heard from City Manager Parrish, City Attorney Gans and several members of the public about the process the City needs to engage in to identify and select the project area to comply with CEQA. City Manager Parrish has pulled together a team to manage this process and will give an update. At its regular meeting on March 6, 2014, the City Council, City Manager Parrish reported that the City had a public meeting on March 1 attended by several members of the public where a number of potential sites for the undergrounding project were identified.

FINANCIAL IMPACT:

No financial impact to City, however the project will use Rule 20a monies from PG&E, which amount to \$454,000.

Meeting Date:	April 3, 2014		Agenda Item Number	13.h.	
Agenda Item Title:	Contract with Access Humboldt To Manage The Community Media Center And Provide PEG Access Programming And Community Media Services				
Presented By:	Jay Parrish, City Manager				
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

It is recommended that the Council approve the contract and direct the City Manager to enter into a contract with Access Humboldt on behalf of the City of Ferndale.

BACKGROUND: Access Humboldt was formed in 2006 to develop and provide PEG (public, educational, government) access services and to build sustainable community media and broadband access for Humboldt County and the region. By previous agreement, Access Humboldt has provided PEG services since May 9, 2006.

The creation of Access Humboldt was one of the outcomes of an extensive community input process that included diverse stakeholders and best practices design that was undertaken between 2004-2006 as part of the cable franchise renewal process. As a result of the cable franchise renewal process and negotiations, PEG access channels, optical fiber links, and funding were secured in the renewed franchise agreements with Cox Cable. Subsequent to that renewal process, Cox Cable transferred ownership of the franchise to Suddenlink. The contractual obligations of Cox transferred to Suddenlink when the transfer was approved by the Cities and Humboldt County.

Access Humboldt was created and designated by Humboldt County and the Cities of Arcata, Eureka, Ferndale, Fortuna, Blue Lake, and Rio Dell to manage the Community Media Center and those PEG access channels and resources that were the outcome of that franchise renewal process.

The Franchise Agreements with Suddenlink will expire in April/May 2014, (varies by City/County) and will be replaced by video service franchises issued by the California Public Utilities Commission pursuant to the Digital Infrastructure and Video Competition Act ("DIVCA") of 2006. Also pursuant to DIVCA, upon the expiration of the Franchise Agreements the Cities and County no longer have the authority to grant franchise agreements. The authority to grant Franchise Agreements is provided to the California Public Utilities Commission.

The Cities and County have codified their rights pursuant to DIVCA in the City and County Codes. Pursuant to those rights, cable/video service providers granted franchises pursuant to DIVCA must provide certain PEG access channels, funding, and resources to the Cities and County.

The City and County Managers have met to discuss and agree upon the terms and conditions of the new contract and recommend that Access Humboldt be the designated Access Management Operator to manage the PEG access channels, operate the Community Media Center, and continue to provide PEG access programming and services pursuant to the new agreement.

FISCAL IMPACT:

Unknown at this time.

Attachments:

1. Contract between the cities of Arcata, Eureka, Blue Lake, Fortuna, Ferndale, Rio Dell and Humboldt County and Access Humboldt
2. Letter from Access Humboldt dated March 14, 2014

CONTRACT BETWEEN THE CITIES OF ARCATA, EUREKA, BLUE LAKE, FORTUNA,
FERNDALE, RIO DELL AND HUMBOLDT COUNTY
AND
ACCESS HUMBOLDT

AGREEMENT

This Agreement is made this ___ day of _____, 2014, by and between the Cities of Arcata, Eureka, Blue Lake, Fortuna, Ferndale, Rio Dell and Humboldt County (collectively the "Cities/County"), and Access Humboldt, a California nonprofit corporation, who agree as follows:

RECITALS

1. The Cities/County desire to provide support for the use of public, educational, and governmental ("PEG") access cable channels provided pursuant to federal law.
2. Each of the Cities/County granted an identical franchise to Cebridge Acquisition, L.P. d/b/a Suddenlink ("Cebridge") to operate a cable television system in the Cities/County (each referred to as a "Franchise Agreement," collectively as the "Franchise Agreements").
3. The Franchise Agreements indicate that the Cities/County shall designate a non-profit PEG Access Management Organization ("AMO") to operate and administer the public educational and governmental ("PEG") access channels, facilities, services and programming.
4. The Franchise Agreements provide that certain channel capacity and fiber links shall be provided for PEG access.
5. The Franchise Agreements provide that certain grant payments shall be made by the Franchisee for PEG access equipment, facilities, and services (hereafter "PEG Uses").
6. The Franchise Agreements provide that certain in-kind services shall be provided by the Franchisee to support PEG Uses.

7. The Franchise Agreements will expire in April/May 2014 (varies by City/County) and will be replaced by video service franchises issued by the California Public Utilities Commission pursuant to the Digital Infrastructure and Video Competition Act ("DIVCA") of 2006. Pursuant to DIVCA upon the expiration of the Franchise Agreements, the Cities/County no longer have the authority to grant franchise agreements. The authority to grant Franchise Agreements is provided to the State of California Public Utilities Commission.
8. The Cities/County have codified their rights pursuant to DIVCA in the Cities/County Code. Pursuant to those rights, cable/video service providers granted franchises pursuant to DIVCA must provide certain PEG access channels, funding, and resources to the Cities/County.
9. Through a community based effort that included diverse stakeholders and best practice design, Access Humboldt was formed in 2006 to develop and provide PEG access services and to build sustainable community media and broadband access for Humboldt County and the region. By previous agreement Access Humboldt has provided PEG services since May 9, 2006.
10. The Cities/County have determined that they wish to provide continuing support for PEG access.
11. The Cities/County have designated Access Humboldt as the AMO to operate and manage PEG access and to be the recipient of those PEG access channels, funding, and resources.
12. Access Humboldt has agreed to serve the Cities/County by managing the Community Media Center and providing PEG access programming and services.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

SECTION 1. SCOPE OF SERVICES. In exchange for the resources provided by the Cities/County to Access Humboldt, pursuant to this Agreement, Access Humboldt shall provide the following services:

- A. *OPERATE PUBLIC ACCESS CABLE CHANNEL(S)*. Operate the public access cable channel(s) for public/community access programming purposes in a manner that is consistent with the principles set forth in the Franchise Agreements, with the primary purpose being to administer, coordinate, and assist those requesting access on a non-discriminatory basis.
- B. *OPERATE EDUCATIONAL AND GOVERNMENTAL ACCESS CHANNELS*. Operate the educational and governmental access channel(s), with the primary purpose being to administer, coordinate, and assist the Cities/County and educational institutions requesting access on a non-discriminatory basis.
- C. *OPERATE A COMMUNITY ACCESS CENTER*. Manage a media production facility and equipment, available for public use at such hours and times as are determined by Access Humboldt. Access to equipment and facilities shall be open to all those who: (1) satisfactorily complete required training classes provided by Access Humboldt; or (2) receive certification from Access Humboldt, identifying said persons as having satisfied training requirements through other means.
- D. *PROVIDE NONDISCRIMINATORY ACCESS*. Provide access to the equipment, facilities, channels, and services provided hereunder on a non-discriminatory basis to all residents of the Cities/County for non-commercial programming purposes, whether individuals or organizations, pursuant to operating rules promulgated by ACCESS HUMBOLDT.
- E. *DEVELOP OPERATING POLICIES AND PROCEDURES*. Develop policies and procedures for use and operation of the PEG access equipment, facilities, and channels. The policies and procedures shall be filed with the Cities/County and shall be provided to any resident of the Cities/County who requests them.
- F. *COMPLIANCE WITH LAWS RULES, AND REGULATIONS*. Administer the PEG access channels and facilities in compliance with applicable laws, rules, regulations, and in compliance with the Franchise Agreements.

- G. *TRAINING.* Train residents of the Cities/County and, when requested, employees of the Cities/County and local school or college employees, in the techniques of media production, and provide technical advice in the execution of productions.
- H. *PLAYBACK/CABLECAST.* Provide for the playback/cablecasting of programs on the PEG access channels. Access Humboldt shall cablecast an average of at least 20 hours of programming per week.
- I. *MAINTENANCE OF EQUIPMENT.* Provide regular maintenance and repair of all equipment purchased with monies received pursuant to this Agreement and/or donated, loaned, or leased to Access Humboldt by the Cities/County.
- J. *SPECIAL NEEDS GROUPS.* Support special needs groups in program production through training and other means.
- K. *PROMOTION.* Actively promote the use and benefits of the PEG access channels and facilities to cable subscribers, the public, PEG access users, and the Franchisee.
- L. *PERFORMANCE REVIEW.* Access Humboldt, shall beginning in year two (2) and every four (4) years thereafter under this Agreement, contract with an entity from outside the Cities/County that is expert in PEG access matters to conduct a performance review of Access Humboldt's operations. This review shall include an opportunity for PEG access users and cable subscribers to provide input. Upon completion, a copy of the performance review shall be submitted to each of the Cities/County.
- M. *OTHER ACTIVITIES.* Undertake other PEG access programming activities and services as deemed appropriate by Access Humboldt and consistent with the obligation to facilitate and promote PEG access programming and provide non-discriminatory access.

SECTION 2. PUBLIC ACCESS CHANNELS OPEN TO PUBLIC. Access Humboldt agrees to keep the public access channel(s) open to all potential users regardless of their viewpoint, subject to FCC regulations and other relevant laws. None of the Cities/County, the Franchisee, nor Access Humboldt shall have the authority to control the content of programming placed on the public access channel(s) so long as such programming is lawful. Provided that, nothing herein shall prevent Access Humboldt, any of the Cities/County, or the Franchisee from producing or sponsoring programming, prevent any of the Cities/County or the Franchisee from underwriting programming, or prevent any of the Cities/County, Franchisee, or Access Humboldt from engaging in activities designed to promote production of certain types of programming or use by targeted groups as consistent with applicable law and rules for use of the channel(s). Access Humboldt may develop and enforce policies and procedures which are designed to promote local use of the channel(s) and make programming accessible to the viewing public, consistent with such time, place, and manner regulations as are appropriate to provide for and promote use of PEG access channels, equipment and facilities.

SECTION 3. INDEMNIFICATION. Access Humboldt shall indemnify, defend, and hold harmless each of the Cities/County, their officers, agents, and employees from and against any and all claims, suits, actions, causes of action, losses, damage, or liabilities of any kind, nature or description, including payment of litigation costs and attorneys' fees, brought by any person or persons for or on account of any loss, damage or injury to person, property or any other interest, tangible or intangible, sustained by or accruing to any person or persons, howsoever the same may be caused, directly or indirectly arising or resulting from any alleged acts or omission of Access Humboldt, its officers, employees, agents or subcontractors arising out of or resulting from the performance of this Agreement.

