

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

Location:	City Hall 834 Main Street Ferndale CA 95536	Date:	August 7, 2014
		Time:	<b>6:00 PM</b>
		Posted:	July 31, 2014

1. CALL STUDY SESSION TO ORDER – Mayor
2. Review and Discuss Amendment to Zoning Ordinance Parking Regulations
3. Review and Discuss Options for Sign Ordinance Amendments and Enforcement
4. ADJOURN STUDY SESSION

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

Location:	City Hall 834 Main Street Ferndale CA 95536	Date:	August 7, 2014
		Time:	<b>7:00 pm</b>
		Posted:	July 31, 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: Mayor Stuart Titus; Ken Mierzwa; Daniel Brown; John Maxwell; and Michael Sweeney.
4. REPORT OUT OF CLOSED SESSION
5. CEREMONIAL – Proclamation Honoring Volunteer George Borges ..... Page 4
6. MODIFICATIONS TO THE AGENDA
7. STUDY SESSIONS - REPORT OUT
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<sup>rds</sup> of the Council that the item

came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes total for all speakers, with each speaker given no more than five minutes.)

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 July 7, 2014 Regular City Council Meeting ..... Page 6
  - b. Approval of Minutes of the July 15, 2014 Special City Council Meeting ..... Page 9
10. CALL ITEMS REMOVED FROM CONSENT CALENDAR
11. BUSINESS
  - a. Acceptance of Jack Mays Sculpture for Display on Village Green ..... Page 11
  - b. Update from Ad Hoc Committee on Old Nilsen Property ..... Page 12
  - c. Review of Options for Sign Ordinance Amendments and Enforcement ..... Page 14
  - d. PG&E Rule 20A Undergrounding Project Authorization ..... Page 15
  - e. Rose Ave Pedestrian Project (Phase 2) Change Orders. 6,7 and 8 ..... Page 40
  - f. Rose Avenue Pedestrian Project (Phase 2) Progress Payment 3..... Page 47
  - g. Designate a Voting Delegate to League of California Cities Annual Meeting ..... Page 52
12. CORRESPONDENCE ..... Page 71
13. REPORTS
  - a. City Manager Report ..... Page 76
  - b. Commissions and Committee Reports
    - i. Planning Commissions Minutes ..... Page 86
    - ii. Design Review Committee Minutes . ..... Page 88
  - c. Minutes from Joint Power Authorities (JPAs) and Reports
    - i. Humboldt/Del Notre Hazardous Materials Response Authority ..... Page 92
14. 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,  
September 4, 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**

# City of Ferndale

INCORPORATED 1893



## **A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF FERNDALE HONORING SUPER VOLUNTEER GEORGE BORGES**

**WHEREAS**, Ferndale resident George Borges has been a citizen of Ferndale for most of his life and has always been an active member of his community; and

**WHEREAS**, George Borges sweeps and cleans out the sidewalks, curbs and gutters near and around his home almost every morning of the year; and

**WHEREAS**, George Borges weed eats, prunes and trims hedges, bushes and other vegetation along Market and Van Ness Streets, Francis Creek and Highway 211 on a regular basis; and

**WHEREAS**, George Borges takes on other eyesores around the community and works alone or with others to get them cleaned up or attended to; and

**WHEREAS**, George Borges has displayed an outstanding commitment to the entire Ferndale community by his volunteer service and helps make Ferndale a better place to live; and

**WHEREAS**, the City Council of the City of Ferndale, by this proclamation, wishes to express its great appreciation to George Borges for his volunteer service, loyalty and dedication to his community of Ferndale and its citizens.

**NOW, THEREFORE BE IT PROCLAIMED** that the City Council of the City of Ferndale does hereby commend George Borges for all the years of valuable volunteer service and expresses its sincere thanks on behalf of the citizens of Ferndale.

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Mayor Stuart Titus

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Date

## **Section 6**

# **MODIFICATIONS TO THE AGENDA**

## **Section 7**

# **STUDY SESSION REPORT OUT**

## **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 2/3<sup>rd</sup> of the Council (three of the five members) that the item came up after the agenda was posted and is of an urgent nature requiring immediate action.*

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

## **Section 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.**  
DRAFT Minutes for City Council Meeting of for July 7, 2014

Mayor Pro Tem Maxwell 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 Council Members John Maxwell, Michael Sweeney and Daniel Brown along with staff City Manager Jay Parrish, City Clerk Elizabeth Conner, Police Chief Bret Smith and Contract City Engineers Praj White and Yoash Tilles. Mayor Titus and Council Member Mierzwa were absent.

Selection of Mayor Pro Tem for the Meeting. **MOTION:** to appoint John Maxwell as Mayor Pro Tem for this Council meeting due to the absence of the Mayor and Vice-Mayor **(Sweeney/Brown) 2-0**. (Council Member Maxwell abstained as he was the subject of the motion.)

Ceremonial: None.

Modifications to the Agenda: None.

Report Out of Closed Session: None.

Study Sessions - Report Out: None.

Public Comment – None.

Consent Calendar: **MOTION:** to approve the items on the consent calendar. **(Sweeney/Brown) 3-0**.

Presentation / Community Forum: Redwood Coast Energy Authority (RCEA) staff gave a presentation on Gas Emissions describing a county-wide project where first RCEA maps the CO2 emissions and then looks at each jurisdiction to see the source of the emissions and what steps can be taken to reduce those emissions. The State of California does not require a Climate Action Plan as a General Plan element at this time, but may well do in the future, RCEA staff said.

#### BUSINESS

Resolution 2014-11 Tractor Parade: City Manager Parrish said this event is usually part of the January Parades and Festivals resolution, but there were still some things to resolve so the item was delayed until those matters could be resolved, which they now are. During public comment, Mary Ann Bansen requested that the community center not be rented at the same time as the tractor parade this year because of potential use conflicts. **MOTION:** to adopt Resolution 2014-11 and direct staff to see that no event is scheduled at the Community Center on that evening. **Sweeney /Brown. 3-0**.

Update from Ad Hoc Committee on Old Nilsen Property: Council Member Brown reported that this month's report is same as last month, but next month's will be different. Council Member Sweeney announced that there would be a meeting of the Ad Hoc Committee on Thursday, July 10<sup>th</sup> at 5:30 pm at the Omelet Factory to look at three potential options.

Resolution 2014-15 To Certify the June 3, 2014 Election: City Manager Parrish reported that the City had received the final results for Measure O, which was 67% in favor and 33% against.

**MOTION:** to adopt Resolution 2014-15 certifying the results of the June 3, 2014 election.  
**(Brown/Sweeney) 3-0.**

Resolution 2014-10 Consolidated Election: City Manager Parrish said that this is something Ferndale requests for each election in order to save money and would like to request again for the upcoming election on November 4, 2014. The County Board of Supervisors must approve the request for the consolidated election and the request to them must be in the form of a resolution.  
**MOTION:** to adopt Resolution 2014-10 requesting a consolidated election with the County of Humboldt. **(Sweeney/Brown) 3-0.**

Review of Options for Sign Ordinance Amendments and Enforcement: CM Parrish said that after reviewing the issue, staff has developed three options for the Council to consider relative to this provision of the Ordinance. Before spending further staff time and having the City Attorney review the matter, he said staff is requesting feedback from the Council as to which direction the Council would like to take. He outlined the three options for this section of the Sign Ordinance: leave the section as is and direct staff to enforce; modify the section to allow internally illuminated signs without regard to content, other than offensive which is already disallowed, while retaining or modifying certain restrictions such as a maximum of three internally illuminated signs per business and a maximum of two per window and certain size limitations already in the Ordinance, and requiring that internally illuminated signs are only lit when the business is open and/or other limitations, or allow no internally illuminated signs of any content. Mr. Brower from the public commented that he supports the second option because businesses need the open signs and although he doesn't necessarily like the internally illuminated signs, it needs to be fair to all businesses. Council Members discussed the options and did not reach a consensus to give direction to staff. The Council directed staff to bring the matter back for further study and consideration, perhaps in a study session.

Rose Ave. Pedestrian Project (Phase 2) Change Order No's 1A, 2, 3, 4, and 5: Contract City Engineer Praj White explained that the Change Orders before the Council were to allow for six more working days so that some driveways could be included in the project, to move an ADA ramp to 5%, and to standardize the stop signs so they are all the same height. He said that the project bid assumed that certain base was there but the contractor hit clay instead, so change order 4 is for a standard base and lastly, that in re-doing the drainage culverts, a rotted, rusted beam was found and needs replacement. **MOTION:** to approve authorization to execute Change Order Nos. 1A, 2, 3, 4, and 5 in the amount of \$10,233.55 to V&C Construction for the Rose Ave. Pedestrian Project (Phase 2). **(Sweeney/Brown) 3-0.**

Rose Ave. Pedestrian Project (Phase 2) - Progress Payments 1 and 2: Contract City Engineer Praj White told the Council that all parties have reviewed the bills and progress on the work, and a 10% retention based on the original contract amount is being held. **MOTION:** to approve authorization to pay progress payment #1 for \$68,310.50 and progress payment #2 for \$70,790.00 to V & C Construction for the Rose Ave Pedestrian Improvement Project (Phase 2) for a total of \$139,100.50 less 10% retention fee of \$13,910.05 for a total of \$125,190.45.  
**(Brown/Sweeney) 3-0.**

Rose Avenue Pedestrian Project (Phase 2) Authorize Right of Way Appraisal: Contract City Engineer Praj White explained that while CalTrans agrees with the City on the benefit of having a contiguous project, the appraisal must be conducted in accordance with the CalTrans Right of

Way Acquisitions Requirement Process in order to qualify for CalTrans reimbursement. He said getting this appraisal is part of complying with that process. **MOTION:** to approve authorization for the City Manager to hire an appraiser for a portion of Rose Avenue that is private property in order to allow for approximately 21 feet of sidewalk as part of the Rose Avenue Pedestrian Project, Phase 2. **(Sweeney/Brown) 3-0.**

Resolution 2014-14 Appoint Member to Ferndale Library Board: City Manager Parrish reported that there was a vacancy of the Ferndale Library Board and that resident Lee Tomasini had applied to serve, and his appointment was supported by the Library Board and Librarian Bonnie von Braun. He added that this was the only application received in response to the public notices advertising the vacancy. **MOTION:** to approve Resolution 2014-14 appointing Lee Tomasini to the Ferndale Library Board for a term of four years. **(Brown/Sweeney) 3-0.**

Authorize City Manager to Negotiate Settlement with Sequoia Gas Company: City Manager Parrish discussed that in 2008 the City took over the management and maintenance of the Community Center. In the process of assuming that role, the City agreed to pay for half way propane use. He explained that the meters had been inadvertently mislabeled when they were installed and that the City has been paying for the wrong meter. Sequoia Gas Company has acknowledged the error and that the City has been over paying. City Manager Parrish added that the negotiations between the City and Sequoia Gas and between the Senior Resource Center and Sequoia Gas are separate matters and one settlement will not affect the other. **MOTION:** to authorize the City Manager to negotiate a settlement with Sequoia Gas Company regarding overpayments made by the City for Gas at the Community Center. **(Sweeney/Brown) 3-0.**

Mayor Pro Tem Maxwell adjourned the meeting at 8:05 pm.

Respectfully submitted,

Elizabeth Conner  
City Clerk

**City of Ferndale, Humboldt County, California, U.S.A.**  
DRAFT Minutes for Special City Council Meeting of July 15, 2014

Mayor Stuart Titus called the Special City Council Meeting to order at 5:35 pm. Those present pledged allegiance to the flag. The City Clerk called roll and present were Mayor Titus, Council Members Ken Mierzwa, Michael Sweeney and Daniel Brown along with staff City Manager Jay Parrish, City Clerk Elizabeth Conner and Finance Officer Donna Timmerman. Council Member Maxwell was absent.

Modifications to the Agenda: None

Public Comment: None.

#### BUSINESS

Resolution 2014-12 Adopting Fiscal Year 2014-15 Budget: Mayor Titus opened the item by relaying that the Council had received some additional information tonight and thanking staff for the work on the budget and how it was presented. City Manager Parrish reviewed many of the line items in the budget and explained that this budget, as in past years, contains staff's best estimate of revenues and expenses. He added that last year's actual revenues came in higher than predicted in the budget and there were also some unexpected expenses. The Council requested that a mid-year budget review be conducted annually so the budget can be readjusted as needed and staff concurred. **MOTION:** to approve Resolution 2014-12 Adopting Fiscal Year 2014-15 Budget. **(Titus/Sweeney). 4-0.**

Resolution 2014-13 Adopting Fiscal Year 2014-15 Fees & Fines Schedule: City Clerk Conner presented the item and explained that the majority of fees were proposed to increase by the CPI of 2%, and that other fees were subject to Proposition 218 and therefore could not be raised without a vote of the public. She further explained that a few fees were adjusted upwards or downwards to reflect actual costs. She said that staff is not proposing that the fees for use of City Hall and the Community Center for non-profits be raised at this time. Although since costs are not being covered and Ferndale charges non-profits significantly less than other cities in Humboldt County, staff feels it would be prudent to meet with area non-profits to discuss the issue before suggesting increase of these fees. **MOTION:** to approve Resolution 2014-13 Adopting Fiscal Year 2014-15 Fees & Fines Schedule. **(Sweeney/Brown) 4-0.**

Mayor Titus adjourned the meeting at 6:43 pm.

Respectfully submitted,

Elizabeth Conner  
City Clerk

**Section 10****CALL ITEMS**

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

**Section 11****BUSINESS**

Meeting Date:	August 7, 2014	Agenda Item Number	11.a.
Agenda Item Title	Acceptance of Jack Mays Sculpture for Display on Village Green for Indefinite Length of Time		
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:**

Approve acceptance of Jack Mays Sculpture for Display on Town Green for Indefinite Length of Time and authorize City Manager to execute a Memorandum of Understanding with the Mays family.

**BACKGROUND:**

Ferndale artist Jack Mays died recently and his family has generously granted permission to the City of Ferndale to mount and display one of Mays' sculptures to be on displayed on the Village Green outside of Ferndale City Hall. The family has agreed to allow the City to display the sculpture for an indefinite period of time provided the City agrees to display the sculpture on an appropriate mounting, maintain the sculpture properly and provide insurance coverage against damage and theft. This agreement would take the form of a Memorandum of Understanding between the City and the Mays family.

The bronze sculpture will be dedicated as a memorial to Mays at an "Amaysing Celebration" picnic and potluck on August 9 on the Village Green. The event starts at 1:00 pm at will feature food, drink and a dedication and program starting at 2:00pm. Community members will have the opportunity to share their memories and experiences with Jack Mays. Remember to bring your own chair to the event.

**FISCAL IMPACT:**

The cost to construct the base for the sculpture will be under \$600. The cost to insure the sculpture will run approximately \$120 per year.

Meeting Date:	August 7, 2014	Agenda Item Number	11.b.
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 checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input 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 has held a series of meetings during spring and early summer with interested individuals to continue discussion on the best use of the Old Nielson property. The most recent meeting of the group was on July 10, 2014.

Phil Ostler has come forward with a plan to renovate the shed and to incorporate rooms for storage. The rental money would be used to reimburse the renovation costs and then moneys would go to the city for a maintenance fund. The building would be saved at little to no costs from the City and then income would mostly go toward up-keep. Phil has raised approximately half the renovation estimations and the Ad Hoc Committee is waiting to see if he will be able to raise the needed amount or whether a different alternative will need to be selected.

The Ad Hoc Committee is ready to present three options for the Nilsen Barn site: Option 1 (as stated above) involves restoring the old wood shed for use as storage with the balance of the

property being used for expanded public parking (final layouts to be determined); Option 2 involves using the wood from deconstruction of the old shed to construct a fence keeping the ambiance of the redwood siding within the setting. For Both Option 1 and 2, the north wall of the restored shed or the fence constructed along a similar alignment would serve as a backdrop for a public gathering area (farmer's market/arts & crafts fair, etc.). As with Option 1, the balance of the property for Option 2 would be expanded public parking. Option 3 involves deconstruction of the old shed and no fence with the majority of the site being used for public parking. Rough concept level cost estimates have been prepared for Options 1 and 2.

**FINANCIAL IMPACT:**

None.

Meeting Date:	August 7, 2014	Agenda Item Number	11.c.
Agenda Item Title:	Review of Options for Sign Ordinance Amendments and Enforcement		
Presented by:	Jay Parrish, City Manager		
Type of Item:	Action	x	Discussion
Action Required:	x	No Action	Voice Vote
			Information
			Roll Call Vote

**RECOMMENDATION:**

Discuss options presented and provide **direction to staff**.