Access Humboldt shall indemnify and hold harmless each of the Cities/County, their officers, agents, employees and volunteers from and against any and all claims or other injury, including costs of litigation and attorney's fees, arising from or in connection with claims or loss or damage to person or property arising out of the failure to comply with

any applicable laws, rules, regulations or other requirements of local, state or federal authorities, for claims of libel, slander, invasions of privacy, or infringement of common law or statutory copyright, for breach of contract or other injury or damage in law or at equity which claims, directly or indirectly, result from Access Humboldt's use of channels, funds, equipment, facilities or staff granted under this Agreement or franchise agreements between the Cities/County and Cebridge/Suddenlink.

Each of the Cities/County, respectively, shall indemnify, defend, and hold harmless Access Humboldt, its officers, agents and employees from and against any and all claims, losses, liabilities, or damage including payment of reasonable attorneys' fees arising out of or resulting from the performance of this Agreement, caused in whole or part by any act or omission of the respective City or County.

SECTION 4. COPYRIGHT CLEARANCE. Before cablecasting any program material, Access Humboldt shall require all users to agree in writing that they shall make all appropriate arrangements to obtain all rights to all material cablecast and clearances from broadcast stations, networks, sponsors, music licensing organizations' representatives, and without limitation from the foregoing, any and all other persons as may be necessary to transmit their program material over the PEG access channels that are operated and managed by Access Humboldt. Access Humboldt shall maintain for inspection by any of the Cities/County, upon reasonable notice by the Cities/County and for the term of the applicable statute of limitations, copies of all such user agreements.

SECTION 5. COPYRIGHT AND OWNERSHIP. Access Humboldt shall own the copyright of any programs, which it may choose from time to time to produce. Copyright of programming produced by other parties shall be held by the persons who produced said programming.

SECTION 6. DISTRIBUTION RIGHTS.

- A. Access Humboldt shall require that programs produced with funds, equipment, facilities, or staff granted under this Agreement shall be distributed on the channels whose use is authorized by this Agreement. This subparagraph shall not be interpreted to restrict other distribution (beyond distribution on channels authorized by this Agreement), so long as such other distribution is consistent with any pertinent guidelines established in the PEG access operating policies and procedures.
- B. At least twice each day that programming is cablecast on the PEG access channels whose use is authorized by this Agreement, Access Humboldt shall display a credit stating "Partial funding for the operation of this channel is provided by the Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, and Humboldt County. Such credit shall also state that opinions expressed in PEG access programs are the sole responsibility of the program producers.

SECTION 7. EQUIPMENT AND FACILITIES.

- A. Access Humboldt shall be responsible for maintenance of all equipment and facilities owned, leased or loaned to it under this Agreement or purchased with funds provided pursuant to this Agreement.
- B. Access Humboldt shall own all equipment and facilities acquired by it and purchased with funds received pursuant to this Agreement, except that upon termination or non-renewal of this Agreement all equipment or facilities purchased with funds received pursuant to this Agreement shall become the property of the Cities/County (in a manner determined by the Cities/County), which shall ensure that all such equipment or facilities shall be used for PEG access purposes.

To secure all of its obligations under this Agreement, Access Humboldt hereby grants to each of the Cities/County a security interest in the assets and interests owned or hereafter acquired by Access Humboldt with funds

provided by the Cities/County, and the proceeds thereof, including but not limited to Access Humboldt deposit accounts, inventory, and all equipment and fixtures acquired with funds provided by the Cities/County. Access Humboldt agrees to take all steps reasonably requested by any of the Cities/County to perfect and enforce the security interest of the Cities/County, including the execution and processing of financing statements and continuation statements under the California Uniform Commercial Code. Access Humboldt will also notify any institution with whom it now or hereafter maintains any deposit account of the existence of a security interest by the Cities/County in the account.

The Cities/County agree to subordinate their interest if necessary to finance the purchase of equipment or property. The subordination shall only be with respect to the specific equipment or property that Access Humboldt might wish to finance.

- C. Upon the dissolution of Access Humboldt, it shall, subject to the approval of the Cities/County, transfer all assets of Access Humboldt representing equipment and facilities funded by the Cities/County, and/or the proceeds of either to the Cities/County, or at the option of the Cities/County, to such organization or organizations designated by the Cities/County to manage PEG access which shall at the time qualify as a tax exempt organization(s) under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any superseding law).

SECTION 8. INSURANCE. Access Humboldt shall maintain in full force and effect at all times during the term of this Agreement insurance as required by this Section. The cost of such insurance shall be borne by Access Humboldt and may be included in its annual budget.

- A. *COMPREHENSIVE LIABILITY INSURANCE.* Comprehensive liability insurance, including protective, completed operations and broad form contractual liability, property damage and personal injury coverage, and comprehensive automobile liability including owned, hired, and non-owned

- automobile coverage. The limits of such coverage shall be at a minimum: (1) bodily injury including death, \$2,000,000 for each person, each occurrence and aggregate; and (2) property damage, \$2,000,000 for each occurrence and aggregate.
- B. *EQUIPMENT INSURANCE.* Insurance shall be maintained on all equipment and facilities, including fixtures, funded in whole or in part under this Agreement to replacement cost. The insurance shall include, at a minimum insurance against loss or damage beyond the user's control, theft, fire or natural catastrophe. The Cities/County shall be shown as **additional insured** on all policies.
- C. *WORKERS' COMPENSATION.* Full Workers' Compensation Insurance and Employer's Liability with limits as required by California law with an insurance carrier satisfactory to the Cities/County. The worker's compensation policy is to contain, or be endorsed to contain the following provisions:
- (1.) A waiver of subrogation clause indicating the insurance company agrees to waive all right of subrogation against the Cities/County, their officers, officials, employees and volunteers for losses paid under the terms of this policy which arise from the work performed by the named insured for the Cities/County or from operations performed by the Named insured on Cities/County premises.
- D. *CABLECASTER'S ERRORS AND OMISSIONS INSURANCE.* Insurance shall be maintained to cover the content of productions which are cablecast on the PEG access channels in, at minimum, the following areas: libel and slander; copyright or trademark infringement; infliction of emotional distress, invasion of privacy; plagiarism; misuse of musical or literary materials. This policy shall not be required to cover individual PEG access producers.
- E. *CITIES/COUNTY AS CO-INSURED OR ADDITIONAL INSURED.* All Cities/County shall be named as co-insured or additional insured on all aforementioned insurance policies. The policies shall provide that no cancellation, major change in coverage or expiration may be affected by the

insurance company or Access Humboldt without first giving each of the Cities/County thirty (30) days written notice prior to the effective date of such cancellation or change in coverage. Any insurance or self-insurance maintained by the Cities/County, their officers, agents, employees, or volunteers shall be in excess of Access Humboldt's insurance and shall not contribute to it.

- F. *NOTIFICATION OF COVERAGE.* Access Humboldt shall annually file with the Cities/County proof of insurance coverage as follows: (1) Comprehensive Liability and Workers' Compensation; (2) equipment insurance; and (3) cablecaster's errors and omissions insurance

G. *OTHER INSURANCE REQUIREMENTS*

Cities/County or its authorized representative or agents shall have the right to require additional insurance, or high limits of insurance, at anytime during this Agreement should it be deemed necessary.

The general liability policy is to contain, or be endorsed to contain the following provisions:

- (1) Cities/County, their officers, officials, employees and volunteers are to be covered as additional insured's with respect to liability arising out of ownership, maintenance or use of that part of the area in use by Access Humboldt pursuant to this Agreement.
- (2) Access Humboldt insurance coverage shall be primary insurance as respects the Cities/County, their officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the Cities/County, its officers, officials, employees or volunteers shall be excess of Access Humboldt's insurance and shall not contribute with it.

SECTION 9. NON-DISCRIMINATION IN EMPLOYMENT AND SERVICE. Access Humboldt shall comply with Title VII of the Civil Rights Act of 1964 and no person shall, on the grounds of race, religion or religious creed, color, age (over 40), sex (including gender identity and expression, pregnancy, childbirth and related medical conditions), sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, marital status, medical condition (including cancer and genetic characteristics), mental or physical disability (including HIV status and AIDS), military service, or any other classification protected by federal, state, or local laws and ordinances be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this Agreement.

SECTION 10. INDEPENDENT CONTRACTOR. It is understood and agreed that Access Humboldt is an independent contractor and that no relationship of principal/agent or employer/employee exists between the Cities/County and Access Humboldt. If in the performance of this Agreement any third persons are employed by Access Humboldt, such persons shall be entirely and exclusively under the control, direction and supervision of Access Humboldt. All terms of employment, including hours, wages, employee benefits, working conditions, discipline, hiring and discharging or any other term of employment shall be determined by Access Humboldt and the Cities/County shall have no right or authority over such persons or terms of employment.

SECTION 11. ASSIGNMENT OR TRANSFER. Neither this Agreement nor any interest herein shall be assigned or transferred by Access Humboldt, except as expressly authorized in writing by the Cities/County.

SECTION 12. ANNUAL REPORTS. Prior to June 30 of each year, Access Humboldt shall submit to the Cities/County an annual report regarding its activities during the preceding fiscal year (January 1 - December 31). This report shall contain, at a minimum, the following information:

- A. Statistics on programming and services provided;
- B. Current and complete listing of Access Humboldt's Board of Directors; and

- C. Year-end financial statements reviewed by an independent certified public accountant.

SECTION 13. RECORDS, FISCAL AUDIT.

- A. Access Humboldt shall maintain all necessary books and records, in accordance with generally accepted accounting principles.
- B. Upon reasonable request from any of the Cities/County, Access Humboldt shall, at any time during normal business hours, make available all of its records with respect to all matters covered by this Agreement.
- C. Access Humboldt shall prepare (or have prepared) and submit to the Cities/County a fiscal audit by an independent certified public accountant, at least every three (3) years unless requested more frequently by Cities/County.

SECTION 14. PEG ACCESS FUNDING, CHANNELS, AND OTHER RESOURCES.

Pursuant to the following City and County Code citations, certain PEG access funds, channels, and resources are to be provided to the Cities/County by Cebridge/Suddenlink and any entity issued a State Video Franchise. The Cities/County do by this Agreement transfer those funds, channels, and resources as delineated in the Cities/County Code to Access Humboldt for the purposes described in this Agreement including:

- A. *PEG CHANNEL CAPACITY.* “A state franchise holder shall designate a sufficient amount of capacity on its network to allow the provision of four (4) PEG channels.”
- B. *PEG SUPPORT.* “Any state franchise holder shall pay to the [Cities/County] - - or if directed by the [Cities/County], to the [Cities/County] designated PEG provider -- a PEG fee equal to three percent (3%) of gross revenues.”
- C. *PEG CARRIAGE AND INTERCONNECTION.* “PEG Channels are receivable by all subscribers, whether they receive digital or analog service, or a combination thereof, without the need for any equipment other than that

needed to receive the lowest cost tier of service.” . . . “Each state franchise holder and incumbent cable operator shall provide interconnection of PEG channels on reasonable terms and conditions and may not withhold the interconnection.”

The Cities/County codes referenced are:

Humboldt County Code Title VIII Chapter 5 (Pages 45-54)

Eureka City Code Title XI Chapter 114 Sections 11.63

Fortuna City Code Title 14 Chapter 14.18

Arcata City Code Title VI Chapter 4 Article 5

Ferndale City Code Ordinance Chapter 5

Rio Dell City Code Chapter 5 Article V (pg. 23-27)

Blue Lake Ordinance 497 Chapter 5

SECTION 15. ANNUAL PLAN AND BUDGET. On or before December 31 of each year in which this Agreement is in effect, Access Humboldt shall provide to the Cities/County an “Annual Plan and Budget” outlining activities and programs planned for the following fiscal year with funds and other resources provided by the Cities/County. Such plan shall contain:

- A. A statement of the anticipated number of hours of PEG access programming to be cablecast;
- B. Training classes to be offered and frequency of classes;
- C. Other PEG access activities planned by Access Humboldt; and
- D. A detailed operating and capital equipment and facilities budget.

SECTION 16. EXPENDITURE OF FUNDS. Access Humboldt shall spend funds received from the Cities/County for the purposes listed in its Annual Plan and Budget and Section 1 (“Scope of Services”) of this Agreement. Funds not expended in the year covered by the Annual Plan and Budget may be carried over by Access Humboldt into succeeding years. Upon termination of this Agreement all funds of any kind received from the Cities/County and not expended by Access Humboldt shall be

returned to the Cities/County, in proportion to the amounts previously provided by the Cities/County. All such returned funds shall be used by the Cities/County for PEG access purposes. Access Humboldt shall provide for such fiscal control and accounting procedures as are necessary to assure proper disbursement and accounting for funds received from the Cities/County.

SECTION 17. RECEIPT OF APPROVED FUNDING. The Cities/County codes require holders of state issued video franchises to pay to the Cities/County certain funds for PEG Support (see Cities/County code citations in Section 14). For each year in which ACCESS HUMBOLDT has submitted the Annual Plan and Budget to the Cities/County as required under Section 15 of this Agreement, the Cities/County shall direct all state video franchise holders to make quarterly payments to Access Humboldt. Those payments shall be made on or before February 15, May 15, August 15, and November 15.

SECTION 18. FUNDING FROM OTHER SOURCES. Access Humboldt may, during the course of this Agreement, receive supplemental funds from other sources, including but not limited to fundraising activities.

SECTION 19. TERM OF AGREEMENT. This Agreement supersedes the previous agreement for PEG services (dated May 9, 2006) and shall be for a period of five (5) years, with a five (5) year renewal provision, commencing May 9, 2014 and ending May 9, 2019, unless terminated earlier, as provided for in this Agreement.

SECTION 20. TERMINATION OF AGREEMENT: TRANSFER OF ASSETS.

- A. The Cities/County shall have the right upon one hundred twenty (120) days written notice to Access Humboldt to terminate this Agreement for:
- (1.) Material breach of any provision of this Agreement by Access Humboldt;
 - (2.) Malfeasance, misfeasance, misappropriation of funds; or
 - (3.) Loss of 501(c) (3) status by Access Humboldt or revocation or suspension of its Articles of Incorporation by the State of California.

- B. Access Humboldt may avoid termination by curing any such breach to the satisfaction of the Cities/County within one hundred twenty (120) days of notification or within a time frame agreed to by the Cities/County and Access Humboldt. The Cities/County may also terminate this Agreement at the expiration of its term, or any extension thereof.
- C. Upon termination of this Agreement, Access Humboldt shall immediately transfer to the Cities/County all equipment, real property, fixtures, contracts, leases, deposit accounts or other assets received by or purchased by Access Humboldt with funds received pursuant to this Agreement. All such transferred items shall be used by the Cities/County for PEG access purposes.

SECTION 21. EXTENSION OF AGREEMENT. This Agreement may be renewed or extended for additional periods of not less than five (5) years each, pursuant to the following process:

- A. If Access Humboldt seeks an extension it shall submit a letter of request to each of the Cities/County at least one hundred twenty (120) days prior to the expiration of this Agreement.
- B. The City Managers/County CAO shall jointly respond to Access Humboldt's letter of request for an extension of the Agreement within thirty (30) days of the date of said letter. If the Cities/County intends to refuse to extend the Agreement, they shall explain the reasons for this decision in their response to Access Humboldt. The Cities/County may not refuse to extend the contract based upon a failure of Access Humboldt to comply with the terms of this Agreement unless the Cities/County have provided Access Humboldt a notice of its failure to comply with the terms and the opportunity to cure said noncompliance.

SECTION 22. TIME. Time is of the essence in this Agreement and for the performance of all covenants and conditions of this Agreement.

SECTION 23. COOPERATION. Each party agrees to execute all documents and do all things necessary and appropriate to carry out the provisions of this Agreement.

SECTION 24. APPLICABLE LAW. This Agreement shall be interpreted and enforced under the laws of the State of California.

SECTION 25. NOTICES. Wherever this Agreement requires notice to be given to or a filing to be made with the Cities/County, such notice or filing shall be given to or made with each City and the County. All notices and other communications to be given by either party may be given in writing, depositing the same in the United States mail, postage prepaid and addressed to the appropriate party as follows:

To the Cities and County:

City Managers of Arcata, Blue Lake, Eureka, Fortuna, Ferndale, Rio Dell

City Manager
City of Arcata
736 F Street
Arcata, CA. 95521

City Manager
City of Ferndale
834 Main Street/PO Box 1095
Ferndale, CA. 95536

City Manager
City of Blue Lake
P.O .Box 458
Blue Lake, CA. 95525

City Manager
City of Rio Dell
675 Wildwood Avenue
Rio Dell, CA. 95562

City Manager
City of Eureka
531 K Street
Eureka, CA. 95501

City Manager
City of Fortuna
621 11th Street
Fortuna, CA. 95540

Humboldt County Administrative Officer

County Administrative Officer
County of Humboldt
825 5th St
Eureka, CA. 95501

To Access Humboldt
Executive Director
P.O Box 157
Eureka, CA 95502

Any party may change its address by written notice to the other parties at any time.

SECTION 26. ENTIRE AGREEMENT. This Agreement is the entire agreement of the parties and supersedes all prior negotiations and agreements whether written or oral. This Agreement may be amended only by written agreement and no purported oral amendment to this Agreement shall be valid.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written above.

CITIES AND COUNTY

**Access Humboldt, a California
nonprofit corporation**

City of Arcata/Name

Chairperson, Board of Directors

Date

Date

City of Blue Lake/Name

Date

City of Eureka/Name

Date

Signatures continued on next page

City of Ferndale/Name

Date

City of Fortuna/Name

Date

City of Rio Dell/Name

Date

Humboldt County/Name

Date



City Manager
City of Arcata
736 F Street
Arcata, CA 95521

City Manager
City of Blue Lake
P.O. Box 458
Blue Lake, Ca 95525

City Manager
City of Eureka
531 K Street
Eureka, CA 95501

County Administrative Officer
County of Humboldt
825 5th Street
Eureka, CA 95501

March 14, 2014

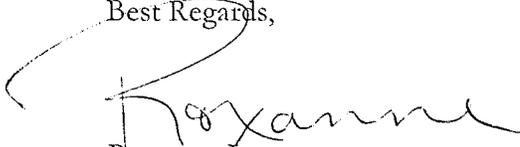
To the City Managers of Arcata, Eureka, Blue Lake, Fortuna, Ferndale, Rio Dell and the CAO for County of Humboldt

As required in the contract dated May 9, 2006 between the cities of Arcata, Eureka, Blue Lake, Fortuna, Ferndale, Rio Dell and Humboldt County and Access Humboldt I have enclosed the following documents.

- Access Humboldt's 2014 approved Budget
- Strategic Plan
- 2013-2014 Board of Directors

I will forward the 2013 Annual report and CPA reviewed financial statements for year ended 12/31/2013 when they are available. If you have any questions or require any additional information please contact myself at (707) 476-2872, email roxanne@accesshumboldt.net or Sean McLaughlin at (707)476-1798, email sean@accesshumboldt.net.

Best Regards,


Roxanne Levang
Executive Assistant

CM
 Correspondence
 AH file



2014 FINAL BUDGET

Approved December 10, 2013

Accnt. #	Account Description	<i>2014 Approved Budget</i>
618.10	Liability Insurance	5,175
618.15	Workers Compensation	6,200
620.00	Dues & Subscriptions	2,000
622.00	Freight & Postage	650
625.00	Rent	1
630.00	Repairs & Maintenance	1,000
635.00	Telecom	
635.10	Internet Service	200
635.20	Telephone	4,200
635.30	website hosting	580
636.00	Salaries & Wages	320,000
638.00	Payroll Taxes	32,000
639.00	Utilities	
639.10	CMC electricity	4,000
639.20	LPG Propane	50
639.30	Eka Muni PG&E	0
640.00	Travel	
640.10	Staff travel	2,000
640.20	Board travel	400
640.30	Travel meals	600
640.40	Staff lodging	3,000
641.10	Staff Recognition (Meals & Entertainment)	750
641.20	Volunteer Recognition (Board Meals & Entertain	100
642.00	Professional Development	
642.10	Prof Dev Staff	3,000
642.20	Prof Dev Board	500
643.00	Membership expenses	200
654.00	Operating Expenses	
654.10	Water/Security/Misc	2,200
654.10	Other	500
654.20	satellite	900
	Printing & copying	1,200
655.00	Office Supplies	1,500
656.00	Production Supplies	500
658.00	Engineering Tools & Supplies	200
665.00	Fund Development	12,000
675.00	Outside Services	
675.20	Instructors	1,000
675.30	Consultants	11,491
680.00	Bank Charges	375
694.00	Penalties and Fines	10
696.00	Electronic Pymt Fees	150
802.00	Capital Equipment <\$500	12,000
	Total expenses	437,732
	Net Cash	11,544

Access Humboldt Strategic Plan

Directions, Goals and Strategies

Adopted 26 February 2008

Revised 24 February 2009

Revised 26 July 2011

A. Program Development

Develop sustainable projects to meet community needs. Collaborate with public agencies and non-profit organizations. Create partnerships with other local media – broadcast, print and online. Train community members to participate in the digital media industry.

Goal I. Access Humboldt will develop programs and projects to meet the needs of all stakeholders in the community.

Strategies:

1. Manage channels, facilities & equipment for use by community.
2. Offer training, mentoring and internship opportunities to build media skills.
3. Facilitate a corps of volunteer producers for non-profit programs.

Goal II. Access Humboldt will provide channels with distinct identities.