**BACKGROUND:**

As the Council is aware there has been a lot of discussion in the Council Chambers and the community at-large about the implementation of the Sign Ordinance. At its regular meeting of May 1, 2014 the Council placed a 90-day moratorium on enforcement of the provision of the Ordinance disallowing internally illuminated "Open" signs for the businesses that had been sent a courtesy letter; and at its regular meeting of June 5, 2014 the Council places a 90-day moratorium on enforcement of the provision of the Ordinance disallowing internally illuminated "Vacancy" signs to the two businesses that had been sent a courtesy letter.

The moratoriums were placed to give staff time to review the matter and suggest options for moving forward to the Council for deliberation and decision.

After reviewing the issue, staff has developed three options for your Council to consider relative to this provision of the Ordinance. Before spending further staff time and having the City Attorney review the matter, staff is requesting feedback from the Council as to which direction the Council would like to take.

Below is an overview of three options for this section of the Sign Ordinance:

- 1) Modify the Sign Ordinance to allow internally illuminated signs without regard to content (other than offensive). Under this option, certain restrictions could be included such as a maximum of three product signs that are internally illuminated per business and a maximum of two per window, and could include size limitations already in the Ordinance. Additionally, the Ordinance could require that internally illuminated open or vacancy signs are only lit when the business is open.
- 2) Leave the Sign Ordinance as is and direct staff to enforce it.
- 3) Allow no internally illuminated signs of any content.

Once Council provides direction, staff will bring proposed language to accomplish that direction to the Planning Commission at its next meeting on August 20, 2014 for review and recommended action and then to the Council for discussion and vote at its regular meeting of September 4, 2014.

Meeting Date:	August 7, 2014	Agenda Item Number	11.d.
Agenda Item Title	PG&E Rule 20A Undergrounding Project Authorization to Send Letter to County Board of Supervisors		
Presented By:	City Manager, Jay Parrish		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

**RECOMMENDATION**

Authorize City Manager to send a letter to the County Board of Supervisors requesting their support and collaboration on the undergrounding project in Ferndale and to continue to take all necessary steps to complete any agreements with PG&E for a collaborative Rule 20a Project. Additionally, receive and file report on PG&E Rule 20A Undergrounding Project.

**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 pulled together a team to manage this process and that team has held two open house style public meetings which allowed the public to look at alternative underground districts and make recommendations; and to review comparison data and alternative districts.

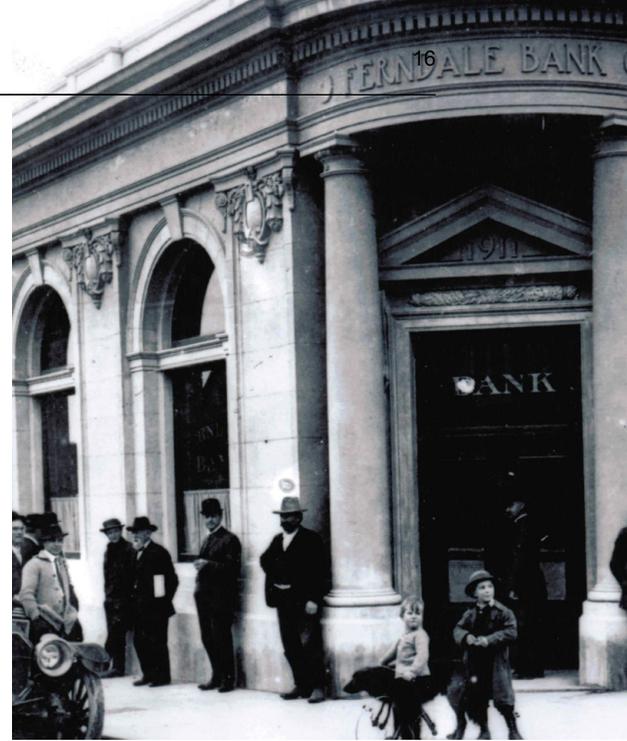
The evaluation process has produced a report titled Ferndale Electric Distribution Undergrounding Project (attached). The next steps are for the City Council to review and consider this report, select preferred area or areas for further analysis, and to notice and conduct the public hearings required by PG&E and the City’s Sewer Ordinance. A key step for moving the process forward is getting a commitment of funds for the project from the County of Humboldt as these funds will be necessary for the project to come to fruition.

**FINANCIAL IMPACT:**

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

**ATTACHMENT:**

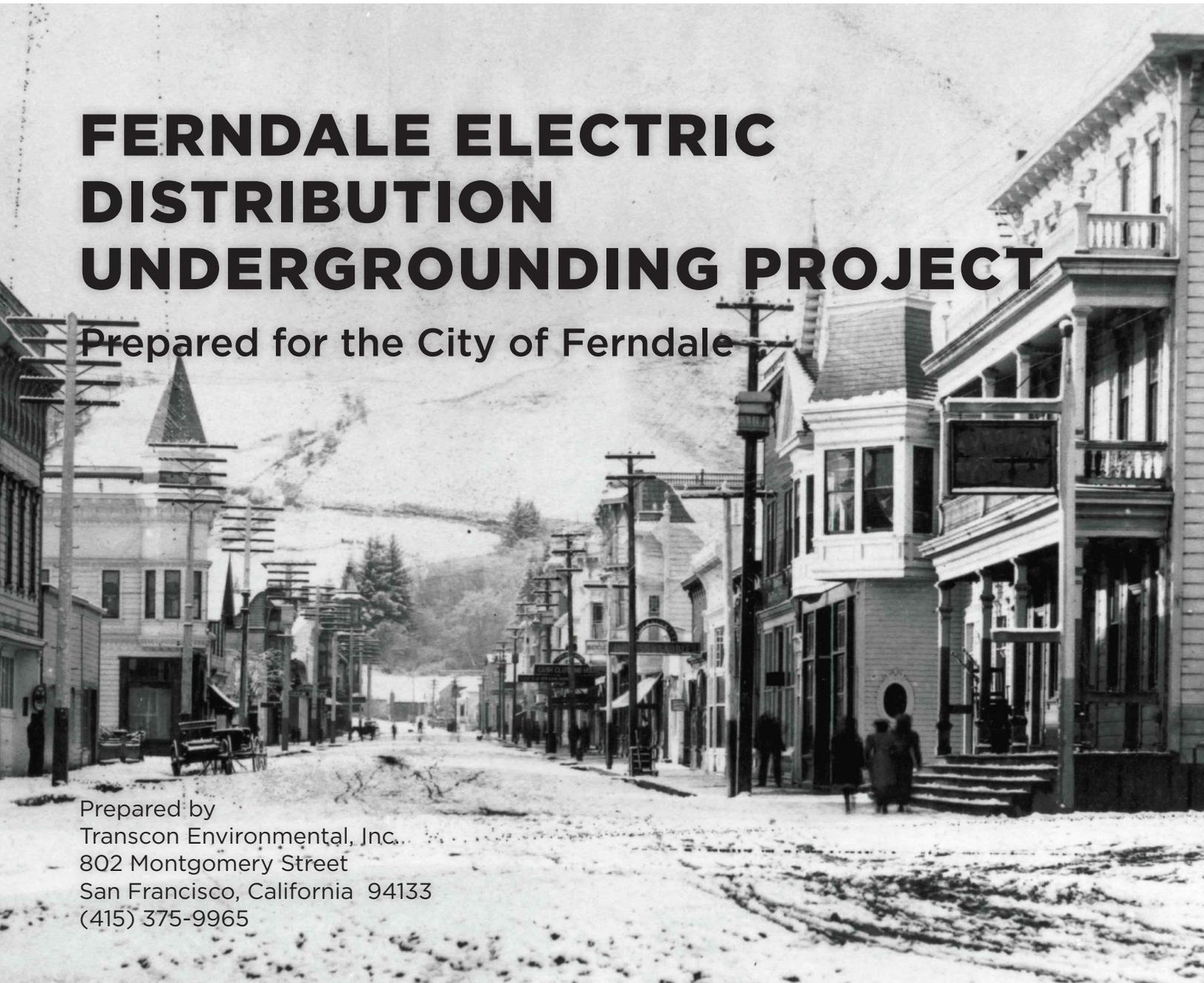
Ferndale Electric Distribution Undergrounding Project



# FERNDALE ELECTRIC DISTRIBUTION UNDERGROUNDING PROJECT

Prepared for the City of Ferndale

Prepared by  
Transcon Environmental, Inc.  
802 Montgomery Street  
San Francisco, California 94133  
(415) 375-9965



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## GLOSSARY OF TERMS

**ALTERNATIVE** | A combination of suitable segments that form a continuous route between designated starting and ending points.

**CENTERLINE** | The location of the center of an existing linear facility or of a proposed linear facility. This designation defines the location of the power line for planning, engineering, legal, and maintenance purposes.

**CONSTRAINT** | A physical, biological, or cultural attribute of an area that is sensitive to the project. Constraints are an indication of increased complication and expense when encountered.

**DISTRICT** | An area of suitable segments, or a single segment, where placing the electric lines is contiguous and under consideration as a single project.

**EASEMENT** | The area of entitlement for construction, operation, and maintenance of utility infrastructure. Easements may be land owned in fee, as a right-of-way (ROW), or other instrument that encumbers the property in part or in full.

**FRANCHISE** | An area typically within a road ROW under the jurisdiction of a city or county, and for which the utility has an agreement that allows placement and operation of utility infrastructure.

**NODE** | The geographical point of reference that defines the end or point of convergence between linear features (e.g., segments of a route).

**SEGMENT** | A portion of overhead electric distribution lines for consideration as part of a district. A segment may represent a single district or part of a single district. Multiple segments may be combined for a single district.

**SENSITIVITY** | Criteria that considers the influence of the proposed project on the natural and built environment. Sensitivity analysis considers each resource's fragility (potential for damage or destruction), scarcity (rarity and abundance of a particular resource), and importance (e.g., intrinsic and extrinsic value) in determining sensitivity levels.

**STUDY AREA** | The area within which all alternative districts would occur and all relevant studies are performed.

**SUITABILITY** | Criteria that considers the compatibility for the proposed district or segment within a district in terms of its land use characteristics and current uses. Suitability improves when the placement of the facility is supported through public policy, public acceptance, and regulations. Suitability considers whether the proposed facility has the capacity to be well operated and maintained. It is usually reasonably identified by the public, regulators, and operators as a place to consider as part of the evaluation process.



# *Executive Summary*

This study, referred to as the Ferndale Electric Distribution Undergrounding Project (Study), examined potential districts for the underground placement of existing electrical distribution conductors. The Study involved a technical review team (Project Team) comprised of members of the City staff and the City Planner and City Engineer. As part of the process, two public open houses were held to calibrate findings and consider preferences. Each meeting was publicly posted in the local paper (Enterprise) and lightly attended by the public. The process considered 13 alternative segments that ultimately defined 11 districts. The districts along Main Street were considered to contain more characteristics that favored the creation of an underground utility district. This report is being submitted to the Ferndale City Council for their examination and consideration of the final district. It assumes that the limits of the district will be ultimately defined by an iterative process of engineering and budgeting.

# *Introduction*

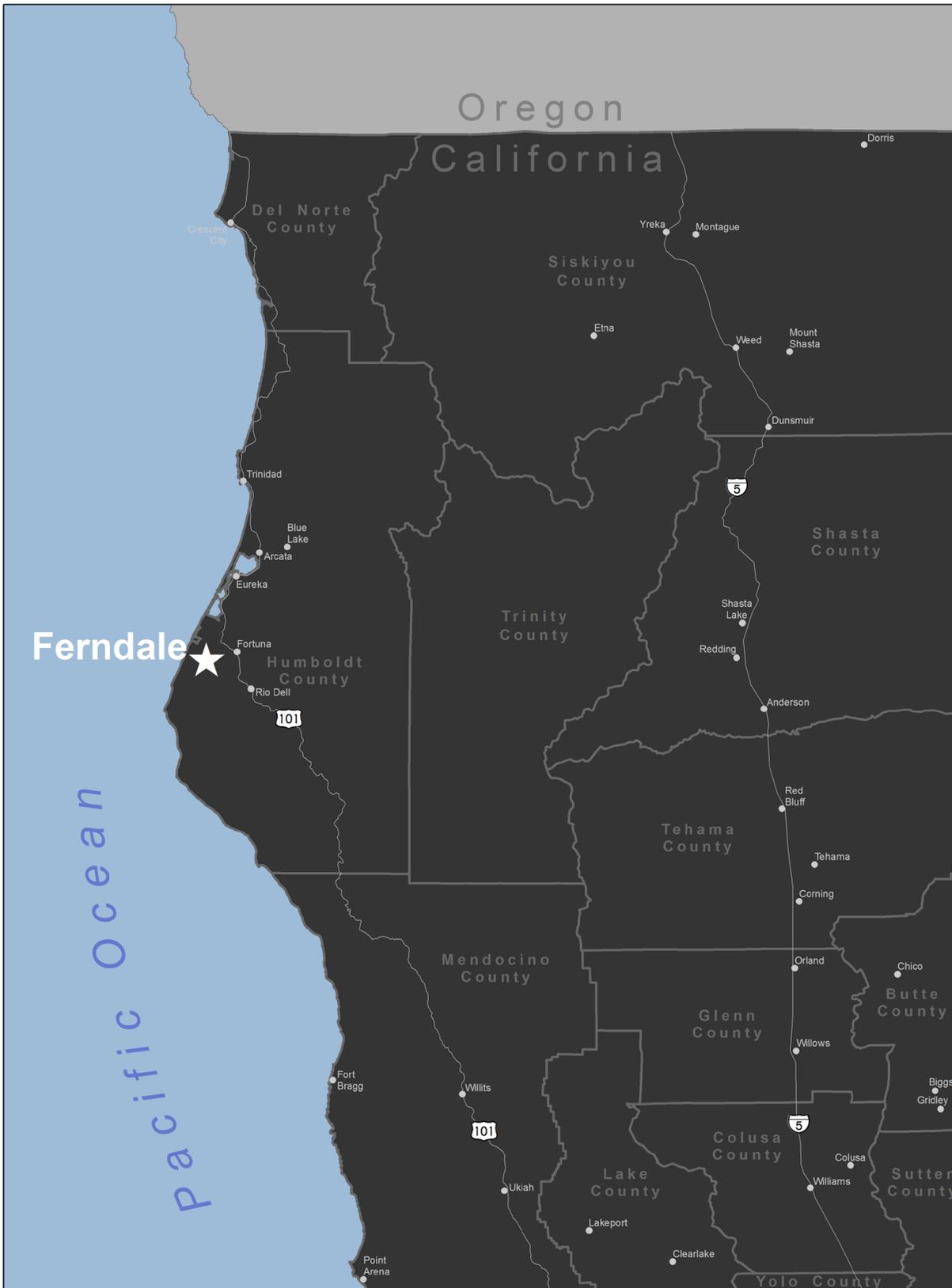
The City of Ferndale (City) was presented with an opportunity to collaborate with the Humboldt County and access funds available through Pacific Gas and Electric Company (PG&E) that qualify for use subject to California Public Utilities Commission Rule 20A, which will allow overhead electric lines to be placed underground with funds accumulated from ratepayers and administered by PG&E for this purpose. Funds are accumulated by the community, so Humboldt County's participation significantly influences the amount of work that can be accomplished in the City. The process has been initiated and representatives of PG&E are in consultation with City staff. Compliance with Rule 20A



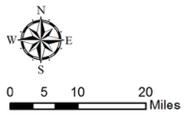
will require the City to conclude that the activity of undergrounding the electric lines is in the public interest according to one of four reasons; it also requires that public meetings are held. Ultimately, the City will need to pass a resolution creating an underground utility district. The mechanics of placing electric lines underground require many steps of engineering, cost estimating, and construction related to affected private and public areas. The scope of this report is to evaluate alternative areas within the City that may qualify as a district, and provide information for City leadership to conclude what is in the public interest. The amount of money available will be a criterion for the size of districts. Although public meetings were held as part of the process of preparing this report, it is expected that the public meeting adopting the underground district will meet the requirements to satisfy Rule 20A requirements (see Appendix A, Rule 20A).

This Study was prepared by Transcon Environmental, Inc., in collaboration with City staff.

The City is located in Humboldt County, California and is well known locally as a Victorian Village and the location of the Humboldt County Fair (see Figure 1). The City is surrounded by large tracts of farm land pastures, which stretch across the Eel River delta. According to the 2010 census, it is a small city with less than 1,500 residents. It thrives with industries related to agriculture and tourism. Especially unique are the broad landscapes of pastures and woods bounding the City, and the picturesque Victorian and Craftsman style features which are abundant in the homes and churches throughout the town. Residents of the City have taken special care to maintain the sense of place and scale, which reinforce a quality experience for pedestrians. This care is expressed as a community as part of the planning documents and as individuals on their private properties.