Strategies:

4. Maintain channel identities with distinct P-E-G and related brands.
5. Create a Marketing/Public Relations plan for channels and services.

Goal III. Access Humboldt will engage the community to build sustainable programs.

Strategies:

6. Develop interactive, online, easily understood, digital media tools and resources – i.e. Humboldt Interactive Pool.
7. Evaluate services to constantly improve quality and diversity of programming.

B. Facilities & Infrastructure

Develop facilities for community use. Partner with local governments and educational institutions. Develop network connectivity across Humboldt County. Improve function and quality of existing cable TV channels. Provide innovative online services. Extend media access through satellite facilities and mobile production equipment.

Goal I. Access Humboldt will operate a functioning media center.

Strategies:

1. Continue development of CMC facility with emphasis on ease of use.
2. Continue to develop specifications, purchase and install facility-based equipment.
3. Maintain playback system.

Goal II. Access Humboldt will provide studio & field production resources e.g., hotline studio.

D. Human Resources

Develop highly effective and motivated staff. Build volunteer participation and support.

Goal I. Access Humboldt will fully engage human resources available to support the organization -including staff, and volunteers.

Strategies:

1. Provide training and education opportunities to staff and volunteers.
2. Communicate goals and needs of the organization.
3. Develop incentives for staff and volunteers.

E. Fund Development

Create a fund development plan with diverse and sustainable revenue sources.

Goal I. Access Humboldt will have a sustainable funding base.

Strategies:

1. Identify activities to generate resources including grant funding as appropriate.
2. Offer services for a fee utilizing available human resources, facilities, and other assets.
3. Attract sponsorship and underwriting to support programs and activities.
4. Maintain and develop a fund development database.

F. Future Planning

Develop and maintain a current strategic plan.

Goal I. Access Humboldt will have a visionary, creative, strategic plan to guide the organization for the next 3 years.

Strategies:

1. Annually review Strategic Plans and revise as needed.
2. Create and maintain mechanisms for ongoing evaluation and needs assessment.
3. Plan for innovation and continuous quality improvement.

G. Governance

Be responsive and accountable to the community.

Goal I. Access Humboldt will have successful relationships among board, staff and volunteers.

Strategies:

1. Create and maintain an environment of mutual respect and support.
2. Clarify and ensure an understanding of the roles of board and staff.
3. Create an environment which supports our volunteers.

Goal II. Access Humboldt will have a diverse, passionate, and creative Board providing responsible leadership and excellent governance.

Strategies:

4. Expect high standards of performance and participation from Board members.

Meeting Date:	April 3, 2014		Agenda Item Number	13.i.		
Agenda Item Title:	Authorization to Develop Design and Specifications to Replace Sewer Siphon under Francis Creek					
Presented By:	Jay Parrish, City Manager and Praj White, City Engineer 					
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>	Discussion	<input type="checkbox"/>	Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>	Voice Vote	<input type="checkbox"/>	Roll Call Vote

RECOMMENDATION

Approve Resolution No. 2014-07 authorizing the City Engineer to develop design and specifications to relocate the manhole and eliminate as feasible the sewer siphon under Francis Creek.

DISCUSSION:

In conjunction with the Salt River Ecosystem Restoration Project, improvements will be required at the intersection of Francis Creek and Port Kenyon Road. Francis Creek will be widened and re-aligned and the existing culvert will be replaced with a larger, pre-cast concrete bridge structure. The realignment of Francis Creek causes a sanitary sewer manhole to be located with approximately the upper 12 feet of a sanitary sewer manhole sticking up above the proposed grade in the middle of the new creek channel. These improvements will require that the existing manhole be relocated approximately 20 feet to the west.

At this location, the existing sewer line is an inverted siphon (depressed sewer) that necks down from a 12 inch pipe to an 8 inch pipe and then back up to a 12 inch pipe. This configuration was required to pass under Francis Creek, which was originally much deeper. Under normal circumstances, the system functions properly however, under heavy flow conditions, the line has been known to back up.

The City was contacted regarding the restoration project and the relocation needs of the manhole. Due to the amount of work already taking place at this location, it would be beneficial for the City to develop a design and specifications for any improvements desired at this location.

After several discussions with County Staff and the Project Manager for the Restoration Project, it was determined, based on the proposed elevation of Francis Creek, that the inverted siphon will no longer be needed. That portion of pipe can be removed and replaced with a 12 inch, straight graded section of pipe. Due to the amount of work already taking place and relocation of the existing manhole, the additional work to upgrade the system would be significantly less if completed in conjunction with the County bridge replacement project or the Salt River Restoration Project.

If the City can complete the design and specifications in time, the proposed sewer improvements will be incorporated into the environmental documents and submitted to the California Coastal Commission for review and inclusion into the existing project permits.

Depending on the available budget, the improvements may be constructed in conjunction with the Salt River utility relocation budget with no cost to the City.

Resolution No: 2014-07 authorizes staff to move forward with the design and specification necessary to upgrade the system to a 12 inch, straight graded section of pipe.

BACKGROUND

The widening and realignment of Francis Creek and the replacement of the existing culvert are part of a larger effort proposed by the Salt River Partners and Salt River Advisory Group to address sediment sources and sediment accretion in the Salt River and its tributaries.

Currently, coastal cutthroat trout utilize habitat in Francis Creek and coho salmon were documented in Francis Creek within the City limits of Ferndale in 2005. The culvert is a migration/emigration barrier to adult and juvenile fish. The failing and plugged culvert affects hydrology, floodplain function, water quality and habitat conditions.

FINANCIAL IMPACT:

Sewer Capital Outlay (30515095) - Cost not to exceed \$10,000.

RESOLUTION NO. 2014-07

THE CITY COUNCIL OF THE CITY OF FERNDALE

RESOLUTION AUTHORIZING THE CITY ENGINEER TIME AND MATERIALS TO DEVELOP DESIGN AND SPECIFICATIONS TO REPLACE SEWER SIPHON UNDER FRANCIS CREEK

WHEREAS, the City of Ferndale wishes to assure proper design of the relocation of the manhole and reconstruction or elimination of the inverted siphon at the intersection of Francis Creek and Port Kenyon Road.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ferndale authorizes the City Engineer time and materials to develop design and specifications to replace the sewer siphon under Francis Creek.

PASSED AND ADOPTED by the City Council of Ferndale on April 3, 2014 on a motion made by Council Member _____ and seconded by Council Member _____ by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Stuart Titus, Mayor

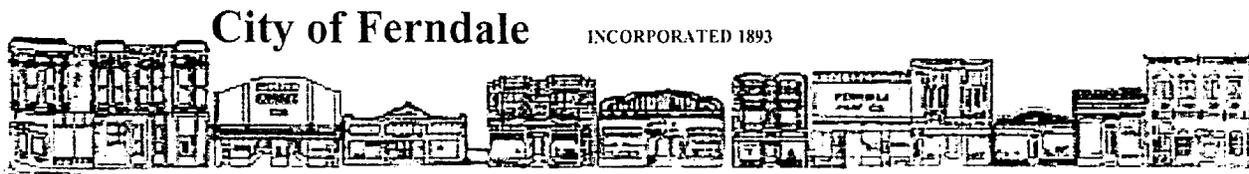
Attest:

Elizabeth Conner, City Clerk

Section 14

CORRESPONDENCE

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



March 12, 2014

Cream City Investments
P.O. Box 1386
Ferndale CA 95536

Re: Tentative Major Subdivision and Lot Line Adjustments at Fifth and Arlington, APN 030-091-024 and 030-091-021

Dear Cream City Investments,

You contacted City staff to inquire about the status of the above referenced Tentative Map. In response, the following is a list of dates from City records and Subdivision Map Act provisions. On June 6, 2005, The City of Ferndale City Council approved with conditions the Tentative Major Subdivision and Lot Line Adjustments at Fifth and Arlington, APN 030-091-024 and 030-091-021. According to the Subdivision Map Act §66463.5(a), a tentative map expires 24 months after its approval. This would have been June 6th, 2007 for the subject map. However, on October 12, 2005, the Regional Water Board adopted Cease and Desist Order No. R1-2005-0087 (CDO#2), which imposed a restriction prohibiting new flows to Ferndale's wastewater treatment facility. According to the Subdivision Map Act §66463.5(f), this CDO constituted a development moratorium and extended the Tentative Map expiration date for up to five years or 120 days after the moratorium is lifted. Since the moratorium lasted longer than 5 years, the project was granted an expiration date 120 days from the end of the moratorium.

The expiration date on the Tentative Map, after accounting for §66463.5(f), would be July 13, 2012. However, a number of statutory extensions have been enacted by the State. These extensions also affect the expiration date. City Hall, the City Engineer, and the City Planner conferred to interpret the statutory extensions, and determined that Section 66452.23 (enacted in 2011) and Section 66452.24 (enacted in 2013) each extend the life of the Tentative Map for two years; which would extend the Tentative Map expiration date to July 13, 2016.

This is the City of Ferndale's interpretation of the Subdivision Map Act in response to your inquiry and is not legal advice. The applicant is responsible for determining the actual Tentative Map expiration date.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melanie Rheaume', is written over a horizontal line.

Melanie Rheaume
Contract City Planner

File: 5th Street Subdivision and LLA
 Correspondence
Cc: City Clerk

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

CLIFFORD B. MITCHELL (1927 – 2010)
 PAUL A. BRISSO
 NANCY K. DELANEY
 JOHN M. VRIEZE
 WILLIAM F. MITCHELL
 RUSSELL S. GANS
 NICHOLAS R. KLOEPEL

 RYAN T. PLOTZ, Associate
 VICTOR M. FERRO, Of Counsel

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 P.O. DRAWER 1008
 EUREKA, CA 95502

 EMERY F. MITCHELL (1896 - 1991)
 WALTER J. CARTER (1949 - 1993)
 R.C. DEDEKAM (1929 - 2011)

March 18, 2014

Attorney-Client Privileged Communication

TO: Jay Parrish City Manager/City of Ferndale Planning Commission
 FROM: Russ Gans
 CLIENT: City of Ferndale
 RE: Zoning Ordinance-Public Facility

This Memorandum addresses the following issues:

I. ISSUES

1. Are the Planning Commission's suggested changes to section 5.17 of Ferndale's Zoning Ordinance, restricting use of Public Facility ("PF") zoned parcels to "City of Ferndale" public facilities, compliant with applicable law?
2. Are City of Ferndale staff's proposed changes to section 5.17.1(d) of Ferndale's Zoning Ordinance, placing requirements on the creation and use of emergency shelters within the City of Ferndale, compliant with Government Code section 65583 ("SB 2").
3. Is the proposed "Reasonable Accommodation Ordinance" valid?

II. DISCUSSION

1. **Public Facility Zoned Parcels Can Not be Limited to "City of Ferndale" Facilities.**

The Planning Commission has asked staff to inquire with the City Attorney about the legality of inserting the phrase "City of Ferndale" before each of the permitted uses

Correspondence

Memo to City of Ferndale Planning Commission

March 18, 2014

Page: 2

within the PF zone, including emergency shelters. Limiting the uses on PF zoned parcels to only those public facilities owned/operated by the City of Ferndale is not appropriate. In addition to violating basic tenets of zoning law, a limitation of this nature would effectively constitute a taking of property in violation of the California and United States Constitution. A city can not dictate the use or ownership of property by method of a zoning regulation. For example, the City can not limit use of the Humboldt County Fairgrounds to “City of Ferndale” public facilities—doing so would effectively preclude the County of Humboldt (the public entity vested in title) from use of the property. The same result would occur for any privately owned parcels zoned PF.

Additionally, limiting the development of emergency shelters to only public facilities owned and operated by the City would violate Government Code section 65583 because it does not facilitate and encourage the development of emergency shelters, but instead forecloses the opportunity for private development of shelters within the identified zone.

2. Staff’s Proposed Revisions to Zoning Ordinance Section 5.17’s Comply with SB 2

SB 2 requires that cities identify at least one zone in which emergency shelters, as defined in Government Code 65582(d), are permitted without a conditional use permit or other discretionary permit. It further requires that within the identified zone, “emergency shelters ... only be subject to those development and management standards that apply to residential or commercial development within the same zone,” except for particular standards enumerated in section 65583(a)(4)(A)(i-viii). (Gov. Code, § 65583(a)(4).) Finally, local governments must “demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters.” (*Id.*)

Each of the proposed changes to Section 5.17.1(d) included in Staff’s draft ordinance (attached) constitute valid development and management standards for emergency shelters. As noted above, all development and management standards placed on shelters must not exceed those development and management standards imposed on residential and commercial development within the same zone. However, the statute does provide a list of conditions that nevertheless may be imposed on emergency shelters.

Each of the proposed development and management conditions included in revised Section 5.17 comply with the statute, and constitute permissible conditions the City can

Memo to City of Ferndale Planning Commission

March 18, 2014

Page: 3

impose on shelter development/use. Staff's proposed conditions on shelter development/use seek to promote public safety and humane operation of emergency shelters.

2. Proposed "Reasonable Accommodation Ordinance"

The proposed ordinance is valid. As is noted by Melanie Rheaume, the ordinance is modeled after Eureka's recently adopted ordinance. Further, the ordinance (with a few minor changes) implements the exact language of the Department of Housing and Community Development's model ordinance for providing reasonable accommodation under federal and state fair housing laws which was developed by Mental Health Advocacy Services, Inc.. The model ordinance can be found at:
http://www.hcd.ca.gov/hpd/housing_element2/documents/MODEL_REASONABLE_AC_COMODATION_ORDINANCE.pdf

III. CONCLUSION

The proposed revisions contained in the attached Zoning Ordinance § 5.17 prepared by City Staff to be submitted to the Planning Commission are consistent with the recommended revisions and appear to be compliant with State law.

The proposed "Reasonable Accommodation Ordinance" is valid.



COUNTY COUNSEL

COUNTY OF HUMBOLDT

825 FIFTH STREET

EUREKA, CALIFORNIA 95501

PHONE: (707) 445-7236 FAX: (707) 445-6297

February 24, 2014

Ms. Elizabeth Conner
 City Clerk, City of Ferndale
 P.O. Box 1095
 834 Main Street
 Ferndale, CA 95536

Re: *Verizon California, Inc. v. California State Board of Equalization, et al. (Verizon 2)*
 Sacramento Superior Court Case Number 34-2014-00157245
 Revenue and Taxation Code Section 5148 Notice

Dear Ms. Conner:

This letter is to notify you of the above-referenced lawsuit that has been filed by Verizon California, Inc. against the California State Board of Equalization, the County of Humboldt, and 37 other California counties. The Complaint seeks a refund of state-assessed unitary taxes for the January 1, 2009 lien date. An electronic copy of the Complaint is available upon request. Under Revenue and Taxation Code Section 5148, the County is giving notice of this action to all cities on whose behalf taxes were collected. Any city receiving notice of the action may, within 30 days of receipt thereof, intervene in the action. (Rev. & Tax. Code, §5148(b).)

Please be advised that the Attorney General's Office will be defending the action on behalf of the California State Board of Equalization since the assessments at issue were not done at the local level. We suggest that you contact your attorney as to what position you may wish to take in this matter.

If you have any questions about this matter or would like an electronic copy of the Complaint, please feel free to contact the undersigned at (707) 445-7236.

Sincerely,

Scott A. Miles
 Deputy County Counsel

RECEIVED
 MAR 03 2014

BY:

Correspondence

EDMUND G. BROWN JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

March 6, 2014

City of Ferndale
Owner- City of Ferndale Wastewater Treatment Plant
606 Port Kenyon Rd.
Ferndale, CA 95536

Dear Wastewater Treatment Plant Owner:

WASTEWATER TREATMENT PLANT RE-CLASSIFICATION AND OPERATOR CERTIFICATION

Based on our review of the plant classification information data form submitted to our office we have reclassified the facility to a higher level of classification. According to our amended regulations that took effect on April 1, 2013, within 365 days from the date of this notice, the owner must staff the wastewater treatment plant with certified operators at the appropriate grade level. Enclosed is a wastewater treatment plant classification information sheet that indicates the minimum certification requirements for the operations personnel at the following wastewater treatment plant:

- City of Ferndale Wastewater Treatment Plant

These requirements are imposed in accordance with the Sections 3675 and 3680, Title 23 of the California Code of Regulations (CCR). Section 3676 requires the owner of a wastewater treatment plant to notify the State Water Resources Control Board within 30 days of the following:

1. Change in employment of the person designated as chief plant operator.
2. Change in the plant's treatment processes or design flow, which may affect the classification of the plant.
3. Any final disciplinary action resulting in suspension, demotion or discharge of a certified operator or operator-in-training if the disciplinary action is related to performance of operator duties.

If you have any questions, please contact Xia Lao at (916) 341-5819, select option 5 or opcertprogram@waterboards.ca.gov.

Sincerely,

Wes Wilkinson
Staff Services Manager I
Division of Financial Assistance

Enclosure

- Jay
- Steve
- Correspondence

FRANCIS M. MCKEE, CHIEF | THOMAS HOWARD, EXECUTIVE OFFICER

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 109, Sacramento, Ca 95812-0109 | www.waterboards.ca.gov

EDMUND G. BROWN, JR.
GOVERNORMATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

 State Water Resources Control Board

WASTEWATER TREATMENT PLANT CLASSIFICATION AND OPERATOR CERTIFICATION LEVELS

Pursuant to Title 23, California Code of Regulations
Divisions 3, Chapter 26, Sections 3670-3719.16

March 6, 2014

Name of facility: City of Ferndale Wastewater Treatment Plant

Plant Classifications: III

Treatment Process: Tertiary

Plant Design Flow: 0.95 MGD (PWWF)
0.95 MGD (ADWF)

Present Average Dry
Weather Flow: 0.116 MGD

Minimum Certification Grade Required

Chief Plant Operator: Must be Grade III or above

Designated Operator-in- Charge: Grade II

AT CLASS IV AND V WASTEWATER TREATMENT PLANTS, AT LEAST 50 PERCENT OF THE OPERATORS SHALL POSSESS VALID OPERATOR OR OPERATOR-IN-TRAINING CERTIFICATES AT THE GRADE II LEVEL OR HIGHER.

Section 15

REPORTS

City of Ferndale, Humboldt County, California USA
City Manager's Report for April 3, 2014 City Council Meeting
Reporting to March 20, 2014

CITY MANAGER ACTIVITY

- Kiwanis meeting 1st and 3rd Tuesday of the month at 4:30 pm
- City Council meeting – March 6st–Study session 6:30 pm- Regular meeting from 7:00 – 9:30 pm
- SRWC meeting- March 11th - 2:00-4:00 pm
- City Manager meeting March 20th 3:00- 5:00 pm
- Numerous discussions with Ad Hoc committee to go over best use of Nilson Barn site. Met on March 27th with Ad Hoc committee and engineer to go over potential parking designs and discuss planning issues and potential CEQA applicability. Coordinated meetings and discussions with engineers and planners to help facilitate requested information for Ad Hoc committee. It should be recognized that these interactions did require some additional expenses to the projects overall cost. I believe that by next meeting we will be able to give the council and estimate of costs for alternatives so we can start budget impacts for next year. The Ad Hoc committee is has had several meetings with staff, consultants and community in a very open forum and Council member Sweeney has written up very good summaries of those meetings and discussions.
- Conversations with Dan York and David Erickson about a tour of the Eel River Estuary Preserve with the Council. Hope to be able to do that before our regular scheduled meeting on March 6th.
- A number of conversations with Fire department representatives and other organizations that may want to help facilitate the placement of property numbers on street curbs. David Griffith said that he may have the stencils for the numbering and he may know a non-profit group that is interested in the project.
- Numerous conversations with Chamber of Commerce President regarding a number of collaborative projects. I am still gathering information about possible streetlight replacements. We have also explored a number of flag/banner accessory hangers that can be applied to our present streetlights. Those accessory hangers have been purchased by the Chamber and Public Works will hang and paint them, as well as change them when the Chamber requests. It is our intention that the Chamber will manage the flags throughout the year.
- Numerous conversations with planner discussing parking issues and remedies that might reduce the need for the quantity of parking now required in our present ordinance for downtown businesses. Staff has been working on this for quite awhile and we brought a revised ordinance with reduced requirements but were unsuccessful in getting Planning Commission approval. Staff has continued to work on the parking requirements and is now asking the council if it would like us to move forward with a Parking Ordinance that illuminates parking requirements downtown as it relates to individual establishments and onsite parking for previously developed properties.
- Numerous conversations with Auditor related to inclusion of infrastructure in our auditing criteria and other related items such as contract extension and timeline of what interaction might look like should the council agree to an extension.
- Set up a public meeting to go over the potential undergrounding of PG&E lines somewhere in Ferndale. The first of two meetings will be Saturday March 1st between 11:00 am and 1:00 pm. This meeting will be an open house and people will be able to look at maps and give input on areas they think would be good choices for undergrounding. We had a good turnout for that public outreach and are hoping to set up another one in a couple of weeks. We did receive several alternatives for a undergrounding project.
- Conversation with CalRecycle to receive moneys related to curbside pickup. Filled out an

application for Recycling grant and have been told that was successful. Contacted our webmaster about including on our website information about recycling.