**Regional Context**  
**Utility Undergrounding Project**  
 City of Ferndale



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*The evaluation and conclusions contained in this report are derived from a three-step process that considers suitable electric line segments to place underground, evaluates the relevant sensitivities for each segment, and ultimately combines the segments into districts for comparison.*

### 2.1. PROJECT PURPOSE

The purpose for defining an underground utility district in the City is to enhance the aesthetic features of the community, which the City residents and officials view as vital to quality of life and economic security.

### 2.2. SITING OBJECTIVES

The primary objectives of this Study are to identify alternative districts that:

- Provide the best value of available resources
- Provide continuity for existing underground districts in the City
- Maximize features of City that are considered most valued and representative of the “sense of place”
- Improve the safety of third-party operations around utility facilities
- Facilitate or stimulate third-party actions to enhance the most valued features of the City
- Create a district principally or completely within the City limits

### 2.3. STUDY AREA

The study area is the City boundary (see Figure 3). This area was initially identified by the Project Team and confirmed by members of the public through the public open house meetings. The study area sets the limits of evaluation and consideration for all segments and districts. Areas outside of the study area were not considered reasonable for consideration. Initial conversations with County representatives indicated that County participation is part of the Project and is a significant factor in the calculation of available funds from the Rule 20A program. County participation in the Project is assumed regardless of whether or not segments extend beyond the City limits.

# Study Methods

## 3.1. STUDY APPROACH

Figure 2 diagrams the three-step process used in the Study. Phase 1 occurs when the Project Team and members of the public suggest districts or segments for consideration. Suitability criteria are usually self-evident, but consider the relationship of existing overhead electric lines to the physical surroundings. Most of the criteria for suitability evaluations relate to compatible land uses and reasonable operation and maintenance of the facilities. Someone familiar with the community should be able to immediately grasp the reasonable suggestions for suitable segments. In fact, if members of the community suggest a suitable area, it is included in the three phase evaluation, assuming overhead electric lines are present and it is not in conflict with siting objectives. A map depicting suitable segments is included in Section 4.1 as Figure 5.

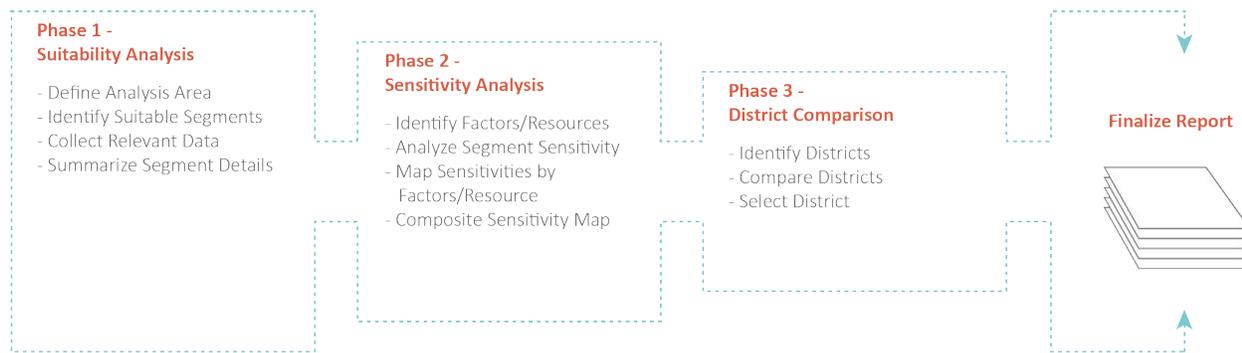
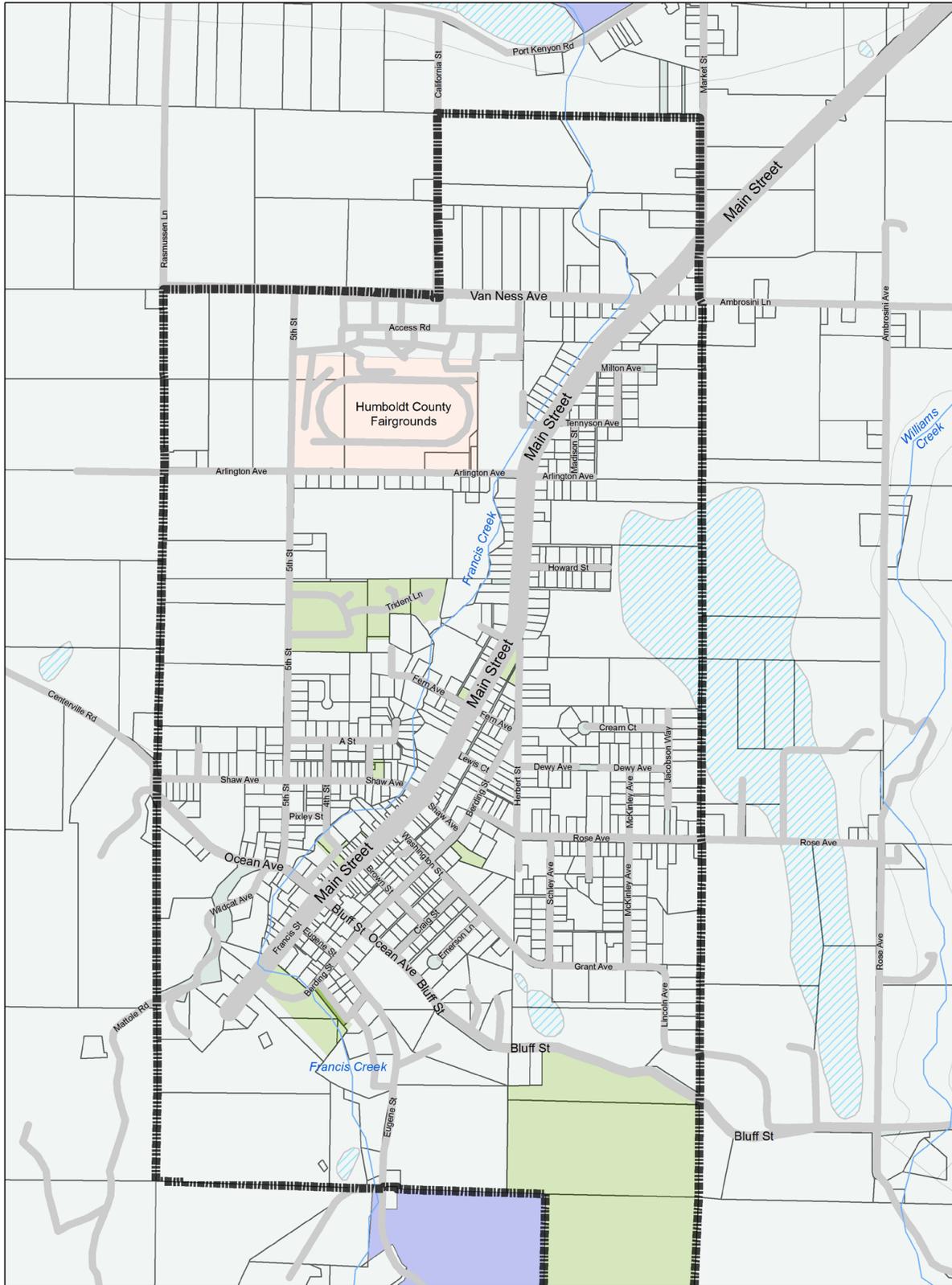


Figure 2. Study Process

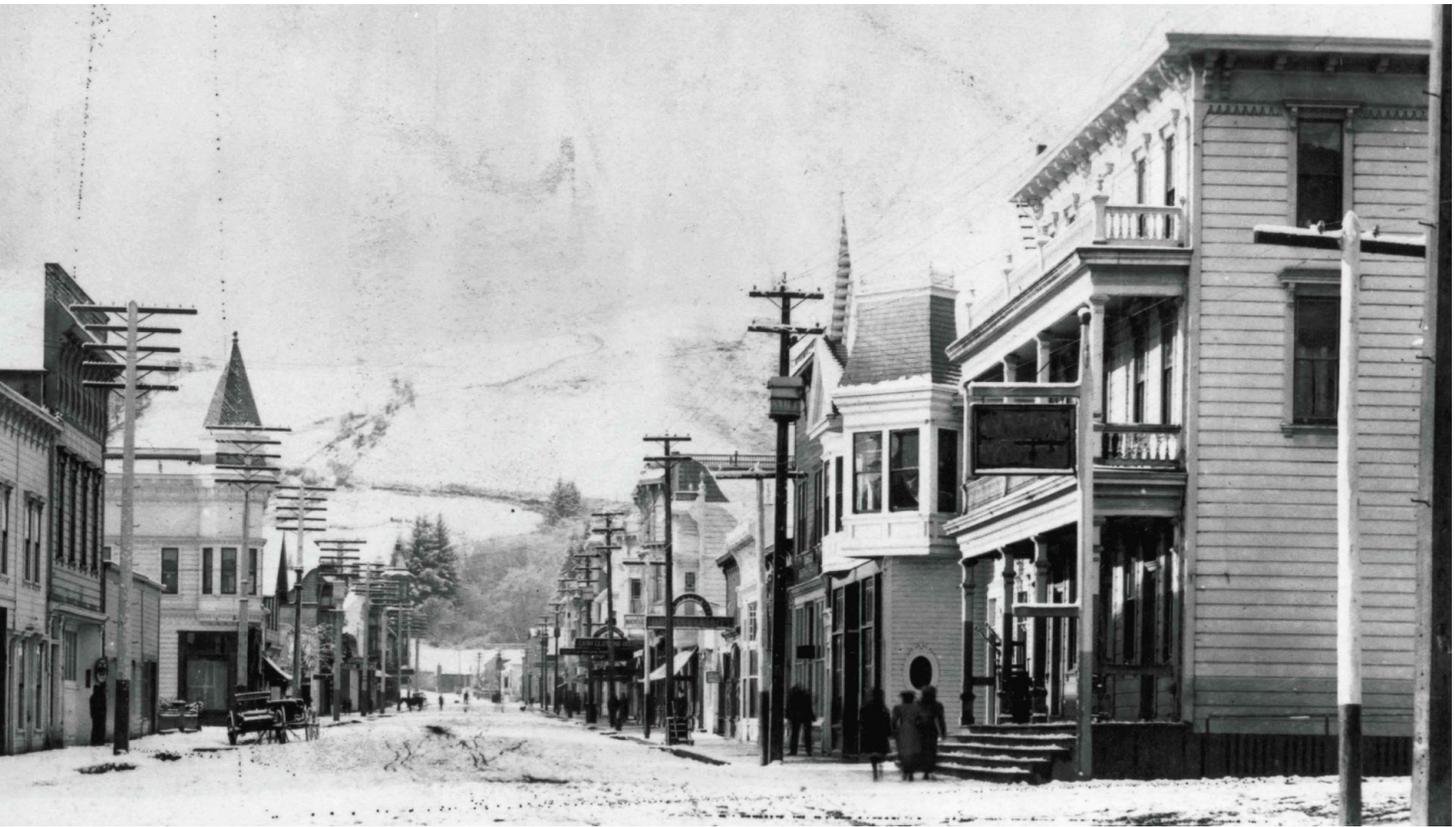




**Study Area**  
**Utility Undergrounding Project**  
 City of Ferndale

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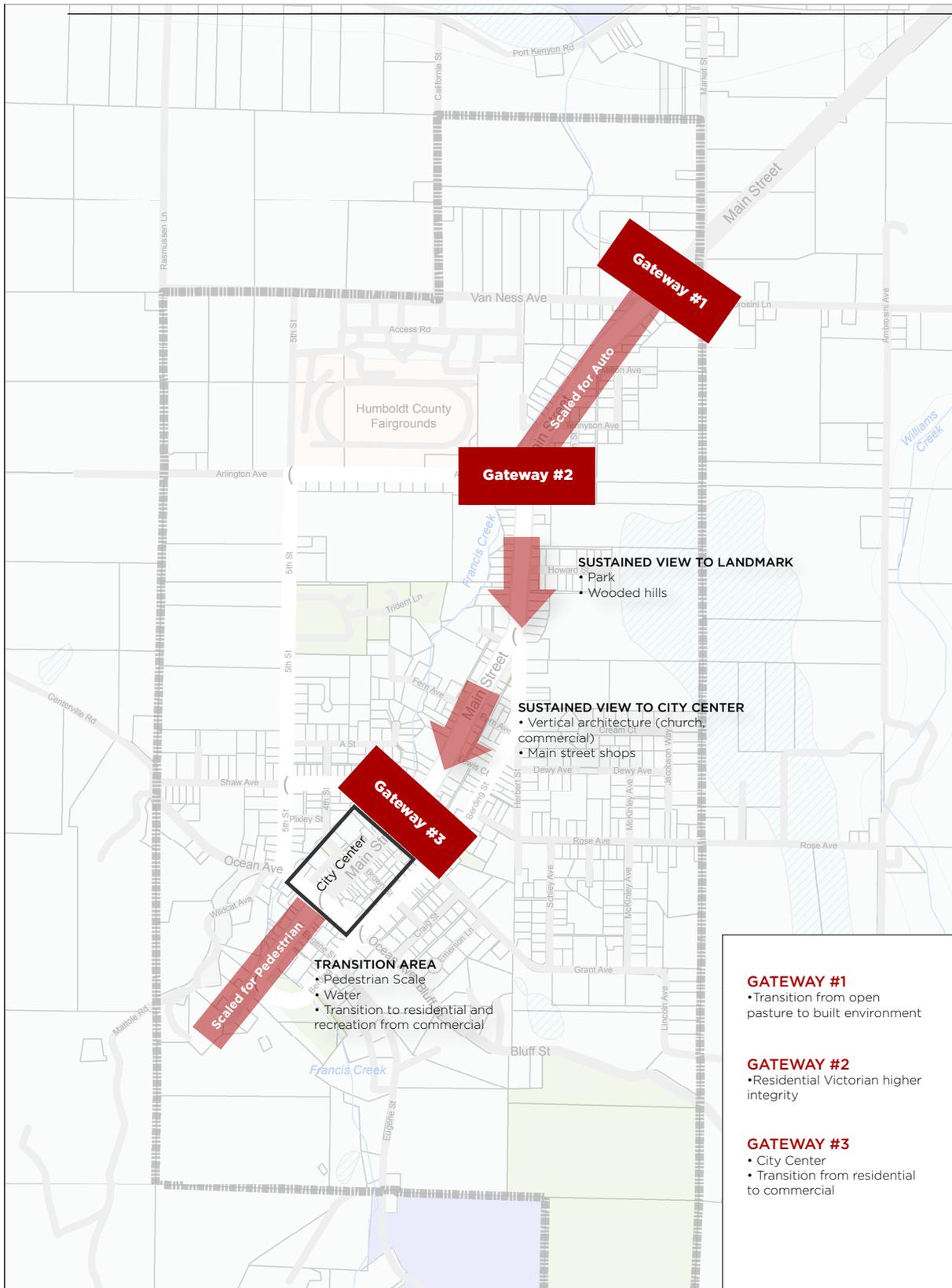
- Ferndale
- Assessor Parcel Unit
- Williamson Act Ranch
- Park
- Creek
- Wetland



Phase 2 occurs when the segments are analyzed for sensitivity. Sensitivity evaluations are qualitative evaluations that determine the potential for segments to encounter sensitive issues or resources. Sensitivities consider the fragility, scarcity, and importance (see Glossary) of resources. Segments are evaluated within the context of public interest to the extent that they can be understood through observation, revealed in the evaluation process during outreach, or expressed in codified regulations or publicly vetted plans. In this Study, it is assumed that establishment of an underground district would be more favorable where sensitivities are the highest. Constraints for placing the facility underground will be analyzed in Phase 3.

Sensitivities are measured for historic resources, aesthetics, economic resources, biological resources, transportation, and recreation. These categories were derived after the first public open house, the review of plans, and an on-site examination was performed for each area. Much of the city planning documents and ordinances is devoted to the preservation of history, aesthetics, and its link to economic health and improved quality of life. This expression in publicly established documents is also reflected in the individual property owners' treatment of their own property. As for transportation, it is the heart of all other sensitivities because of its relevance to economy, aesthetics, history, and quality of life (e.g., city image, scale, safety, etc.). Therefore, it should be no surprise that the Study will focus on these features to determine sensitivity measures. As part of the documentation of relevant issues and sensitivities, a map was prepared to describe city features and observations that contribute to the sensitivity evaluations (see Figure 4). Sensitivities are summarized in a series of maps in Section 4.2.

The maps are combined as a composite for alternative selection (see Figures X-Z).