- Meetings with staff to go over workload and efficiency. We have engaged Elizabeth Conner as City Clerk, who helped us during the Ferndale Housing acquisition, to help us through the transition period until the new City Clerk is up to speed. The new City Clerk and Treasurer positions are on hold until the June elections give us guidance as to whether we will appoint those positions or have elections. Meanwhile Elizabeth has agreed to help fill that position until we get clarity and the Finance and administration positions have been filled by very talented individuals that are already serving the community like seasoned veterans.
- 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, and they are not ready to move forward as of last week.
- On the March 25th Steve and I gave a tour of the wastewater facility
- Check signing and invoice review for the City.
- Conversations with John Driscoll, Jared Huffman's representative.
- Numerous meetings with individual councilmen and the mayor regarding City issues, and updates about representation on the various joint power authorities and issues that relate to our membership on those organizations. We have also added a couple of Ad Hoc committees that have increased the amount of interaction to include those subjects.
- Several discussions with Jo Ann Rennie, executive director of Parsac, related to risk management issues.
- We have installed a valve in the Community Center that allows us to shut off the gas to ovens so that we do not use gas when ovens are not in use.
- Met with engineer and Nilsen property Ad Hoc committee to go over parking alternatives.
- 580 Main St. has received a building permit and there is nothing that is holding it back from putting the approved siding on. We are sending them a letter apprising them that their building permit states that they are to start their project within 60 days.
- PW's is now on line and interacting with the office and other departments.
- Hazard Mitigation Plan update: Fema has approved our plan. Notice the date for Ferndale.
 - It was a honor to serve as the chairman of the steering committee for this plan. I would give kudos to Cybelle Immitt of the county planning department, Rob Flanner of TetraTech, and Pat Kaspari of GHD engineering who helped guide the 34 planning partners through this mandated plan update that is a must for any hazard mitigated projects that wish for any kind of financial aid from Fema in our county, whether we are talking about Fire district, community service district, city or county.

The lead jurisdiction (Humboldt County) has submitted a hazard mitigation adoption resolution to FEMA. This triggered the final approval of the plan and the clock ticking on our 5 year eligibility window (next update needs to be completed before March 20, 2019). All participating jurisdictions are now eligible for FEMA hazard mitigation funding as long as they have adopted the plan and have a resolution on file with FEMA. So far, FEMA has recorded resolutions for Humboldt County, Humboldt Bay Municipal Water District, and the City of Fortuna. See the attached letter stating that the plan is approved.

I sent a second batch of resolutions to FEMA and will send the rest as soon as I get them.

Here is a record of adoption resolution submittal to FEMA for reference:

Jurisdiction	Adopted Plan? (Y/N)	Date of Adoption:	Resolution Sent to FEMA
Arcata Fire Protection District			
Briceland Fire Protection District			
City of Arcata			
City of Blue Lake			
City of Eureka	Y	1/7/2014	3/25/2014
City of Ferndale	Y	12/5/2013	3/25/2014
City of Fortuna	Y	12/16/2013	3/19/2014
City of Rio Dell			
City of Trinidad	Y	12/11/2013	3/25/2014
County of Humboldt	Y	12/10/2013	3/19/2014
Fortuna Fire Protection District	Y	1/13/2014	3/26/2014
Garberville Sanitary District	Y	12/16/2013	3/25/2014
Humboldt #1 Fire Protection District	Y	1/16/2014	3/25/2014
Humboldt Bay Harbor, Recreation, & Conservation District	Y	1/9/2014	3/25/2014
Humboldt Bay Municipal Water District	Y	12/13/2013	3/19/2014
Humboldt Community Services District	Y	12/10/2013	3/25/2014
Loleta Fire Protection District			
Manila Community Services District			
McKinleyville Community Services District	Y	1/8/2014	3/25/2014
Orick Community Services District			
Petrolia Fire Protection District			
Reclamation District #768			
Redway Community Services District	Y	12/18/2013	3/25/2014

Rio Dell Fire Protection District	Y - needs correction - will send a new one for FEMA	1/9/2014	
Samoa Peninsula Fire Protection District			
Shelter Cove Resort Improvement District No.1	Y	11/21/2013	3/25/2014
Southern Humboldt Community Healthcare District	Y	12/30/2013	3/26/2014
St. Joseph Health System, Humboldt County			
Weott Community Services District			
Westhaven Community Services District	Y	1/15/2014	3/26/2014
Willow Creek Community Services District			
Willow Creek Fire Protection District			

CITY CLERK ACTIVITY

Meetings

- Daily Meetings with City Manager regarding work schedule and council agenda.
- Attended:
 - Regular City Council Meeting 3/6/14
 - Planning Commission Meeting 3/19/14
- Wrote agenda items and compiled packets for:
 - Regular City Council Meeting 3/6/14
 - Regular Planning Commission Meeting 3/19/14
 - Ad Hoc Committee on Old Nilsen Barn Uses
- Transcribed meeting minutes and uploaded meeting videos for:
 - Regular City Council Meeting 3/6/14
 - Regular Planning Commission Meeting 3/19/14
- Posted all meeting agendas and public notices on City Hall and Post Office bulletin boards.
- Uploaded meeting packets to City website.
- Met with Planning Commission Chair to discuss agenda packet for Planning Commission.

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.
- Continued training of AA Kris Tavares in the following areas: building permits, staffing the Design Review Committee and preparing agenda packets and materials and posting of public notices and meeting materials.
- Updated and maintained City web site (with contractor).
- Provided reports on building permits to 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.
- Wrote and posted notice of vacancy on Design Review Committee.
- On-going communications with contract Planners.
- Answered survey by US Dept. of Labor.
- On-going correspondence with FPPC re current and future Form 700 filings; on-going contact with staff, City Council and Planning Commission members and City Attorneys re Form 700 filings.
- Sent reminders, and made reminder phone calls, to PC and DRC members about upcoming meetings.
- 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.
- Prepared public notice re timeline for argument for and against ballot Measure O and published in the Times-Standard; verified consolidation request was accepted by the County; drafted arguments in favor of measure and discussed with City Manger and City Attorney.
- Prepared agenda for Add Hoc Committee on Old Nielsen Barn and posted.
- 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.
- Signed and filed resolutions and ordinances of the City Council and the Planning Commission.
- Deposited checks into the bank.
- Responded to two Public Records Act requests.
- Discussions and communications on process for PG&E Undergrounding project.

DEPUTY CITY CLERK ACTIVITY

Meetings

- Transcribed minutes for the 03/13/14 Design Review meeting.
- Prepared packets for 3/13/14 and 03/27/14 Design Review meetings.
- Posted agendas for 3/13/14 and 3/27/14 Design Review meetings.
- Attended and transcribed minutes for 3/13/14 Design Review meeting.
- Assisted City Clerk with reports for 3/19/14 Planning Commission Meeting.

Projects

- Staffed the front counter and phones at City Hall.
- Processed dog & business licenses.
- Calculated and collected fees for building permits and sent completed applications to Arnie to be checked.
- Processed checks, created revenue spreadsheet and deposits
- Updated internal phone lists.
- Updated Community Center rental application
- Assigned case numbers to Design Review and building permit applications.
- Created new sign-off/finalization spreadsheet for Design Review committee.
- Researched CEQA findings and exemptions.
- Inventoried and ordered office supplies.
- Processed Parade and Encroachment Permits.
- Sent Building Permit reports to Assessors office and Construction Industry Research Board.

FINANCE OFFICER'S ACTIVITIES

Meetings with City Manager re: office issues

Meeting with Aycock and Edgmon, CPAs

Tasks:

- Payroll and Payroll Taxes
- Accounts Payable
- Accounts Receivable
- Form 700
- Mailed Annual Audit to various agencies

CITY PLANNER ACTIVITY

Task 1 – General Planning

- Coordinated with City Manager and City Clerk on planning and development projects.
- Responded to inquiry regarding flagpole placement in R-1-D zone.
- Attended 3/19 Planning Commission Meeting and Public Hearing. Prepared and presented three items:
 - Consider Recommending Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance; Ordinance No. 2014-03 Density Bonus Ordinance; and Ordinance 2014-05 Reasonable Accommodation Ordinance to the City Council for Adoption.
 - Review General Plan Annual Progress Report
 - Review & Provide Input: Housing Element Update 2014 Initial Draft Chapters 1 and 2
- Provided City Clerk and City Manager with campaign materials for City Clerk and City Treasurer Appointment ballot measure.
- Prepared Design Review Committee cover sheet template and memo with references to select CEQA sections.
- Responded to public inquiry regarding non-conforming parking in a residential zone and implications on vacation rental Use Permit application approval.
- Responded to inquiry regarding subdivision tentative map expiration date. Researched statutory extensions.
- Revised and reformatted Zoning Ordinance to incorporate all enacted amendments to date.

Task 2 – Reimbursable Fee Planning – None

Task 3 – Special Projects

- Old Nilsen Barn Property – Coordinated with City Manager, Engineer, and Ad Hoc Committee on potential uses. Visited site to assess potential parking lot layout options. Advised on process, setback requirements, and CEQA considerations.
- Sign Ordinance Coordination and Review – Met with City Manager and Council Member Brown to discuss sign regulations, compliance and enforcement. Corresponded with Councilman Sweeny on same.
- Housing Element Annual Progress Report – Prepared Annual Progress Report on City progress towards meeting Regional Housing Needs Allocation and implementing Housing Element 2012 programs as required by the California Department of Housing and Community Development. Prepared agenda item for 3/19 PC and 4/3 CC meetings.

Task 4 – Additional Authorizations

- Nuisance Ordinance Update – Coordinated with City Attorney, City Manager and City Clerk. Received update on Attorney's progress on preparation of proposed amendments. Reviewed correspondence from Councilman Maxwell regarding concerns with current Ordinance and proposed amendments.
- Housing Element Implementation – Researched and consulted with City Attorney, City Clerk and City Manager on questions and suggested revisions proposed by Planning Commission at 2/19 public hearing. Prepared revisions for 3/19 meeting. Prepared reports for 3/26 Special Planning Commission meeting. Prepared and distributed public notice for hearings.
- Utility Undergrounding – Coordinated with City Manager, City Clerk, City Engineer, Michael Sweeney, Mike Warren, and Colin Ganong from Transcon Environmental on City-wide alternatives study.

Task 5 – General Plan Review Fund

- Continued preparation Housing Element Update 2014. Initiated preparation for streamlined review of Update by the California Department of Housing and Community Development.

CITY ENGINEER

Sewer Projects –

- Working with Steve and the County to develop design drawings and specifications for the inverted siphon replacement under Francis Creek.
- Wastewater Treatment Facility – Wetland Maintenance, Monitoring and Reporting
- The first year conditions were surveyed. The report and maintenance plan has been modified slightly based on recent conversations and an on-site meeting with the California Coastal Commission (CCC) and Department of Fish and Wildlife (DF&W). The final version has been completed and submitted to the CCC for review. In order to comply with the permit, additional trees will need to be planted as replacements for those which died. Quotes for the required trees have been requested and will be forwarded to the City for review.
- 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. The work that can be completed with the remaining funds has been determined. The appropriate paperwork is

being prepared and will be submitted to Caltrans and V&C Construction for confirmation. Once confirmed, 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. Per the Conditions of Approval (Condition #4), the Lot Line Adjustment and Tentative Map requires a revision to add a fifteen foot (15') drainage easement on the southern boundary of Parcel One (APN 031-241-09). Once the Map is revised, the Notice of Lot Line Adjustment and Certificate of Compliance can be recorded at the Humboldt County Recorder's Office.

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 Plan (CIP) (roads, drainage and sewer)
 - 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.
 - Met with Steve and discussed sewer and wastewater plant issues/maintenance costs for inclusion into the draft CIP.
- 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 was prepared and distributed for review and comments. Based on the feedback received, the map was revised and will be brought to City Council for approval.
 - PGE Undergrounding Project
- Working with “Undergrounding work group” to develop undergrounding district and compare possible routes and scoring criteria.
 - Old Nilsen Barn Project
- Prepared several conceptual layouts for parking and rough estimates for construction and development of the site.

Meetings and Committees –

- HCAOG Meeting
 - Attended March’s Meeting

Reporting and Correspondence –

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

WASTEWATER OPERATIONS FOR FEB-MAR 2014

OIT’s Thrap and Bradshaw pull and service uv lights

- Monthly samples prepared and sent to North Coast Labs
- CPO attended conference call with City Manager and county engineers regarding upcoming bridge and sewer main replacement on Port Kenyon Road
- Monthly No Spill Certification completed
- CPO cleaned and serviced turbidity meter and lines
- CPO completed updates to city sewer ordinance via Freshwater Environmental Services. Ordinance update review by City Manager pending
- CPO priced and ordered industrial heater to help with drying of sludge, arrival of heater pending
- Weekly safety meetings held, including public works employees
- CPO updated and submitted yearly reports to state water control board. State no longer accepting hard copies of reports, updates were filed electronically
- Sewer plug at 1245 Madison ave, cleared by wwpt employees
- Filed online SSO report
- OIT Bradshaw cleaned grit channel
- Dewater throughout the month for approximately 24 total hours
- OIT Thrap serviced bar screen
- OIT Thrap and OIT Bradshaw perform lab tests daily to measure efficiency of plant
- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- OIT Bradshaw pulled and cleaned UVT probe
- OIT Thrap updated all maintenance sheets for plant equipment
- Coliform tests to Fortuna each Tuesday and BOD/TSS samples each Thursday
- OIT Thrap was able to repair communication problem with UV computer with assistance by phone from Trojan
- Front gate chain oiled each monday
- Turn sludge at drying facility

- Shipped load of biosolids to Dry Creek landfill near Medford Or. Avg. 21.5% solids for load
- CPO completed and submitted plant classification form and operator certification forms to State Water Control Board upon request from the state.
- OIT Thrap cleaned walls and catwalks
- CPO completed and mailed Air Quality Emissions questionnaire regarding WWPT generator to North Coast Unified Air Quality Management District
- The facility received a total of 17 septic dumps from Roto Rooter & Wyckoff's totaling 25,500 gallons and generating \$4,590 in revenue for the facility.
- Total flows through the collection system for February were 9.0 MG. Of that, 0 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 9.0MG for the month of February. The average effluent flow to Francis Creek was .334 MGD

PUBLIC WORKS REPORT for February 20, 2014 to March 20, 2014

- Met with City manager daily
- Continued with monthly and daily duties. Such as, cleaning and maintenance of city's bathrooms, mowing of city's owned properties, cleaning of storm drains, keeping streets clear of debris and the maintenance of city's facilities.
- Replaced faucet valves at Community Center's sink.
- Replaced light bulb in the globe lights in the Community Center.
- Hung cork board in Donna's office.
- Installed shelf in City's Hall's bathroom.
- Replaced Community Centers sink drain by the dishwasher.
- Replaced west side Berding Street bridge railing where the trees were damaging it.
- Assisted PD in vehicle transfer to have mobile radio maintenance.
- Had to call Humboldt Termite and Pest Control for the Community Center due to increased ant activity.
- Power went out in town. Public Works assisted PD in doing a grid search for a down power pole.
- Picked up dead deer on west side of Dewy St.
- Went around town patching holes in the streets.
- Went to Baywest for supplies.
- Fixed water fountains at City Park.
- Treated the weeds at City Park.
- Fixed railing behind Scout Hall.
- Painted wall at Community Center where the hole was fixed.
- Patched holes on West Arlington.
- Patched holes on Ocean in front of Portuguese Hall and entrance behind the Ivanhoe.

POLICE DEPARTMENT

- Police department personnel provided a tour of the station and police vehicles for a local girl scout group.
- 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 continues to work with other local police chiefs in obtaining additional funding through AB109 monies.

Police Statistics – February 2014

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	3	
Assault	1	
Burglary	1	
Vehicle Theft	0	
TOTAL	5	
SECONDARY CRIMES	5	
Calls for Service	64	
Reports Written	21	
Traffic Citations	4	
Other Citations	1	
Parking Citations	0	
Warnings	25	
ARRESTS	1	
AGENCY ASSISTS	17	
TRAFFIC COLLISIONS	0	

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of February 19, 2014

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:05 pm. Commissioners Uffe Christiansen, Lino Mogni, Dean Nielsen were present along with staff City Clerk Elizabeth Conner and City Planner Rheame. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial - None.

3.0 Update Agenda - None.

3.2 Commissioners comments - None

4.0 Approval of previous minutes - **MOTION:** to approve the minutes of the January 15, 2014 meeting. **(Nielsen/Mogni) 4-0.**

5.0 Public Comment - None

6.0 Public Hearing

6.1. Read Ordinance No. 2014-02 Amending Zoning Ordinance 02-02 for Housing Element Compliance and Ordinance No. 2014-03 Density Bonus Ordinance by Title Only and Consider Recommending to the City Council for Adoption. - City Planner Rheame presented the item and explained that the City last updated the Housing Element in 2012, and throughout the process of updating and adopting the element there was a lot of public, Planning Commission, and City Council review. In 2013, the Council asked for a plan to implement the Housing Element's policies and programs. In November 2013, the Council asked to implement the plan to comply with state planning regulations. In February 2014, the Council directed Staff to update the Housing Element. She explained the reason this is before the Commission now is that the CA Department of Housing and Community Development (HCD) has set a date of June 30, 2014 for Humboldt County to have updated all the local Housing Elements in order to obtain an expedited review. She further explained that all the amendments to the Housing Element brought forward by staff are related to making the element compliant with state law and they are all required. Lastly, Planner Rheame explained that the Commission will need to make the CEQA findings included in the item. Planning Commissioner Nielsen said he was concerned about existing and amended provisions in Zoning Ordinance Section 5.17 and the principally permitted uses such as half-way houses and homeless shelters and whether it would be possible to insert the word "Ferndale" before each of the public facilities mentioned in order to insure that they would be available to Ferndale residents only, and not available to non-Ferndalers. Chair Von Frausing-Borch mentioned that the Fairgrounds are owned by the County but that the City has a say in how the property is used. Staff said they would check with the City Attorney on the matter. Commissioner Nielsen said that he thought secondary units could not be restricted in any zone according to state law so he asked why it seemed that restrictions were being added in Section 7.21.4. Planner Rheame said that a second unit would need a variance if there was not 10 ft. separation between the main dwelling unit and secondary. Commissioner Nielsen asked about Section 9.01 on the ADA and whether the requirement about allowing a variance for reasonable access will conflict with the Ferndale's historical character and Ferndale's ordinances protecting that character. He asked whether the City Attorney could be consulted on how to comply with both requirements. Planner Rheame said that she would consult

with the City Attorney. **MOTION** to continue the public hearing until the March 2014 Planning Commission meeting so staff can come back with requested information. **(Nielsen/Mogni) 4-0.**

7.0 Business

7.1 Planning Commission Vacancy Interview. - Chair Von Frausing-Borch thanked applicant Doug Brower for his interest and willingness to serve. Other commissioners similarly commented.

MOTION to recommend to the City Council that Doug Brower be appointed to the Ferndale Planning Commission for the term 2012-2016. **(Von Frausing-Borch/Nielsen) 4-0.**

7.2 Design Review Committee Report and Minutes. - No Design Review Minutes were available since the last Planning commission meeting. There were no comments or questions by Commissioners or public.

7.3 Building and Land Use Permits. - No comments or questions by Commissioners or public.

7.4 Set Regular Planning Commission Meeting Schedule for 2014. - Chair Von Frausing-Borch requested this item so members could plan ahead. Commissioners said it was useful.

8.0 Correspondence and Oral Communications - No comments from commission.

9.0 City Planner's and Deputy City Clerk's Staff Reports - City Clerk Conner reminded Commissioners that the Form 700 Statements of Economic Interest statements were due to FPPC by March 21 and that she had provided them with the information to file their reports and that she looked forward to receiving them in a timely manner.

10.0 Adjournment – Meeting adjourned at 8:02 pm.

Respectfully submitted,

Elizabeth Conner, City Clerk



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

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Eureka, CA 95501
(707) 444-8208
www.hcaog.net

Board of Directors DRAFT MEETING RECORD

Regular Meeting & Unmet Transit Needs Public Hearing

February 20 2014, 4:00 p.m.

Eureka City Hall, Council Chambers

531 K Street, Eureka

Present:

Councilmember Susan Ornelas, Chair
Mayor Doug Strehl, Vice Chair
Supervisor Ryan Sundberg
Mayor Frank Jäger
Councilmember Dwight Miller (Alternate)
Councilmember Gordon Johnson
Councilmember Ken Mierzwa (Alternate)

City of Arcata
City of Fortuna
County of Humboldt
City of Eureka
City of Trinidad
City of Rio Dell
City of Ferndale

Policy Advisory Committee Members:

Brad Mettam (Alternate)

Caltrans District 01

Staff:

Marcella Clem
Debra Dees
Debbie Egger
Siana Watts

Executive Director
Associate Planner
Administrative Services Officer
Executive Assistant

Absent:

Mayor Sherman Schapiro
Linda Atkins

City of Blue Lake
Humboldt Transit Authority (HTA)

1. Call to Order

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

2. Public Participation

The following individuals provided public comment for items not on the agenda:

Kent Swatsky: commented on funding for the Imagine Humboldt! Project and the Annie & Mary Project.

Charles Ciancio, Cutten: stated he received the Imagine Humboldt Final Report in the mail and he provided staff with a letter.

Jan Kraeplin, Access Humboldt: explained he was a founding Access Humboldt Board Member, and thought HCAOG Board meetings should be televised.

3. Adjournment of the HCAOG Board; Convening of the Policy Advisory Committee (PAC)

(4:06 p.m.)