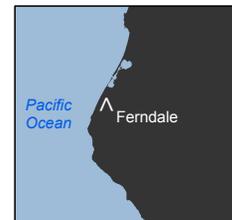


**Character Features Map  
Utility Under-grounding Project  
City of Ferndale**



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Phase 3 creates the districts and compares them quantitatively. Districts are created from single segments, or a combination of segments. The size of a district is influenced by the relative cost to implement it. A complicated or expensive district would be reasonably smaller than a district easier and less expensive (per foot) to develop. The sensitivity phase (Phase 2) will allow the Project Team to eliminate segments that perform poorly. The remaining segments should represent the best performing areas, or areas that have an important role for comparison in the final phase (Phase 3). The data used to compare the districts will include measurable features. Costs for implementing each district are not part of the scope of this Study, but will be a part of subsequent steps prior to implementing a district. Phase 3 of the evaluation is to reveal comparable features in each district. It assumes that all districts represented are reasonable solutions. Unreasonable alternatives should be eliminated prior to Phase 3. In this case, 11 districts were developed. It will be the responsibility of the Council to select the district for implementation.

### 3.2. DATA COLLECTION

The information reviewed and acquired for this Study included a review of General Plan elements, Zoning Ordinance, County and Caltrans transportation data, and other county and state planning resources. A pedestrian examination of all segments was also performed.

### 3.3. OUTREACH AND OPEN HOUSE MEETINGS

Two public open house meetings were held to disseminate information, understand preferences, and calibrate criteria. Both were held at City Hall and were lightly attended. The first occurred on March 1, 2014 at 11:00 am. The meeting was organized as an open house to allow people to freely contribute ideas about areas desired for consideration. Preferences were also discussed and integrated into the Study along with suggested areas for consideration.

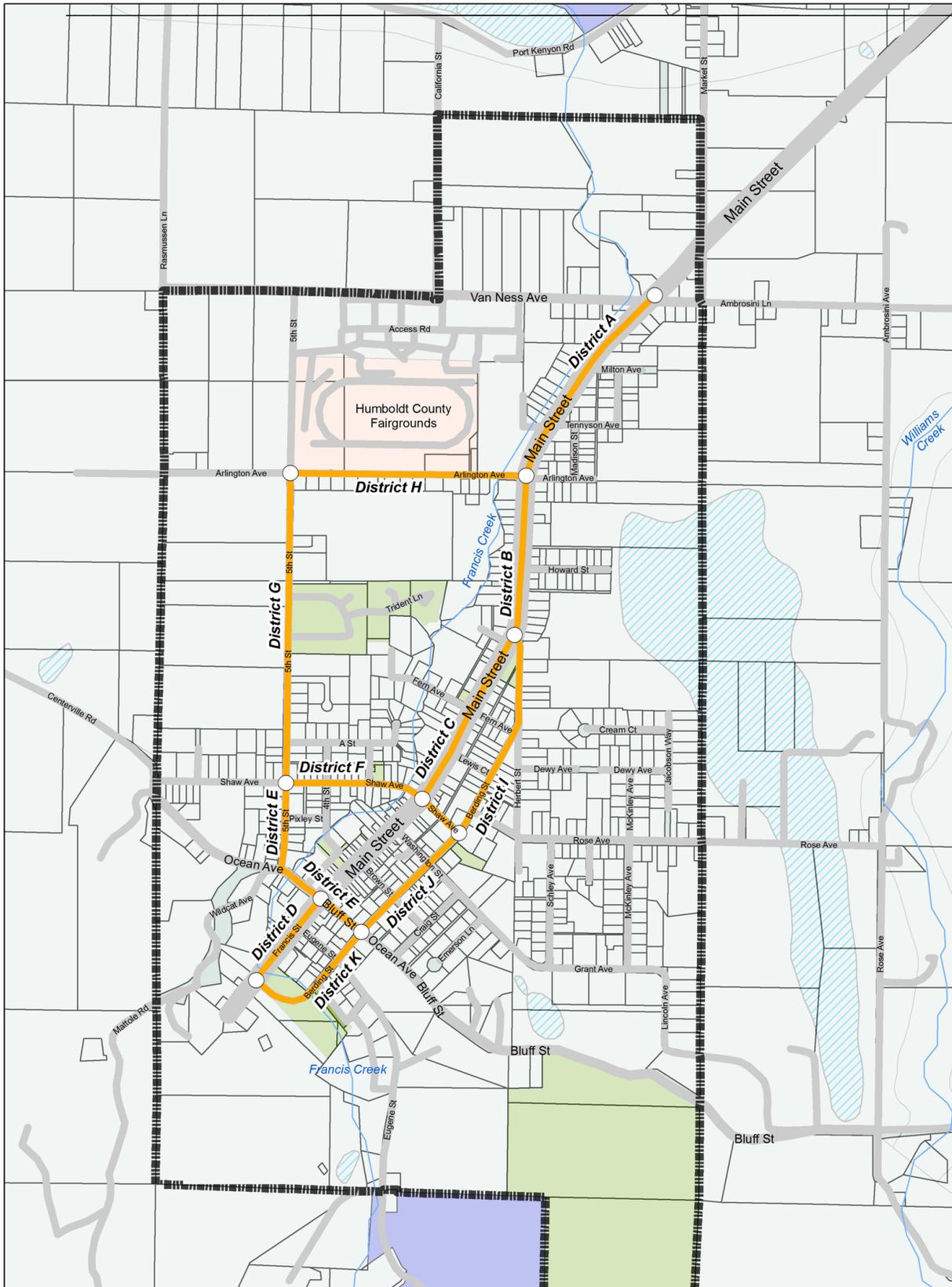
The second meeting was held on May 3, 2014 at 11:00 am. This meeting reviewed the results of the sensitivity evaluations, the criteria used, and the districts being considered for evaluation. Comments accumulated that were focused on understanding the data and the process. No new alternatives were suggested.

A list of the attendees for both meetings is included in Appendix B along with the materials used.

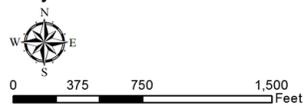
# Results

### 4.1 SEGMENT IDENTIFICATION – SUITABILITY

The following map (Figure 5) depicts the suitable segments that were combined to create districts. In this Study, all segments met the siting objectives and Project purpose and were used to create the districts.



**Districts**  
**Utility Undergrounding Project**  
 City of Ferdale



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-  Ferdale
-  Assessor Parcel Unit
-  Williamson Act Ranch
-  Park
-  Creek
-  Wetland
-  Nodes
-  Districts



## 4.2 SEGMENT IDENTIFICATION – SENSITIVITY

A three-level rating (high, moderate, and low) was used to measure the sensitivity of each constraint. High sensitivity represents areas more favorable for placing electric lines underground. Sensitivities are depicted in the following maps (Figures 6–10) according to those categories which address resources that are expressed in plans, regulations and testimony as of interest and most valued. Specifically the categories are: economic resources, aesthetics, environmental resources, historic resources, and transportation. Historic resources and biological resources appear to be represented adequately in the other categories and therefore were not represented in separate maps. Maps were prepared for each relevant category and combined to create the Composite Sensitivity Map (see Figure 10). Below are a few observations related to each map.

### ECONOMICS

Features of economic sensitivity were largely related to the perception that the success of some businesses is related to the integrity of the aesthetic setting. In other words, buyers are drawn to and linger in areas where the Victorian setting is most prominent. When these features are embedded in visitors and residents, their cognitive map and legibility of the city improves. This is accompanied by feelings of satisfaction (Lynch 1960). It is a reasonable assumption that the scale and image of these areas motivate travelers and buyers to walk the streets and enter businesses in comfort. It also stands to reason that improving the integrity of the setting will produce more positive results. Businesses less influenced by the aesthetic setting had less sensitivities.

### AESTHETICS

The evaluation of aesthetics concentrated on where the integrity of the Victorian Village was best manifested along the alternative districts. Victorian elements are found throughout much of the city, but the experience of Victorian character is most prominent in areas where vintage homes are more tightly clustered or in proximity to each other. The details of vintage homes are designed to appeal to pedestrians; therefore, elements are scaled for human intimate interaction. Picket fences, brightly colored houses with detailed woodwork, and gardens are part of the character elements that establish a sense of place that becomes part of a cognitive experience. Modern utility infrastructure or modern buildings weaken the integrity of the setting and the sense of place.

### ENVIRONMENTAL

There are few environmental sensitivities that should influence the selection of a district; the presence of the Francis Creek is the one exception. Crossing the creek or building in areas influenced by the creek will introduce the possibility of discretionary permitting and additional costs.

### TRANSPORTATION

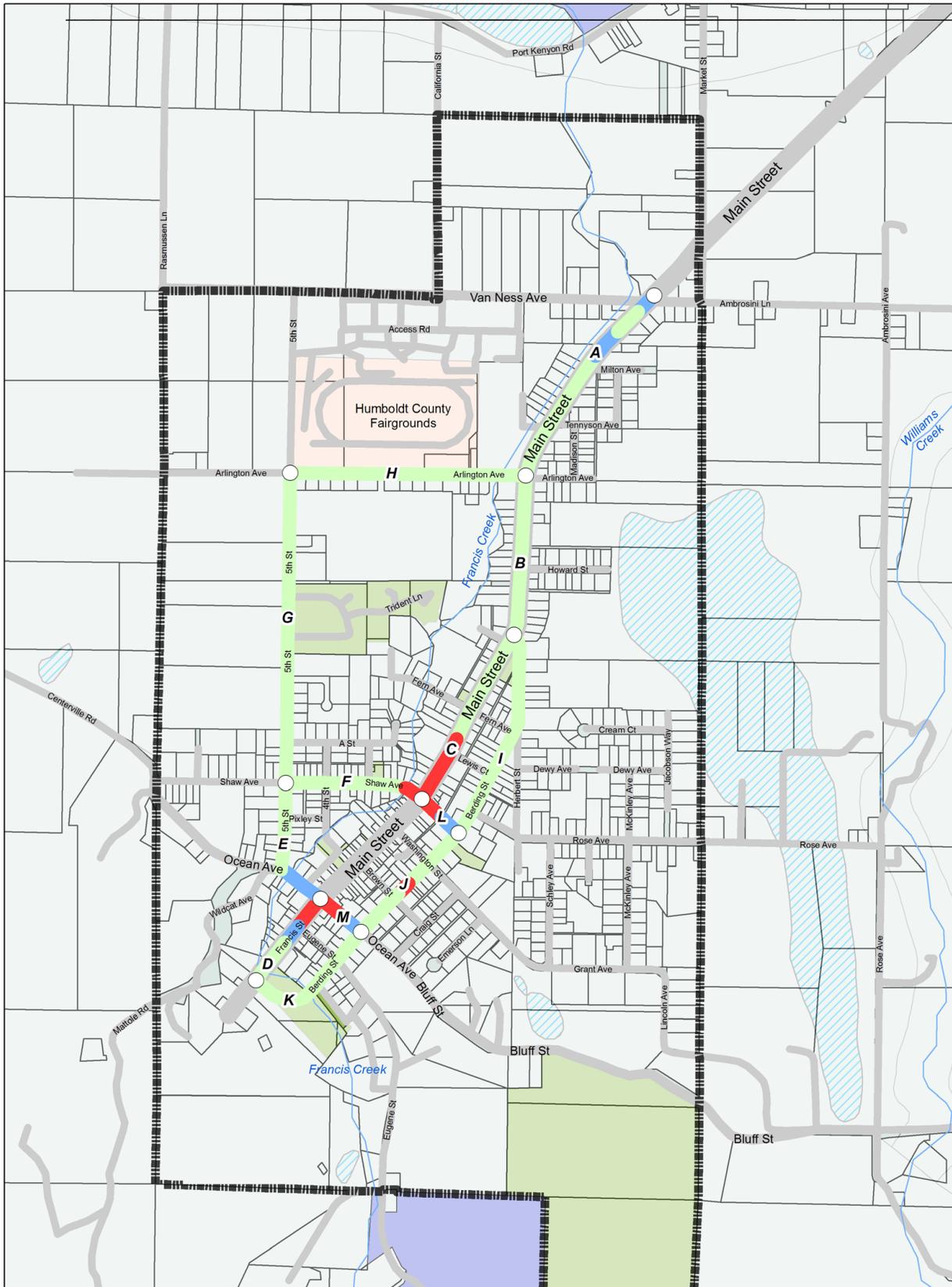
The transportation analysis examined areas of traffic flow and speed. Data was accumulated through Caltrans, interviews, and observation. In summary, the primary flow for traffic is on Main Street through the City. Speeds are the greatest as travelers approach the northern boundary, entering or leaving the City. This observation was confirmed by Ferndale Police. Travelers slow down as they enter deeper in the City and observe pedestrians and the character of the neighborhood and residential homes. The relevance of traffic and speeds to the undergrounding of utility lines is related

to two factors; first, the frequency or abundance of visitors. More visitors increase the sensitivity of the setting. It suggests that the setting must be managed more carefully to maintain the quality features of the City. The second is related to the speed of travelers and attempts to improve safety. Research shows that a lower speed is chosen by drivers if vertical elements are higher than the width of the road (ETSC, 1995). This suggests that as trees appear in the field of vision, speeds are reduced. Undergrounding lines may allow trees and tree canopy to grow near and adjacent to roads, which may help to influence vehicle speeds. Speed choice is known to be influenced by road environment (Martens et al., 1997; Aatrs et al., 2006; Goldenbeld et al., 2007).

#### COMPOSITE

The composite map is a combination of all sensitivities. High values of sensitivity that appear on any map are transferred to the composite map. Value weighting is not part of the evaluation. Districts that appear in red are the favored districts for direct comparison.





**Economic Sensitivity  
Utility Undergrounding Project  
City of Ferdale**



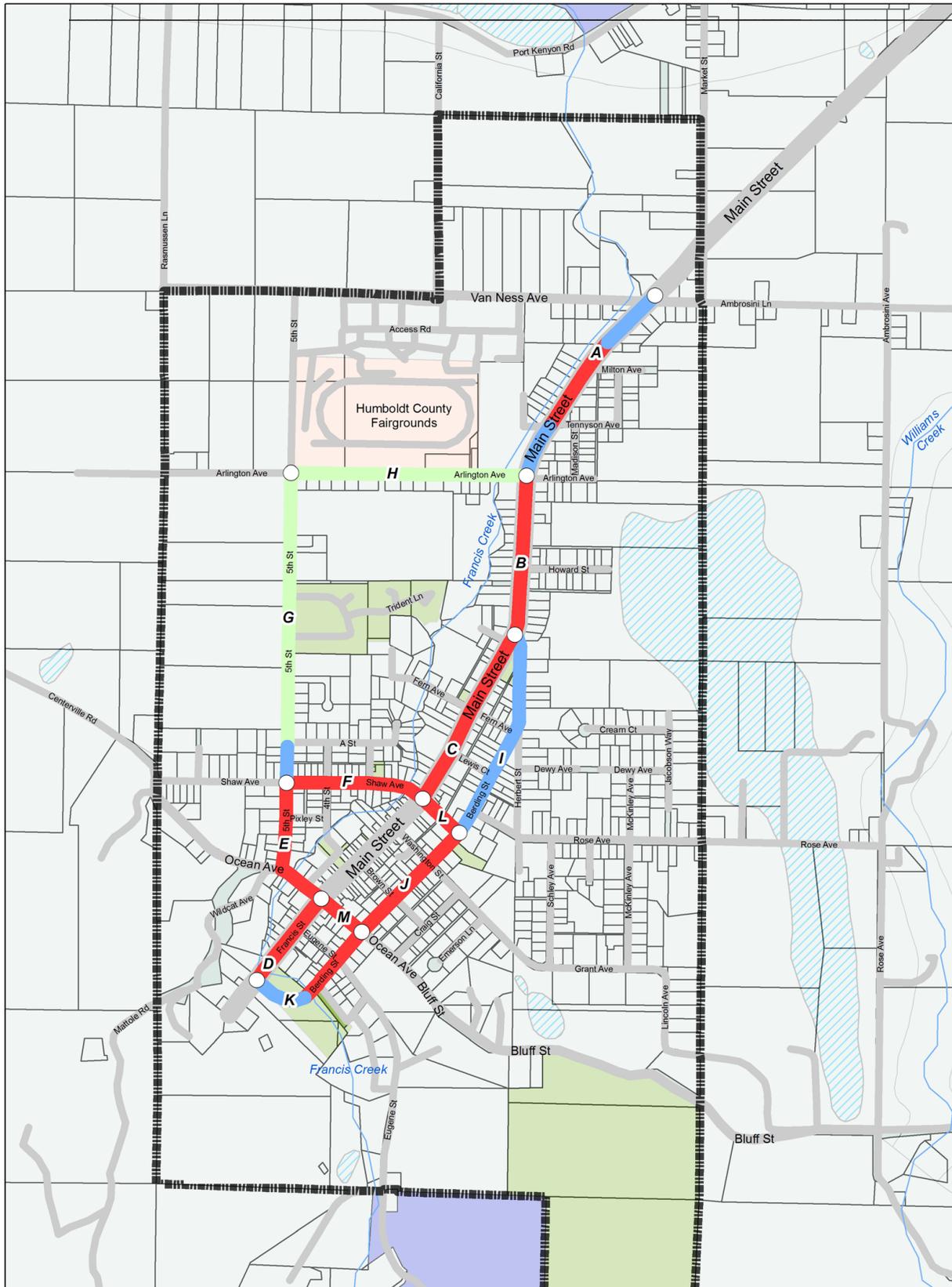
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- Ferdale
- Assessor Parcel Unit
- Williamson Act Ranch
- Park
- Creek
- Wetland
- Nodes
- High Sensitivity
- Medium Sensitivity
- Low Sensitivity



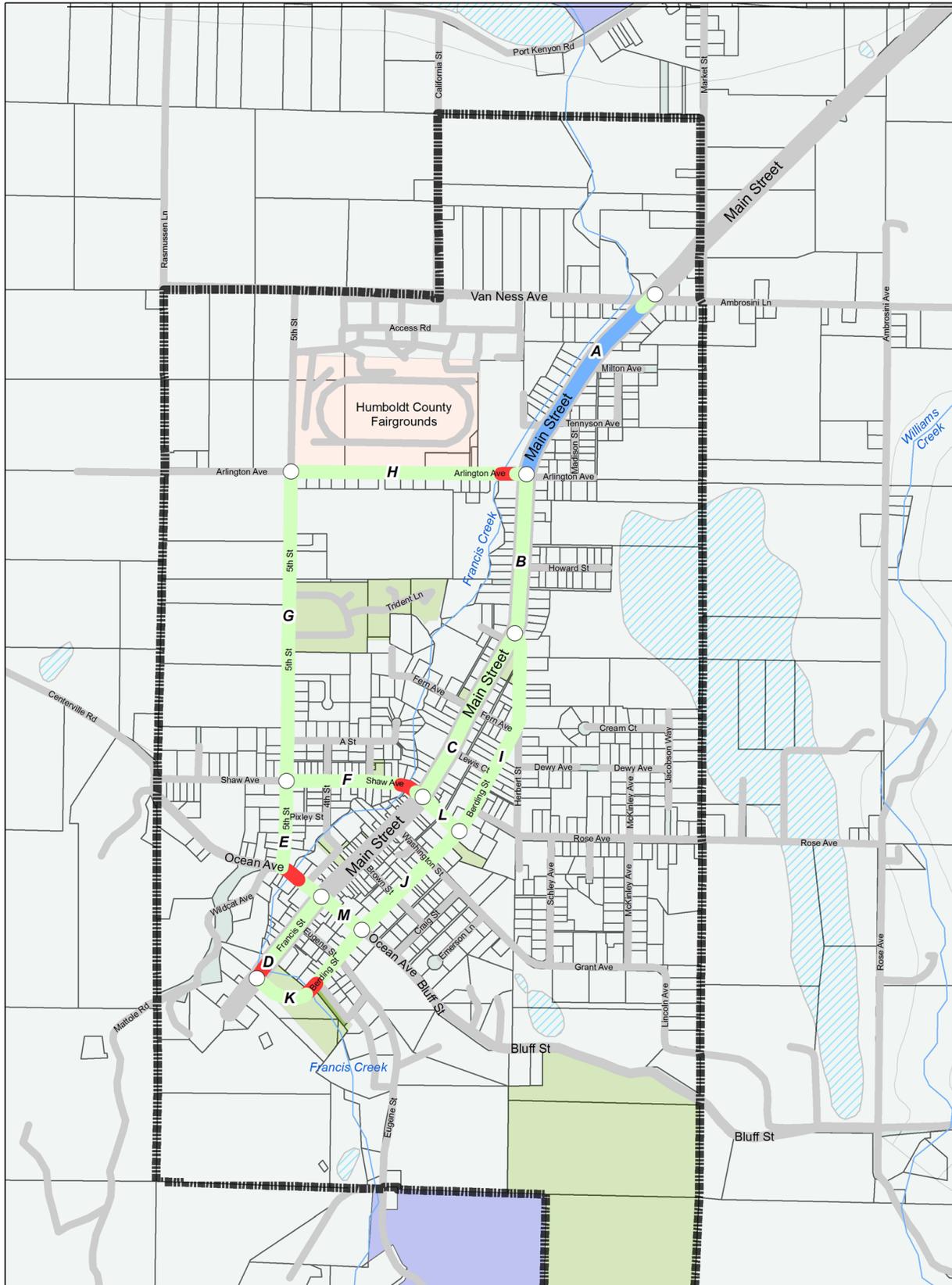


**Aesthetics Sensitivity Utility Undergrounding Project**  
City of Ferdale

Ferdale  
 Assessor Parcel Unit  
 Williamson Act Ranch  
 Park  
 Creek  
 Wetland

Nodes  
 High Sensitivity  
 Medium Sensitivity  
 Low Sensitivity

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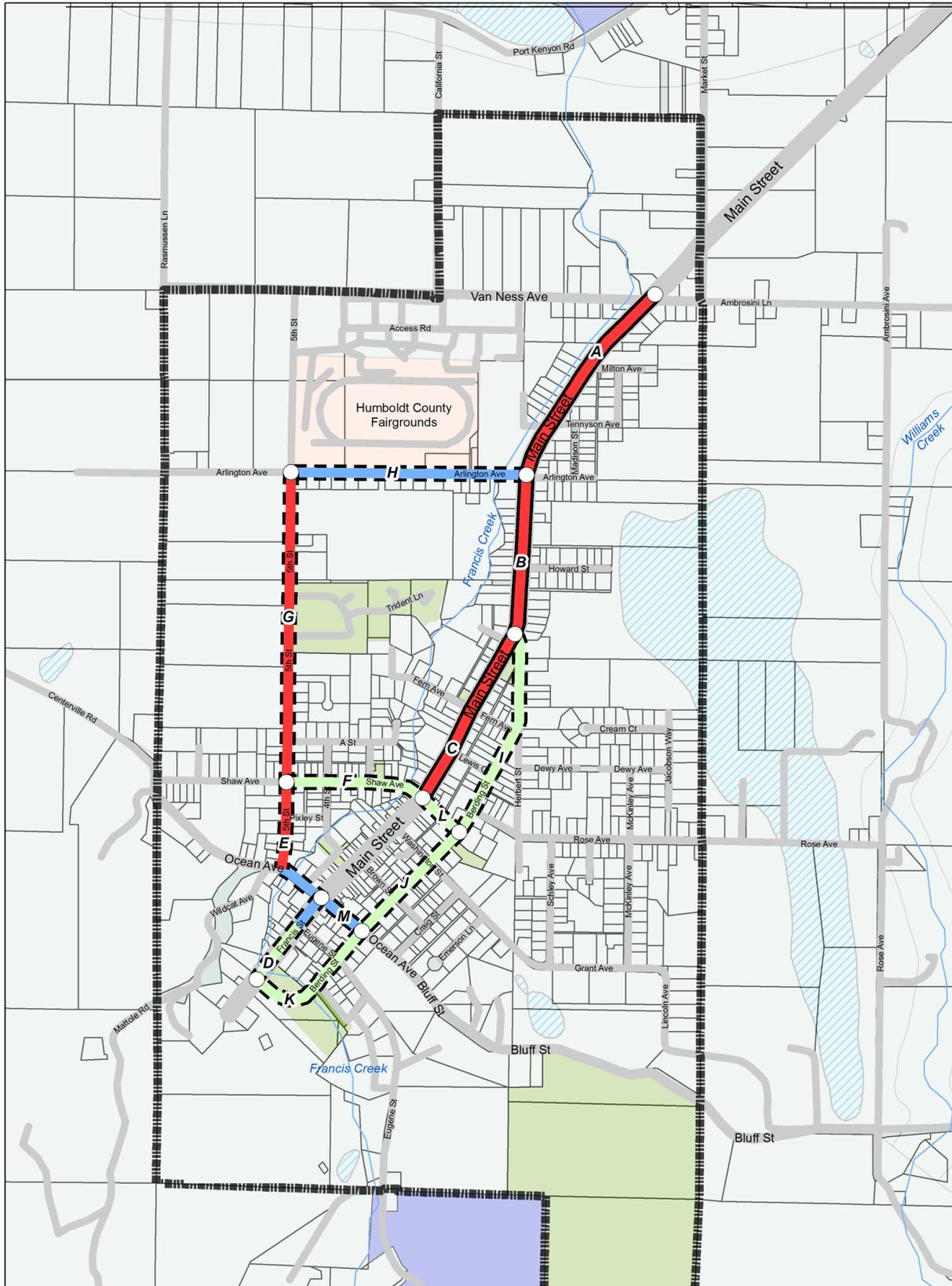


**Environmental Sensitivity Utility Undergrounding Project**  
**City of Ferdale**

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Ferdale	Nodes
Assessor Parcel Unit	High Sensitivity
Williamson Act Ranch	Medium Sensitivity
Park	Low Sensitivity
Creek	
Wetland	

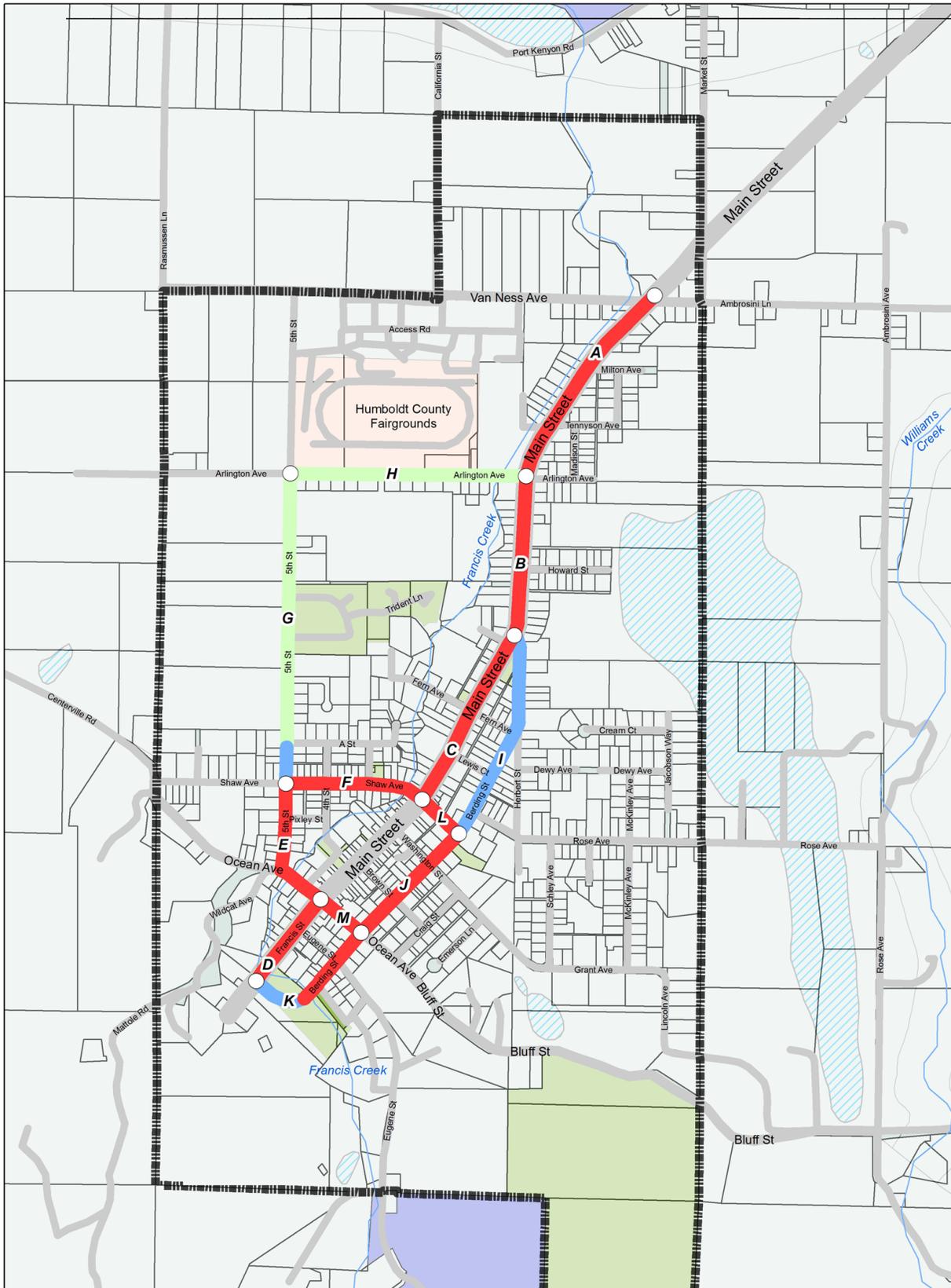
Pacific Ocean  
 Ferdale



**Transportation Sensitivity Utility Undergrounding Project City of Ferdale**

	Ferdale		Nodes
	Assessor Parcel Unit		High Speed, High Volume
	Williamson Act Ranch		High Speed, Medium Volume
	Park		Medium Speed, Medium Volume
	Creek		Low Speed, Medium Volume
	Wetland		

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**Composite Sensitivity Utility Undergrounding Project**  
City of Ferndale

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Privileged and Confidential, Draft, Attorney Work Product

Ferndale	Nodes
Assessor Parcel Unit	High Sensitivity
Williamson Act Ranch	Medium Sensitivity
Park	Low Sensitivity
Creek	
Wetland	

0 375 750 1,500 Feet

### 4.3 DISTRICT COMPARISON

Because the Project is in early stages, details regarding the design and costs are limited. Therefore, it is assumed that costs are approximate and depicted as a cost per foot. It is also assumed that the limits of the district will be further defined by the limitation in funding; therefore, district boundaries may adjust as more detail becomes available. (Included below is a table comparing districts.)

District	Description	Homes*	Businesses*	Feeder Line Street Crossing	Aesthetically Influenced Businesses**	Notes
A	Main Street from Van Ness Avenue extending south to Arlington Avenue.	25	5	0	1	Heavy traffic. Speed noticeably increases. Francis Creek appears to be adjacent or within the franchise area.
B	Main Street from Arlington Avenue to the Herbert Street intersection.	25	1	1	0	Heavy traffic.
C	Main Street from Herbert Street intersection to Shaw Avenue.	19	11	0	4	Heavy traffic.
D	Francis Street at the intersection of Ocean Street to City Maintenance facility.	14	7	2	2	Christmas tree service is underground. Haden pump is underground.
E	Ocean Avenue from Main street west to 5th Street. Also includes 5th Street between Ocean Avenue and Shaw Avenue.	16	3	2	1	
F	Shaw Avenue between 5th Street and Main Street.	19	4	0	1	Museum
G	5th Street between Shaw Avenue and Arlington Avenue.	14	0	2	0	
H	Arlington Avenue between 5th Street and Main Street.	13	3	1	0	
I	Berding Street from Shaw Avenue north to Herbert Street, continuing to Main Street along Herbert.	29	2	2	1	Valley lumber served from this line.
J	Berding Street from Shaw Avenue south to Ocean Avenue.	20	4	2	1	
K	Berding Street from Ocean Avenue south through Fireman's Park to the maintenance building at Francis Street.	11	2	0	0	No lines cross open play areas or active recreation areas. Parking lines have overhead connections.
L	Shaw Avenue between Main Street and Berding Street.	0	2	0	0	
M	Ocean Avenue between Main and Berding streets.	1	2	0	0	

\* These estimates are based on visual inspection and were not cross-referenced with City records or PG&E service records.

\*\* This would include restaurants, hotels, shops, art studios, and stores. It would not include businesses less likely to be influenced by the aesthetic setting or a marketplace. Examples of what it would not include are police stations, schools, fire stations, libraries, law or business offices, banks, plumbing or carpentry offices.

# Next Steps

Some of the specific activities are summarized in the Rule 20A information (see Appendix A); however, some of the most immediate activities include the following:

- It is the Council's responsibility to define a district and present the decision to PG&E. This decision must occur following a public meeting. It is assumed that a decision would occur as a resolution.
- Since the County has unofficially offered to contribute to the Project, they should be informed about the City's decision and continued interest in their participation. They should be formally asked to provide a commitment to participate.
- PG&E should be engaged directly to proceed with the required steps to complete the Project including cost estimates for the district or districts under consideration.
- The City staff will need to begin coordinating public works projects and preparing information for landowners and residents regarding impacts, timing, and responsibility.

# References

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Office of Planning and Research [http://opr.ca.gov/docs/General\\_Plan\\_Guidelines\\_2003.pdf](http://opr.ca.gov/docs/General_Plan_Guidelines_2003.pdf), Page 256.

# APPENDIX A

## RULE 20

### RULE 20A

Rule 20A projects are typically in areas of a community that are used most by the general public. These projects are also paid for by customers through future electric rates.