4. **Unmet Transit Needs (UTN) Public Hearing**

The PAC conducted a public hearing, received a staff report and the following public input on unmet transit needs, pursuant to Sections 99238.5 and 99401.5 of the Transportation Development Act.

UTN Public Comments

Mike Flockhart, Bear River Band of the Rohnerville Rancheria Public Works Director: he spoke about the need for a bus stop at the Bear River Rancheria. He explained there were 50 homes, many with elders that do not drive and need to get to Eureka and Arcata. He also informed the Board that the tribe had funding to install a bus stop.

Monty Provolt: spoke in support of rails returning and stated that rail use was a largely unmet and unconsidered transit need.

Pete Orringer, Eureka Visitor & Convention Bureau Chair, Timber Heritage Board Member, Board of Land Bridge Alliance member: he thought the focus should be on rail from Samoa to Southfork and that the existing line should be used.

Dennis Mayo, McKinleyville: he concurred with the two previous speakers and is in support of multi-use, including being able to drive his buggy.

Kelly Spiers, Bear River Band of the Rohnerville Rancheria: stated that the need for a bus stop at the Rohnerville Rancheria was great and important for low income homes to have access to public transportation for employment. She also commented on the danger pedestrians face on Singley Road.

Richard Marks: spoke in favor of Rail with Trail from Arcata to Scotia. He also spoke about the plans for the Town of Samoa build-out, and how important it was for a bus to service the town.

Maggie Kraft, Area 1 Agency on Aging: she talked about the Volunteer Driver Program (2011), and that it was an important service that provides approximately 100 rides a month with approximately 40% of users traveling from Fortuna to Eureka. She explained there is a need for volunteer drivers and funding.

Damien Mooney, International Longshore and Warehouse Local Union 14: spoke on the need for a rail link to create viable jobs and economy. He explained the local Longshore and Warehouse Union was down from 40 members to 15 and that there are eight or nine ships that come into Humboldt Bay annually, generating millions of dollars for the county.

Jason Wong, Manila: he talked about RTS servicing Manila and that there used to be a 4 hour wait between buses and now there is a six- hour northbound service gap. He stated that people in Manila would use the bus if there was regular service.

Mike Kellogg: spoke in support of rail service or "bud car" service and thinks it is important for buses to feed the rail lines.

Chuck Ciancio, Cutten: spoke in support of an East West rail service. He thought a better job could be done in allocating transportation funds.

Chet Albin: spoke about rail excursions for tourists and the need to bring cruise ships to Humboldt Bay.

David Young, McKinleyville: he spoke in favor of rails being put back into service.

Karen Brooks: spoke in support raising the rail prism. She also commented that there were not enough buses and that a rail service with one or two cars would assist with multi-modal goals, as well as provide "green" transportation.

Kent Sawatsky: spoke in support of rail with trail. He also spoke about a rail from Loleta to Fortuna. He provided information about current rail cars including electric cars. He thought that feasibility studies for rail use was viable and felt that folks outside of Arcata and Eureka should be able to comment on unmet transit needs.

Jan Kraeplin, Environmentalist, Biologist: spoke in support of a feasibility study for an East West Rail line. He thought the Board should consider using broadband as a way to disseminate unmet transit need information to the public. He suggested watching a sea level rise presentation by Michael Furnace, on Access Humboldt.

Sienna Klein: was in support of all of the rail supporters. She advocated for bus service to Southern Humboldt on the weekends and late night bus service between Arcata and Eureka.

Marian Brady, Eureka City Councilmember: spoke in support of a feasibility study for rail development, and commented on rail use aiding economic development for the county.

Sid Berg, McKinleyville: thought the county needed revenue with good rail infrastructure because most of the big industries that used to exist in this area, like lumber, rails, and the pulp mill, are no longer viable. He believes that every dollar put into the development of a rail system would be returned tenfold.

5. **Approval of Meeting Record – January 16, 2014**

Motion was made (Jäger/Johnson) to approve the draft meeting record of January 16, 2014, as submitted.

Motion carried unanimously.

6. **Informational Items**

a. **CBS Outdoor, LLC Summons**

Staff updated the PAC regarding the suit brought by CBS Outdoor, LLC against the California Coastal Commission and Caltrans. Brad Mettam, Deputy Director, Caltrans District 1, informed the Board he could not speak to the ownership of billboards along the 101 Safety Corridor, due to the ongoing litigation.

7. **Consent Items**

Motion was made (Jäger/Johnson) to recommend to the HCAOG Board approval of Consent Items 7a and 7c.

Motion carried unanimously.

- a. Amended Funding Objectives and Criteria for the Non-Urbanized Area Formula Program
- c. Safe Routes to School National Partnership

Items Pulled from Consent

7b. Transportation Development Act (TDA) Local Transportation Fund (LTF) FY 2014-15 Apportionment and Allocation

Item 7b was pulled from consent by a member of the public.

The following comments were received on item 7b:

Kent Sawatsky: commented on the Overall Work Plan and requested clarification from staff on the total dollar amount.

Doby Class, Public Works Director, City of Arcata and HCAOG's Technical Advisory Committee Chair: informed the Board that the Pavement Management Program was very important and wanted as much money as possible put toward Work Element 17. He was not in support of Work Element 19 *Rural Transit Transport*, and thought Service Authority for Freeway Emergencies (SAFE) funding should be put toward increased California Highway Patrol (CHP) patrolling (including areas along Highway 96).

Tom Mattson, Executive Director, County of Humboldt Public Works: spoke in support of the Aviation Element but stated the Pavement Management

Program was much more important. He supported Doby Class' comments regarding SAFE funds.

Karen Brooks: was not in support of the Bike Parking Study Element and thought the funds should go toward the Pavement Management Program. She commented that FedEx could provide the transit transport proposed in Work Element 19. She stated the safety call boxes were important.

Motion was made (Miller/Strehl) to recommend to the HCAOG Board approval of item 7b, the Transportation Development Act, Local Transportation Fund Fiscal Year 2014-15 findings of apportionment and allocation with Resolution 14-01.

Motion carried unanimously.

8. Action Items

a. Draft FY 2014-15 Overall Work Program (OWP)

Motion was made (Jäger/Johnson) to recommend to the HCAOG Board approval of the draft FY 2014-15 OWP & Budget and direct staff to submit to Caltrans for review and comment.

Motion carried unanimously.

9. HCAOG Staff and PAC Member Reports

- By consensus, the PAC rescheduled the date of the March HCAOG Board meeting from March 20, 2014 to March 27, 2014.
- Susan Ornelas commented that the Imagine Humboldt Final Report proved to be useful.

10. Reconvening of the HCAOG Board (6:00 p.m.)

Motion was made (Miller/Johnson) to ratify the recommendations made by the PAC and reconvene as the HCAOG Board.

Motion carried unanimously.

11. Adjournment

The meeting adjourned at 6:01 p.m.

Respectfully submitted,
Siana L. Watts, Executive Assistant

Individuals requiring special accommodations, accessible seating, or documentation in alternative formats are requested to contact the HCAOG office at 444-8208 prior to the meeting.



Redwood Region
Economic Development
Commission

520 E Street Eureka • California 95501 • (707) 445-9651 • FAX (707) 445-9652

Minutes
Meeting of the RREDC Board of Directors
February 24, 2014

I. Call to Order and Flag Salute

Chair Julie Fulkerson called the meeting to order at 6:30 p.m.

Present: Virginia Bass, Kevin Benjamin, Mike Davis, Julie Fulkerson, Nancy Koke, Sue Long, Michael McKaskle, Dennis Mayo, Ken Mierzwa, Mike Newman, Bruce Rupp, Alex Stillman, David Tyson, John Woolley

Absent: Frank Wilson, Mike Wilson

Guests: Chet Albin, Sean McLaughlin

Staff Present: Don Ehnebuske, Bonnie Smoller

II. Approval of Agenda and Minutes

Introductions were made. Dennis Mayo is the new McKinleyville CSD representative. Chet Albin is the new board alternate for City of Eureka. **M/S: Rupp Stillman to approve agenda for February 24, 2014 and minutes of January 27, 2014.**

Ayes: 13; Noes: 0; Abstain: 1. Motion passed.

III. Public Input – for non-agenda items

None

IV. Program – Access Humboldt

Sean McLaughlin, Executive Director, Access Humboldt

A presentation by Sean McLaughlin on how Access Humboldt can be used to support local governments and the economy.

V. Financial Reports – Action Required

Acceptance of Agency wide Financial Reports: January 31, 2014

M/S: Bass/Tyson to approve the financials as presented. Ayes: 13; Noes: 0; Abstain: 1
Motion passed.

VI. Reports – no action required

A. Loan Portfolio Report: January 31, 2014. Report submitted; no action needed.

B. Executive Directors Report: Report submitted; no action needed.

VII. Old Business

A. Authorization of letter of support for Humboldt Bay Tourism Center

M/S/P: Woolley/Bass: to approve the letter of support for HBTC. The letter will be used as a template for other businesses in the future. Motion passed unanimously.

M E M B E R A G E N C I E S

City of Arcata • City of Blue Lake • City of Eureka • City of Ferndale • City of Fortuna • City of Rio Dell • City of Trinidad
County of Humboldt • Humboldt Bay Harbor, Recreation and Conservation District • Humboldt Bay Municipal Water District
Humboldt Community Services District • Manila Community Services District • McKinleyville Community Services District
Orick Community Services District • Redwoods Community College District • Hoopa Valley Tribe
Willow Creek Community Services District • Orleans Community Services District • Redway Community Services District

VIII. New Business

Loan Committee Reappointments for 2014: M/S/P: Bass/McKaskle to approve the following slate of members for a two year term, March 1 2014 - March 1, 2016: Jennifer Budwig, Scott Pesch, Dan Sweet, Greg Bowen, Patrick Whitchurch, Alex Stillman.
Motion passed unanimously.

Presentation of Draft FY 2014-2015 budget: The first draft of the budget was presented to the board. A public hearing for the budget will be held at the March 24 meeting and the final budget must be adopted in April. The board directed staff to include a cost of living adjustment for staff and correct the retirement contribution line item.

Consideration of changes to Microloan Program: M/S/P: Rupp/Mayo to approve expanding the Microloan Program to allow staff approval of loans up to \$20,000 with a maximum of \$75,000 cumulative loan volume, with funds provided by the RREDC Revolving Loan Fund. Motion passes unanimously.

IX. Member Reports/Updates

City of Arcata, Orick CSD, Humboldt Municipal Water, City of Eureka.

X. Agenda Requests for future meetings: Jack Durham and Kevin Hoover for a future program. KEET TV will be the program for March.**XI. Adjourn**

Meeting adjourned at 8:35 p.m.

Respectfully submitted:

Bonnie Smoller, Recorder

Julie Fulkerson, Chair

Section 16

ADJOURN