To qualify, the governing body of a city or county must, among other things, determine, after consultation with Pacific Gas and Electric Company, and after holding public hearings on the subject, that undergrounding is in the general public interest for one or more of the following reasons:

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

### RULE 20 PROCESS FLOW

A cross-functional team that includes representatives from Pacific Gas and Electric Company, the phone and cable companies, local governments and the community at-large oversees Rule 20A projects. Projects are accomplished by:

- Identifying and reviewing potential projects
- Developing preliminary costs for the projects
- Refining associated boundaries and costs
- Coordinating the schedules of other public works projects
- Developing final project plans
- Passing a municipal underground resolution
- Developing an underground design
- Converting service panels for underground use
- Starting construction
- Installing underground services
- Completing all street work
- Removing existing poles from the project area

<http://www.pge.com/myhome/addservices/electricundergrounding/>

# *APPENDIX B*

## PUBLIC OPEN HOUSE MATERIALS

Newspaper announcement  
Conversation records – if any  
Sign in sheet  
Map mark-ups  
Maps

Meeting Date:	August 7, 2014	Agenda Item Number	11.e.
Agenda Item Title	Rose Avenue Pedestrian Improvement Project (Phase 2) – Change Orders #6, 7, and 8		
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 authorization to execute Change Orders #6, 7, and 8 in the amount of \$2,464.60 to V & C Construction for the Rose Ave Pedestrian Improvement Project (Phase 2).

**BACKGROUND**

In November 2012, the City entered into an agreement with Caltrans to receive \$250,000 of federal funds to construct sidewalks and curb ramps along Rose Avenue from Berding Street to McKinley Avenue. The breakdown in budget for this project is \$18,000 for Project Approval & Environmental Document (PA&ED) and the Plans, Specifications and Estimates (PS&E), \$197,256 for Construction and \$34,744 for Construction Management.

The original Contract amount as bid was \$155,558.00. As agreed upon with Caltrans, Base Bid Items 25 thru 30 totaling \$8,996.0 shall be paid for by the City of Ferndale. The remainder of the items as bid totaling \$146,562.50 shall be reimbursed to the City of Ferndale. Change order #1, 1A, 2, 3, 4, and 5 for \$44,762.85 was previously approved by staff and the City Council, of which \$43,862.45 is reimbursable by the State. See Project Summary table for proposed contract addition.

### Grant Summary

Original Grant	\$250,000.00
Plan Specs and Estimate	\$18,000.00
Construction Management	\$34,744.00
Construction	\$197,256.00

### Project Summary

		Eligible for Grant Reimbursement	City Cost	Total
Original Bid	Awarded	\$146,562.50	\$8,995.50	\$155,558.50
Change Order #1	Awarded	\$34,529.30		\$34,529.30
Change Order #1A	Awarded	\$801.05		\$801.05
Change Order #2	Awarded	\$6,067.50		\$6,067.50
Change Order #3	Awarded		\$900.00	\$900.00
Change Order #4	Awarded	\$1,665.00		\$1,665.00
Change Order #5	Awarded	\$800.00		\$800.00
Change Order #6		\$200.00		\$200.00
Change Order #7			\$259.00	\$259.00
Change Order #8		\$2005.60		\$2005.60
	Total	\$192,630.05	\$10,154.50	\$202,785.15
Total Request Contract Change Amount		\$11,539.15	\$1,159.00	\$12,698.15
Remaining Contingency		\$4,625.35		

### Change Order Summary

Change Order #6 –The existing sewer cleanout cover that was supposed to be adjusted following installation of the new concrete sidewalk and driveway at 550 Herbert Avenue could not be adjusted. The sewer cleanout cover found in place was in inadequate condition and covered a poured in place concrete barrel, which was replaced with a new G5 Box and Cover for the cleanout.

Change Order #7 – A one (1) foot wide asphalt concrete pavement along all new curb and gutters was included in the plans. Due to the poor condition of the existing pavement, in many places the pavement broke beyond the one (1) foot saw cut line and required replacement. This added cost is to be burden by The City.

Change Order #8 - The headwall on the south side of the intersection of Herbert Street and Rose Avenue had to be shifted two (2) feet to the southeast due to a utility conflict with an

existing sewer line. As the trench for the headwall was already excavated for the headwall footing, a void remained on the northwest and southeast sides of the headwall, which could erode the bank during storm events. Rock slope protection (1/4 Ton) shall be used to fill the voids as bank stabilization associated with the project scope.

*See attached Change Orders for further details – regarding Change Order #6, 7, and 8.*

Previous Change Orders were included in the last months Change Order Request. Project completion per contract will be extended by 26 working days from the original Contract. Change Order #1 that was previously approved included 15 additional working days and Change Order #1A modifies the additional working days to a total of 21 days. Change Order #8, will provide the Contractor five (5) additional working days.

<u>Working Days Specified in Contract</u>	<u>30</u>
<u>Date Work Commenced</u>	<u>Wednesday, May 14<sup>th</sup>, 2014</u>
<u>Original Date for Completion</u>	<u>Wednesday, June 25<sup>th</sup>, 2014</u>
<u>Time Extension for Change Order #1/1A</u>	<u>21 Days</u>
<u>Time Extension for Change Order #8</u>	<u>5 Days</u>
<u>Proposed Contract Completion Date</u>	<u>Monday, August 4<sup>th</sup>, 2014</u>

**FINANCIAL IMPACT:** In addition to the original non-pedestrian related bid items #25-30 (\$8996.00) the City would be responsible for paying \$900 for the Change Order # 3 that includes six (6) the stop sign posts. In addition the City would pay responsible for paying \$259.00 for Change Order # 7 that includes the additional asphalt concrete required to complete the job. These funds will come from the TDA Street Projects account (#24315022). The remaining funds will be reimbursed to the City through CalTrans Local Assistance. In Summary the Grant will reimburse the City for 192,630.09 of the contract amount and The City will be responsible for approximately \$10,134.30 of the contract amount.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**CHANGE ORDER MEMORANDUM**

Page 1 of 1

GEM-4903 (REV 2/2014)

DATE  
07/15/2014

TO City of Ferndale			FILE CONTRACT NO. _____	
FROM Manhard Consulting			CO-RTE-PM <u>01-HUM-0-FER</u>	
CHANGE ORDER NO. _____ SUPPLEMENT NO. _____ CATEGORY CODE _____			FED NO. <u>RPSTPLE-5097(008)</u>	
CHANGE ORDER AMOUNT \$ 200.00			CONTINGENCY BALANCE (Including this change) \$ 6,630.95	
SUPPLEMENTAL FUNDS PROVIDED \$ _____			HEADQUARTERS APPROVAL REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
ORIGINAL CONTRACT TIME: <u>30</u> DAY(S) TIME ADJUSTMENT THIS CHANGE: <u>0</u> DAY(S) PREVIOUSLY APPROVED TIME ADJUSTMENTS: <u>21</u> DAY(S)			IS THIS REQUEST IN ACCORDANCE WITH ENVIRONMENTAL DOCUMENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE			PERCENTAGE TIME ADJUSTED (Including this change) <u>70</u> %	
			TOTAL # OF UNRECONCILED DEFERRED TIME (Including this change) <u>0</u>	

THIS CHANGE ORDER PROVIDES FOR (Use additional pages as needed):

**Reason for Change**

It was determined that the existing sewer cleanout cover that was supposed to be adjusted following installation of the new concrete sidewalk and driveway at 550 Herbert Avenue could not be adjusted. The sewer cleanout cover found in place was in inadequate condition and covered a poured in place concrete barrel. This change order is for the purchase and installation of a new G5 Box and Cover for the cleanout at the location described above.

**Method of payment: Agreed Lump Sum**

Extra Work at Agreed Lump Sum = \$200.00

**Time adjustment**

no time adjustment is warranted.

<b>CONCURRED BY:</b>		<b>ESTIMATE OF COST</b>	
CONSTRUCTION ENGINEER/BRIDGE ENGINEER	DATE	ITEMS	TOTAL TO DATE
<i>Yoash Tilles</i>	<u>7/15/14</u>	FORCE ACCOUNT	
PROJECT ENGINEER	DATE	AGREED PRICE	\$44,962.55
<i>[Signature]</i>	<u>7/24/14</u>	ADJUSTMENT	
PROJECT MANAGER	DATE	TOTAL	\$200.00
			\$44,962.55
FHWA REP.	DATE	<b>FEDERAL PARTICIPATION</b>	
ENVIRONMENTAL	DATE	<input type="checkbox"/> PARTICIPATING <input type="checkbox"/> PARTICIPATING IN PART <input type="checkbox"/> NONE <input type="checkbox"/> NON-PARTICIPATING (Maintenance) <input type="checkbox"/> NON-PARTICIPATING	
OTHER (SPECIFY)	DATE	<b>FEDERAL SEGREGATION (if more than one funding source or P.I.P. type)</b>	
	DATE	<input type="checkbox"/> CHANGE ORDER FUNDED PER CONTRACT <input type="checkbox"/> CHANGE ORDER FUNDED AS FOLLOWS	
HQ OR DISTRICT PRIOR APPROVAL BY	DATE	FEDERAL FUNDING SOURCE	PERCENT
RESIDENT ENGINEER SIGNATURE	DATE		

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**CHANGE ORDER MEMORANDUM**

Page 1 of 1

CEM-4903 (REV 2/2014)

DATE  
07/15/2014

City of Ferndale			FILE	
FROM			CONTRACT NO.	
Manhard Consulting			CO-RTE-PM 01-HUM-0-FER	
CHANGE ORDER NO. 7			FED NO. RPSTPLE-5097(008)	
SUPPLEMENT NO.			CONTINGENCY BALANCE (Including this change)	
CATEGORY CODE			\$	
CHANGE ORDER AMOUNT \$ 259.00			HEADQUARTERS APPROVAL REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE			IS THIS REQUEST IN ACCORDANCE WITH ENVIRONMENTAL DOCUMENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
SUPPLEMENTAL FUNDS PROVIDED \$ 259.00			PERCENTAGE TIME ADJUSTED (Including this change)	
ORIGINAL CONTRACT TIME: 30 DAY(S)	TIME ADJUSTMENT THIS CHANGE: 0 DAY(S)	PREVIOUSLY APPROVED TIME ADJUSTMENTS: 21 DAY(S)	TOTAL # OF UNRECONCILED DEFERRED TIME (Including this change) 0	

THIS CHANGE ORDER PROVIDES FOR (Use additional pages as needed):

**Reason for Change**

Project Plan Sheets call for one (1) foot wide asphalt concrete pavement along all new curb and gutters. Due to the poor condition of the existing pavement, in many places the pavement broke in many locations beyond the one foot saw cut line and had to be replaced.

**Method of payment: Agreed Unit Price**

In accordance with Section 4-1.05, "Changes and Extra Work" of the 2010 Caltrans Standard specifications, furnish all labor, materials and equipment to install approximately 1.4 cubic yards of Asphalt Pavement Type "B" in accordance with 2010 Caltrans Standards Specification 39 - Hot Mix Asphalt.

Extra Work at Agreed Unit Price = 1.4 TON @185 = \$259.0

**Time adjustment**

No time adjustment is warranted.

<b>CONCURRED BY:</b>		<b>ESTIMATE OF COST</b>	
CONSTRUCTION ENGINEER/BRIDGE ENGINEER	DATE	ITEMS	TOTAL TO DATE
<i>Yosh Tilles</i>	7/25/14	FORCE ACCOUNT	
PROJECT ENGINEER	DATE	AGREED PRICE	\$259.00
<i>Dryer</i>	7/25/14	ADJUSTMENT	
PROJECT MANAGER	DATE	TOTAL	\$44,962.55
FHWA REP.	DATE	<b>FEDERAL PARTICIPATION</b>	
ENVIRONMENTAL	DATE	<input type="checkbox"/> PARTICIPATING <input type="checkbox"/> PARTICIPATING IN PART <input type="checkbox"/> NONE	
OTHER (SPECIFY)	DATE	<input type="checkbox"/> NON-PARTICIPATING (Maintenance) <input type="checkbox"/> NON-PARTICIPATING	
	DATE	<b>FEDERAL SEGREGATION (If more than one funding source or P.I.P. type)</b>	
HQ OR DISTRICT PRIOR APPROVAL BY	DATE	<input type="checkbox"/> CHANGE ORDER FUNDED PER CONTRACT <input type="checkbox"/> CHANGE ORDER FUNDED AS FOLLOWS	
SIDENT ENGINEER SIGNATURE	DATE	FEDERAL FUNDING SOURCE	PERCENT

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**CHANGE ORDER MEMORANDUM**

Page 1 of 1

CEM-4903 (REV 2/2014)

DATE  
07/28/2014

TO City of Ferndale			FILE CONTRACT NO. _____	
FROM Manhard Consulting			CO-RTE-PM <u>01-HUM-0-FER</u>	
CHANGE ORDER NO. <u>8</u>			FED NO. <u>RPSTPLE-5097(008)</u>	
SUPPLEMENT NO. _____			CONTINGENCY BALANCE (Including this change) \$ <u>4,625.35</u>	
CATEGORY CODE _____			HEADQUARTERS APPROVAL REQUIRED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
CHANGE ORDER AMOUNT \$ <u>2,005.60</u>			IS THIS REQUEST IN ACCORDANCE WITH ENVIRONMENTAL DOCUMENTS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE				
SUPPLEMENTAL FUNDS PROVIDED \$ _____				
ORIGINAL CONTRACT TIME: <u>30</u> DAY(S)	TIME ADJUSTMENT THIS CHANGE: <u>5</u> DAY(S)	PREVIOUSLY APPROVED TIME ADJUSTMENTS: <u>21</u> DAY(S)	PERCENTAGE TIME ADJUSTED (Including this change) <u>87%</u> %	TOTAL # OF UNRECONCILED DEFERRED TIME (Including this change) <u>0</u>

THIS CHANGE ORDER PROVIDES FOR (Use additional pages as needed):

The headwall on the south side of the intersection of Herbert Street and Rose Avenue had to be shifted two (2) feet to the southeast due to a utility conflict with an existing sewer line not shown on the plans. As the trench for the headwall was already excavated, a void remained on the northwest and southeast sides of the headwall, which could erode the bank during storm events. To mitigate, install on both sides of the headwall, install 1/4 Ton Rock Slope Protection using Method A Placement.

Extra Work at Agreed Lump Sum

In accordance with Section 4-1.05, "Changes and Extra Work" and Section of the 2010 Caltrans Standard specifications, furnish all labor, materials and equipment to install approximately six (6) to ten (ten) - 1/4 Ton Rock Slope protection on each side of the headwall in accordance with 2010 Caltrans Standards Specification 72-2 - Rock Slope Protection.

Extra Work at Agreed Lump Sum = \$2005.60

Time adjustment

The Contractor shall be granted 5 working days for the following dates 07/29/2014 - 08/04/14.

<b>CONCURRED BY:</b>		<b>ESTIMATE OF COST</b>	
CONSTRUCTION ENGINEER/BRIDGE ENGINEER	DATE	THIS REQUEST	TOTAL TO DATE
<i>Yosh Tilles</i>	<u>7/28/14</u>	ITEMS	
PROJECT ENGINEER	DATE	FORCE ACCOUNT	
<i>[Signature]</i>	<u>7/28/14</u>	AGREED PRICE	<u>\$2,005.60</u>
PROJECT MANAGER	DATE	ADJUSTMENT	
		TOTAL	<u>\$2,005.60</u>
FHWA REP.	DATE	<b>FEDERAL PARTICIPATION</b>	
		<input type="checkbox"/> PARTICIPATING <input type="checkbox"/> PARTICIPATING IN PART <input type="checkbox"/> NONE <input type="checkbox"/> NON-PARTICIPATING (Maintenance) <input type="checkbox"/> NON-PARTICIPATING	
ENVIRONMENTAL	DATE	<b>FEDERAL SEGREGATION (If more than one funding source or P.I.P. type)</b>	
OTHER (SPECIFY)	DATE	<input type="checkbox"/> CHANGE ORDER FUNDED PER CONTRACT <input type="checkbox"/> CHANGE ORDER FUNDED AS FOLLOWS	
	DATE	FEDERAL FUNDING SOURCE	PERCENT
HQ OR DISTRICT PRIOR APPROVAL BY	DATE		
RESIDENT ENGINEER SIGNATURE	DATE		

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Meeting Date:	August 7, 2014	Agenda Item Number	11.f.
Agenda Item Title	Rose Avenue Pedestrian Improvement Project (Phase 2) – Progress Payment 3		
Presented By:	Jay Parrish, City Manager and Praj White, City Engineer		
Type of Item:	x	Action	Discussion Information
Action Required:		No Action	x Voice Vote Roll Call Vote

**RECOMMENDATION:**

Approve authorization to pay Progress Payments #3 for \$55,511.42 to V & C Construction for the Rose Ave Pedestrian Improvement Project (Phase 2) for a total of \$61,679.35 less 10% retention fee of \$6,167.94 for a total of \$55,511.42.

**BACKGROUND**

In November 2012, the City entered into an agreement with Caltrans to receive \$250,000 of federal funds to construct sidewalks and curb ramps along Rose Avenue from Berding Street to McKinley Avenue. The grant provided a budget of \$197,256 for reimbursement of qualifying Construction expenses.

**Billing Summary**

	Original Contract	C/O #1	C/O #1A	C/O #2	C/O #3	C/O #4	C/O #5	C/O #6	C/O #7
Pay out Request #1	\$68,310.50								
Pay out Request #1 retention	-\$6,831.05								
Pay out Request #2	*\$59,257.50/*2,100.00			\$6,067.50	\$900.00*	\$1,665.00	\$800.00*		
Pay out Request #2 retention	-\$6,135.75			-\$606.75	-\$90.00	-\$166.50	-\$80.00		
Pay out Request #3	\$18,994.50/*\$6,895.50	\$34,529.30	\$801.05					\$200.00	\$259.00*
Pay out Request #3 retention	\$1,899.45/\$689.55	\$3,452.93	\$80.10					\$20.00	\$25.90
Totals	\$116,701.20	\$31,076.37	\$720.95	\$5,460.75	\$810.00	\$1,498.50	\$720.00	\$180.00	\$233.10

\*Indicates direct cost to City.

Total Amount Due to Contractor V & C Construction for Pay Request #3: **\$55,511.42** (reimbursable \$49,072.37, direct cost to City \$6,439.05)

Total Retention for Pay Request #3: **\$6,167.94** (reimbursable \$5,452.47, direct cost to city \$715.45)

See attached Invoice’s from V&C Construction for detailed information regarding work complete to date.

**FINANCIAL IMPACT:** City is responsible for paying V&C Construction \$55,511.42 of that \$49,072.37 will be reimbursed and \$6,439.05 is to be burden by the City.

**V & C CONSTRUCTION, INC.**

# Invoice

**P.O. BOX 1269  
MINDEN, NV 89423**

Date	Invoice #
7/23/2014	8204

Bill To
<i>CITY OF FERNDALE P.O. BOX 1095 FERNDALE, CA 95536</i>

P.O. No.	Terms	Project
<i>ROSE AVE</i>	<i>Due on receipt</i>	

Quantity	Description	Rate	Amount
1	<i>ROSE AVENUE PEDESTRIAN IMPROVEMENTS CHANGE ORDERS BILLING #2 Amount of Retainage</i>	<i>35,789.35 -3,578.93</i>	<i>35,789.35 -3,578.93</i>
		<b>Total</b>	<b>\$32,210.42</b>

~~V & C CONSTRUCTION, INC.~~

**P.O. BOX 1269  
MINDEN, NV 89423**

Date	Invoice #
7/23/2014	8203

Bill To
<i>CITY OF FERNDALE P.O. BOX 1095 FERNDALE, CA 95536</i>

P.O. No.	Terms	Project
<i>ROSE AVE</i>	<i>Due on receipt</i>	

Quantity	Description	Rate	Amount
1	<i>ROSE AVENUE PEDESTRIAN IMPROVEMENT PROGRESS BILLING #3 SEE ATTACHED SPREADSHEET Amount of Retainage</i>	<i>25,890.00 -10.00%</i>	<i>25,890.00 -2,589.00</i>
		<b>Total</b>	<b>\$23,301.00</b>

Bid Item No.	Description of Work	Sched. Quantity	Quant. Prev. Sched.	Quant. This Period	Total Quantity To Date	Sched. Unit Cost	Sched. Contract Price	Amount Prev. Appr.	Amount This Period	Total Amount To Date
1	Mobilization	1	0.89	0.11	1.00	LS \$9,500.00	\$9,500.00	\$8,455.00	\$1,045.00	\$9,500.00
2	Construction Stakeout	1	1.00	0.00	1.00	LS \$1,500.00	\$1,500.00	\$1,500.00	\$0.00	\$1,500.00
3	Erosion Control	1	0.8	0.20	1.00	LS \$2,500.00	\$2,500.00	\$2,000.00	\$500.00	\$2,500.00
4	Maintenance of Traffic	1	0.5	0.50	1.00	LS \$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00	\$2,000.00
5	Misc Demolition	1	1	0.00	1.00	EA \$39,000.00	\$39,000.00	\$39,000.00	\$0.00	\$39,000.00
6	Clearing & Grubbing	1	1	0.00	1.00	EA \$7,500.00	\$7,500.00	\$7,500.00	\$0.00	\$7,500.00
7	Misc Excavation/Embankment	1	1	0.00	1.00	EA \$5,000.00	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00
8	Unsuitable Excavation	1	1	0.00	1.00	EA \$50.00	\$50.00	\$50.00	\$0.00	\$50.00
9	4" Thick Concrete Sidewalk	397	397	0.00	397.00	SY \$45.00	\$17,865.00	\$17,865.00	\$0.00	\$17,865.00
10	6" Thick Concrete Driveway	193	193	0.00	193.00	SY \$58.00	\$11,194.00	\$11,194.00	\$0.00	\$11,194.00
11	Type A2-6 Concrete Curb	349	349	0.00	349.00	LF \$27.00	\$9,423.00	\$9,423.00	\$0.00	\$9,423.00
12	Type B-4 Concrete Curb	316	316	0.00	316.00	LF \$22.00	\$7,584.00	\$7,584.00	\$0.00	\$7,584.00
13	Concrete Valley Gutter	20	20	0.00	20.00	LF \$52.00	\$1,040.00	\$1,040.00	\$0.00	\$1,040.00
14	Class II Agg Base	75	75	0.00	75.00	CY \$45.00	\$3,375.00	\$3,375.00	\$0.00	\$3,375.00
15	Asphalt Pavement Type "B"	13	13	0.00	13.00	TN \$185.00	\$2,405.00	\$0.00	\$2,405.00	\$2,405.00
16	80" RCP Class III Pipe	18	18	0.00	18.00	LF \$175.00	\$3,150.00	\$3,150.00	\$0.00	\$3,150.00
17	Dissimilar Collar	2	2	0.00	2.00	EA \$1,500.00	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00
18	Drainage Structure	1	1	0.00	1.00	EA \$2,600.00	\$2,600.00	\$2,600.00	\$0.00	\$2,600.00
19	Concrete Headwall	1	1	0.00	1.00	EA \$6,000.00	\$6,000.00	\$6,000.00	\$0.00	\$6,000.00
20	Aluminum Handrail	15	15	0.00	15.00	LF \$175.00	\$2,625.00	\$0.00	\$2,625.00	\$2,625.00
21	Root Barrier	36	36	0.00	36.00	LF \$12.00	\$432.00	\$0.00	\$432.00	\$432.00
22	Seed & Mulch	100	100	0.00	100.00	SY \$5.40	\$540.00	\$0.00	\$540.00	\$540.00
23	Existing Pavement Marking Removal	1	1	0.00	1.00	LS \$3,700.00	\$3,700.00	\$0.00	\$3,700.00	\$3,700.00
24	Traffic Stripe Paint 12" White	645	645	645.00	645.00	LF \$7.10	\$4,579.50	\$0.00	\$4,579.50	\$4,579.50
25	Traffic Stripe Paint 24" White	66	66	66.00	66.00	LF \$8.50	\$561.00	\$0.00	\$561.00	\$561.00
26	Traffic Stripe Paint 4" Double Yellow	83	83	83.00	83.00	LF \$9.00	\$747.00	\$0.00	\$747.00	\$747.00
27	Traffic Stripe Paint 18" Yellow	50	50	50.00	50.00	LF \$12.00	\$600.00	\$0.00	\$600.00	\$600.00
28	Traffic Stripe Paint "STOP"	6	6	6.00	6.00	EA \$400.00	\$2,400.00	\$0.00	\$2,400.00	\$2,400.00
29	Traffic Stripe Paint Red Curb	345	345	345.00	345.00	LF \$7.50	\$2,587.50	\$0.00	\$2,587.50	\$2,587.50
30	Relocate Existing Sign Post	6	6	0.00	6.00	EA \$350.00	\$2,100.00	\$2,100.00	\$0.00	\$2,100.00
<b>TOTAL CONTRACT AMOUNT</b>							<b>\$155,558.00</b>	<b>\$129,668.00</b>	<b>\$25,890.00</b>	<b>\$155,558.00</b>
<b>Work Complete To Date:</b>							\$155,558.00	\$129,668.00	\$25,890.00	\$155,558.00
<b>Less 10% Retention</b>								\$12,966.80	\$2,589.00	\$15,555.80
<b>Subtotal Amount Due:</b>								\$116,701.20	\$23,301.00	\$140,002.20
<b>Less Previous Payments:</b>								\$116,701.20	\$0.00	\$116,701.20
<b>Total Amount Due:</b>								\$0.00	\$23,301.00	\$23,301.00

ROSE AVE PEDESTRIAN IMPROVEMENT PROJECT

CHANGE ORDERS  
BILLING#2

Bid Item No.	Description of Work	Sched. Quantity	Quant. Prev. Sched.	Quant. This Period	Total Quantity To Date	Sched. Unit Cost	Sched. Contract Price	Amount Prev. Appr.	Amount This Period	Total Amount To Date
CO 1	Additional Work Added 4/14/14	1		1.00	1.00	\$34,529.30	\$34,529.30	\$0.00	\$34,529.30	\$34,529.30
CO 1A	Additional Work Added	1		1.00	1.00	\$801.05	\$801.05	\$0.00	\$801.05	\$801.05
CO 2	Estimate #308	1	1	0.00	1.00	\$6,067.50	\$6,067.50	\$6,067.50	\$0.00	\$6,067.50
CO 3	Estimate #306 (Paid by City of Ferrdale)	6	6	0.00	6.00	\$150.00	\$900.00	\$900.00	\$0.00	\$900.00
CO 4	Estimate #309	37	37	0.00	37.00	\$45.00	\$1,665.00	\$1,665.00	\$0.00	\$1,665.00
CO 5	Estimate #310	1	1	0.00	1.00	\$800.00	\$800.00	\$800.00	\$0.00	\$800.00
CO 6	Change Order #6 Riser and G5 Box	1	1	1.00	1.00	\$200.00	\$200.00	\$0.00	\$200.00	\$200.00
CO 7	Changer Order #7 Additional Asphalt	1	1	1.00	1.00	\$259.00	\$259.00	\$0.00	\$259.00	\$259.00
<b>Work Complete To Date:</b>							\$45,221.85	\$9,432.50	\$35,789.35	\$45,221.85
<b>Less 10% Retention</b>								\$943.25	\$3,578.94	\$4,522.19
<b>Subtotal Amount Due:</b>								\$8,489.25	\$32,210.42	\$40,699.67
<b>Less Previous Payments:</b>								\$8,489.25	\$0.00	\$8,489.25
<b>Total Amount Due:</b>								\$0.00	\$32,210.42	\$32,210.42

Meeting Date:	August 7, 2014	Agenda Item Number	11.g
Agenda Item Title	League of California Cities Meeting September 3-5, 2014 in Los Angeles		
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:**

Council consider designating a voting delegate and alternate, and discuss whether the City will pay for that delegate to attend the LOC conference.

**BACKGROUND:**

Every year the City has an opportunity to send a representative to the League of California Cities Annual Conference. This is the Council's opportunity to pick such a representative; however, in the past the Council has voiced the opinion that the expenditure to send someone to a far away city was not a responsible use of city funds.

If the Council did decide to designate the Mayor or a Council Member as a voting delegate, the Mayor or Council Member who went would be eligible to have their travel expenses reimbursed by the City according to the "City of Ferndale Travel and Reimbursement Policy." According to this policy, the Mayor or Council Member could receive a maximum reimbursement of \$330 for three days for room and a maximum of \$108 for meals. He would also be eligible to be reimbursed for mileage (at \$0.56/mile for total miles driven, which to LA from Ferndale, round trip, is approximately 1100 miles) in the amount of about \$620. So total reimbursed expenses could be up to \$1,058. The 2014-15 Budget just passed did not set aside money for this purpose, so if approved, monies would need to be allocated from the General Fund. The cost to attend the Conference itself is \$550 for the whole conference, which would be born by the person attending the conference.

**FISCAL IMPACT:**

Under current city policy, reimbursement could be up to \$1,058.

**ATTACHMENTS:**

- Top Ten Reasons to Attend Annual League of Cities Conference
- Annual Conference Resolutions Packet



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

**Council Action Advised by July 31, 2014**

May 1, 2014

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference – September 3 - 5, Los Angeles**

The League's 2014 Annual Conference is scheduled for September 3 - 5 in Los Angeles. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, September 5, at the Los Angeles Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 15, 2014. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

-over-

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Los Angeles Convention Center, will be open at the following times: Wednesday, September 3, 9:00 a.m. – 5:30 p.m.; Thursday, September 4, 7:00 a.m. – 4:00 p.m.; and Friday, September 5, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 15. If you have questions, please call Karen Durham at (916) 658-8262.

Attachments:

- 2014 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

## **Annual Conference Voting Procedures 2014 Annual Conference**

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: \_\_\_\_\_

**2014 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, August 15, 2014. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ E-mail \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

Date: \_\_\_\_\_

**Please complete and return by Friday, August 15, 2014**

League of California Cities  
**ATTN: Karen Durham**  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8220**  
E-mail: [kdurham@cacities.org](mailto:kdurham@cacities.org)  
(916) 658-8262

**Subject:** [City\_clerks] Top Ten Reasons to Attend the League of CA Cities 2014 Annual Conference  
**From:** Sarah Cuneo <scuneo@cacities.org>  
**Date:** 7/23/2014 11:18 AM  
**To:** "city\_clerks@lists.cacities.org" <city\_clerks@lists.cacities.org>



## Attendees have even more to look forward to at this year's Annual Conference.

Here are the TOP TEN reasons to register –

10. **Have your voice heard:** Be sure that your city designates a voting delegate. Make a difference with your city's vote on resolutions that impact your community. The **voting delegate designation deadline is Friday, August 15.**
9. **Network:** Connect with peers through a variety of groups including Departments, Divisions, and Caucuses.
8. **Pre-conference Sessions:** New this year, Annual Conference will offer pre-conference sessions prior to Wednesday's keynote address. Sessions include **Understanding Public Service Ethics Laws and Principles (AB 1234 training)**, **Coping Strategies: How Cities Managed the Great Recession and are Positioned for the Future**, and two City Talks – **Sustainability – How California Cities are Leading the World** and **Beverly Hills Customer Service Initiatives.**
7. **Easy Transportation:** In addition to a shuttle service running throughout the conference from the Westin Bonaventure and JW Marriott to the Convention Center, Super Shuttle is offering a special League rate for attendees arriving from the airport! Use the discount code VZ77R to get a **10% discount** off your total bill when you book your **Super Shuttle** through <http://www.supershuttle.com/default.aspx?GC=VZ77R>
6. **Host City Reception:** Take advantage of the opportunity to explore the expo floor and meet with exhibitors while you enjoy a taste of what local food trends are putting Los Angeles on the map as a culinary pioneer.
5. **Value:** Your registration fee includes admittance to nearly **50 educational sessions** as well as a **breakfast, two lunches, entry into the host city reception and expo, and countless networking opportunities.**
4. **Expo:** The Annual Conference expo unites over 240 product and service providers, giving cities the tools to enhance, improve, reduce costs and heighten services within their communities.
3. **Take-away:** The knowledge, education and professional development that you experience will resonate long after you leave the Annual Conference. Bring new energy to your professional life, upgrade your career skillset, and apply expert advice and lessons learned to your day to day responsibilities.
2. **Speakers:** Top notch speakers will provoke thought and spark conversations among attendees. **Keynote Speakers Dr. Benjamin R. Barber and Michael Pritchard** will provide inspiring and stimulating talks. Lean more about our keynote speakers on the speaker page at the League's website - <http://www.cacities.org/Education-Events/Annual-Conference-Expo/For-Attendees/Keynote-Speakers>
1. **Improve Your City:** Learn with your colleagues who have successfully dealt with similar city issues while interacting with these officials at a variety of networking events.



*Annual Conference  
Resolutions Packet*

*2014 Annual Conference Resolutions*



*116<sup>th</sup> Annual Conference*

*Los Angeles*

*September 3 - 5, 2014*

## INFORMATION AND PROCEDURES

**RESOLUTIONS CONTAINED IN THIS PACKET:** The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

**POLICY COMMITTEES:** Two policy committees will meet at the Annual Conference to consider and take action on the resolution referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 3, 2014, at the JW Marriott Hotel in Los Angeles. The sponsor of the resolution has been notified of the time and location of the meetings.

**GENERAL RESOLUTIONS COMMITTEE:** This committee will meet at 1:00 p.m. on Thursday, September 4, at the Los Angeles Convention Center, to consider the reports of the two policy committees regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

**ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY:** This meeting will be held at 12:00 p.m. on Friday, September 5, at the Los Angeles Convention Center.

**PETITIONED RESOLUTIONS:** For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 4. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: [www.cacities.org/resolutions](http://www.cacities.org/resolutions).

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: [mdesmond@cacities.org](mailto:mdesmond@cacities.org) or (916) 658-8224

## LOCATION OF MEETINGS

### **Policy Committee Meetings**

Wednesday, September 3, 2014  
JW Marriott Los Angeles Hotel  
900 West Olympic Boulevard, Los Angeles

Environmental Quality: 9:00 a.m. – 10:30 a.m.  
Public Safety: 10:30 a.m. – 12:00 p.m.

### **General Resolutions Committee**

Thursday, September 4, 2014, 1:00 p.m.  
Los Angeles Convention Center  
1201 South Figueroa Street, Los Angeles

### **Annual Business Meeting and General Assembly Luncheon**

Friday, September 5, 2013, 12:00 p.m.  
Los Angeles Convention Center  
1201 South Figueroa Street, Los Angeles

**KEY TO ACTIONS TAKEN ON RESOLUTIONS (*Continued*)**

Resolutions have been grouped by policy committees to which they have been assigned.

**KEY TO REVIEWING BODIES**

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

**KEY TO ACTIONS TAKEN**

- |   |   |
|---|---|
| A | Approve   |
| D | Disapprove                                      |
| N | No Action                                       |
| R | Refer to appropriate policy committee for study |

**ACTION FOOTNOTES**

- |  |     |   |
|--|-----|---|
| * Subject matter covered in another resolution | Aa  | Approve as amended+   |
| ** Existing League policy                      | Aaa | Approve with additional amendment(s)+                       |
| *** Local authority presently exists           | Ra  | Refer as amended to appropriate policy committee for study+ |
|  | Raa | Additional amendments and refer+                            |
|  | Da  | Amend (for clarity or brevity) and Disapprove+              |
|  | Na  | Amend (for clarity or brevity) and take No Action+          |
|  | W   | Withdrawn by Sponsor  |

**Procedural Note:** Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

**WHEREAS**, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

**WHEREAS**, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

**WHEREAS**, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

**RESOLVED**, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

**FURTHER RESOLVED**, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

//////////

### **Background Information on Resolution No. 1**

**Source:** Redwood Empire Division

**Background:**

When California voters approved Proposition 215 in 1996 there was little thought given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana grow sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction that often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Public concern for widespread, landscape-level environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

**Background:**

The sponsor of this resolution argues that when California voters approved Proposition 215 in 1996, little thought was given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana cultivation sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction which often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Public concern for widespread environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Note: The League of Cities has joined with the California Police Chiefs Association to co-sponsor legislation, SB 1262 (Correa), to establish a regulatory scheme for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana for the first time. However, the measure does not address environmental issues, due to the expense and complexity associated with adding that objective to a bill that already has far-reaching regulatory goals combined with a critical need to contain state costs.

**Fiscal Impact:**

If the policy advocated by the Resolution is implemented by the state, there will be ongoing and unspecified costs to the State General Fund for enforcement activities, primarily in the rural counties where many of the illicit marijuana cultivation sites are located. Conservatively, the annual costs could run in the hundreds of thousands to low millions to patrol likely grow sites, crack down on illegal water diversion activities, and provide consistent environmental clean-up made necessary by illegal rodenticides and pesticides.

**LETTERS OF CONCURRENCE**  
Resolution No. 1  
Illegal Marijuana Grow Site



## CITY OF BLUE LAKE

Post Office Box 458,  
Phone 707.668.5655

111 Greenwood Road,

Blue Lake, CA 95525  
Fax 707.668.5916

June 30, 2014

José Cisneros, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution**

Dear President Cisneros:

The City of Blue Lake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Lana Manzanita, Mayor Pro-Tem at 707-497-8159 or [joe2zither1@gmail.com](mailto:joe2zither1@gmail.com), if you have any questions.

Sincerely,

Lana Manzanita  
Mayor Pro-Tem  
City of Blue Lake

cc: Kathryn Murray, President, Redwood Empire Division c/o  
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,  
[srounds@cacities.org](mailto:srounds@cacities.org)



June 25, 2014

José Cisneros, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution**

Dear President Cisneros:

The City of Cloverdale supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Throughout the Redwood Empire region including the City of Cloverdale, illegal marijuana grows negatively impact our environmental health and public safety. Last year, the Cloverdale Police Department eradicated over 300 plants within our City Limits. Please note that Cloverdale is a total of 2.5 square miles. These plants use scarce water resources during a water shortage emergency caused by the current drought and contribute to lawlessness that threatens the public safety of our citizens.

On a personal level, the City of Cloverdale continues to be heartsick for the loss of City of Fort Bragg Council Member JereMelo. Jere was murdered as a result of investigating an illegal marijuana grow. Jere was an exceptional leader in our region, the League of California Cities and the State of California. The City of Cloverdale misses him greatly.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Cloverdale City Manager Paul Cayler at 707-894-1710, if you have any questions.

Sincerely,



Carol Russell  
Mayor  
City of Cloverdale

cc: Kathryn Murray, President, Redwood Empire Division c/o  
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,  
[srounds@cacities.org](mailto:srounds@cacities.org)



## CITY OF EUREKA

531 K Street • Eureka, California 95501-1146 • (707) 441-4144  
fax (707) 441-4138

CITY MANAGER

June 26, 2014

José Cisneros, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution**

Dear President Cisneros:

The City of Eureka supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Our city has seen an increase in gang activity and organized crime within the Greater Eureka Area as a result of illegal growing operations. Our law enforcement and community safety have been negatively impacted by these criminal activities.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Greg Sparks at 707.441.4140 or [gsparks@ci.eureka.ca.gov](mailto:gsparks@ci.eureka.ca.gov), if you have any questions.

Sincerely,

Greg L. Sparks  
City Manager  
City of Eureka

cc: Kathryn Murray, President, Redwood Empire Division c/o  
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,  
[srounds@cacities.org](mailto:srounds@cacities.org)



## CITY OF HEALDSBURG ADMINISTRATION

401 Grove Street  
Healdsburg, CA 95448-4723

Phone: (707) 431-3317  
Fax: (707) 431-3321

Visit us at [www.ci.healdsburg.ca.us](http://www.ci.healdsburg.ca.us)

June 30, 2014

José Cisneros, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution**

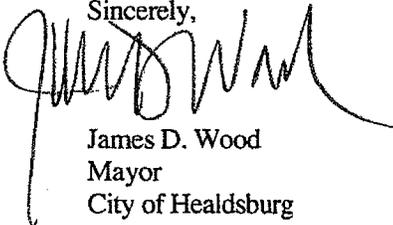
Dear President Cisneros:

The City of Healdsburg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me either by phone at (707) 431-3317 or by e-mail at [jwood@ci.healdsburg.ca.us](mailto:jwood@ci.healdsburg.ca.us) if you have any questions.

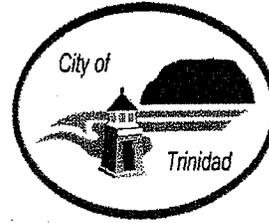
Sincerely,



James D. Wood  
Mayor  
City of Healdsburg

cc: Kathryn Murray, President, Redwood Empire Division  
c/o Sara Rounds, Regional Public Affairs Manager,  
LOCC Redwood Empire Division, [srounds@cacities.org](mailto:srounds@cacities.org)

**CITY OF TRINIDAD**  
P.O. Box 390  
409 Trinity Street  
Trinidad, CA 95570  
(707) 677-0223  
Fax: (707) 677-3759



July 2, 2014

José Cisneros, President  
League of California Cities  
1400 K Street, Suite 400  
Sacramento, CA 95814

**RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution**

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Julie Fulkerson".

Julie Fulkerson  
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division

## **Section 12**

### **CORRESPONDENCE**

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

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

2020 W. El Camino Avenue, Suite 500  
 Sacramento, CA 95833  
 (916) 263-2911 / FAX (916) 263-7453  
 www.hcd.ca.gov



RECEIVED  
 JUL 08 2014

July 3, 2014

BY:.....

Mr. Jay Parrish, City Manager  
 City of Ferndale  
 P. O. Box 1095  
 Ferndale, CA 95536

Dear Mr. Parrish:

**RE: City of Ferndale's 5<sup>th</sup> Cycle (2014-2019) Draft Housing Element**

Thank you for submitting the Ferndale's draft element update that was received for review on June 12, 2014, along with additional revisions received on July 1, 2014. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by a telephone conversation on June 26, 2014 with the City's consultant, Ms. Melanie Rheame, Planwest Partners.

The Department conducted a streamlined review of the draft housing element based on the City meeting all eligibility criteria detailed in the Department's Housing Element Update Guidance. The City utilized HCD's pre-approved housing element data.

The revised draft element meets the statutory requirements of State housing element law. The element will comply with State housing element law (GC, Article 10.6) when adopted and submitted to the Department, in accordance with GC, Section 65585(g).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication of Ms. Melanie Rheame, Planwest Partners, in preparation of the housing element and looks forward to receiving Ferndale's adopted housing element. If you have any questions or need additional technical assistance, please contact Robin Huntley, of our staff, at (916) 263-7422.

Sincerely,

  
 Paul McDougall  
 Housing Policy Manager

CM  
 Correspondence  
 Housing Element



STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



EDMUND G. BROWN JR.  
GOVERNOR

KEN ALEX  
DIRECTOR

July 7, 2014

RECEIVED  
JUL 08 2014

Mr. George Williamson, Contract City Planner  
City of Ferndale  
Planning Department  
834 Main Street  
Ferndale, CA 95536

BY:.....

Dear Mr. Williamson:

Pursuant to Government Code section 65040.5 (a), the Governor's Office of Planning and Research (OPR) is required to notify cities and counties with general plans that have not been revised within the last eight years. Our records indicate that the City of Ferndale's General Plan has not been revised in the past eight years or longer.

For purposes of this notification, a revision is considered to be a comprehensive update of at least five of the seven mandatory general plan elements, which have been adopted by the local legislative body. According to our records, the mandatory elements of the general plan for the City of Ferndale were last updated during the years noted.

Element	Year
Land Use	1986
Circulation	1986
Housing	2012
Conservation	1986
Open Space	1986
Safety	1986
Noise	1986

If this information is incorrect, please contact the OPR State Clearinghouse via email [state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov) or by phone (916) 445-0613 so that we may update our records.

As part of our process to identify jurisdictions with general plans that have not been revised in eight years, OPR surveyed local government planning agencies in the 2013 Annual Planning Survey for current information regarding their general plans. In addition, OPR reviewed General Plan Annual Progress Reports, public notices from jurisdictions, environmental document filings, and jurisdictions' websites.

General plans that have not been revised within the past eight years are not necessarily legally inadequate. However, the California Supreme Court has stated that local governments have an implied duty to keep their general plans current (*DeVita v. County of Napa*, 9 Cal. 4<sup>th</sup> 763 (1995)). Additionally, local governments must review and revise their general plans as often as they deem necessary or appropriate (Government Code section 65103(a)). The general plan statutes do not provide a mandatory minimum timeframe for revision of elements, except for housing elements, which must be revised based on the schedule established in Government Code section 65588. In addition, Government Code sections 65302 and 65302.1 require certain information be included in general plan elements at the time a jurisdiction next revises its housing element.



HUMBOLDT LIBRARY  
**COUNTY OF HUMBOLDT**  
1313 THIRD STREET EUREKA, CALIFORNIA 95501  
PHONE (707) 269-1900

July 12, 2014

City of Ferndale  
P.O. Box 1095  
Ferndale, CA 95536

We are in receipt of your check in the amount of \$697.39. Per our agreement we will be putting your donation towards the cost of magazines for the Ferndale Branch Library. Thank you for your continuing support of the Ferndale Library.

Sincerely,

Victor Zazueta  
Director of Library Services

Gifts are tax-deductible to the extent provided by law. Humboldt County Library provides no goods or services in consideration of gifts received. Please consult your tax advisor.

VZ:aj

- Correspondence
- CM
- FO

RECEIVED  
JUL 17 2014

BY:.....

**City of Ferndale**

INCORPORATED 1893

POB 1095: Ferndale CA 95536



July 14, 2014

Diana Chapman  
Morningstar Vacation Rental  
POB 1067  
Ferndale, CA 95536

**RE: Transient Occupancy Tax (TOT) Reporting.**

Our records indicate that you have not reported a Transient Occupancy Tax (TOT) since December 2013. We just wanted to send out a friendly reminder that the Transient Occupancy Tax (TOT) should be reported on a monthly basis pursuant to the City of Ferndale Business Ordinance 06-01 §12.05. All forms and monies owed should be submitted no later than the 10<sup>th</sup> of the month following the close of the prior month. Even if there is no tax, a tax return report must be submitted stating there was no income or tax collected. Monthly reporting of TOT is essential for our records, as we must submit records and monies on a quarterly basis.

Please be aware that the any operator who fails to remit Transient Occupancy Tax (TOT) within the time required may be subject to a penalty of 10% of the amount of the tax in addition to the amount of the tax pursuant to City of Ferndale Business Ordinance 06-01 §13.01.

Thank you for your help with this matter. I have enclosed a copy of the Transient Occupancy Tax Return that needs to be filed monthly with the City. If you have any questions regarding this letter, feel free to call me Mon-Thurs 9am-4pm at (707)786-4224.

Thanks again,

Kristene Tavares  
Deputy City Clerk

Encl: Transient Occupancy Tax Return Form

- correspondence  
 property file

**Section 13**

**REPORTS**

***City Manager's Report***  
***Commissions and Committee Reports***  
***JPA Minutes and Reports***

**City of Ferndale, Humboldt County, California USA**  
**City Manager's Report** for August 7, 2014 City Council Meeting  
Reporting to July 20, 2014

## **CITY MANAGER**

### **Meetings**

- Kiwanis meeting 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month at 4:30 pm
- City Council meeting – July 3<sup>rd</sup> –Study Session 6:30 pm- Regular meeting from 7:00 – 9:30 pm
- SRWC meeting- July 8<sup>th</sup> - 2:00-5:00 pm
- City Manager meeting- July 17<sup>th</sup> unable to attend.
- Weekly training bulletin from ERMAnet . This is an online training program that I have participated in since 2006 as a requirement from our Risk Management Authority.
- Meeting with HWMA, County, and Rio Dell representatives to discuss Solid Waste alternatives for disposal site. July 17<sup>th</sup> 1:30- 4:00 pm. Numerous meetings with HWMA representatives, ERD representatives, the Mayor and Councilman Maxwell to go over our franchise agreements for transportation and disposal of our solid waste. Those conversations have successfully resulted in an interim agreement to haul HWMA material to Bettendorf facilities for ultimate transportation to Dry Creek. Although we have a temporary agreement until October we are still negotiating for a long term solution.
- Numerous conversations with Chamber of Commerce President regarding collaborative projects. Chamber is proceeding with a project to apply flower baskets to the streetlight poles downtown. You might remember that we had similar flower baskets on some of the businesses downtown. This project includes someone who is maintaining the flowers. I believe that we have at least one of these up at the VI.
- Numerous conversations with planner to develop amendments to our Parking Ordinance that takes in the non-compliance issues and allows our present parking to be recognized as sufficient for our developed downtown. The amendments we have been discussing are limited to the onsite parking regulations and not the on-street parking regulations that are issues that are enforcement related.
- Numerous conversations with Financial Officer Donna Timmerman related to financial issues and improvements to the just finished budget process. I wanted to say that Donna and staff did a superb job going through the budget and gives me confidence knowing next year we will have this year under our belt, which should make it easier.
- The PG&E Undergrounding project should be coming to the Council in the near future as we have received a draft report on possible alternative routes and analysis of those routes.
- Continue to have dialogue with CalRecycle related to the City's compliance with state mandated programs. The City also continues working with other cities in our area to hopefully collaborate on regional reporting which would allow all of the cities and county to meet the state mandated 50%.
- Daily meetings with staff to delegate workload and improve efficiency.
- The City participated in the recent election to determine whether it can appoint the positions of City Clerk and Treasurer, or whether they are positions that must be elected.

According to the county elections results it appears that the community agreed with the council's recommendation to continue the practice of appointing those positions. The City is waiting for the ratification of those results before going through the process to fill those positions. I wanted to take this opportunity to commend Elizabeth Connor for helping us through what was a longer process than we had foreseen, and thank her for agreeing to stay on through the new clerk's training period. Elizabeth did a great job helping us as a consultant during the Ferndale housing acquisition and we have been appreciative of all she has done in the last year to keep our service to the community of the highest possible standards. The Chief (Bret Smith), Financial Officer (Donna Timmerman), and I conducted interviews for the City Clerk position last Thursday and offered the position and we are going through the necessary background checks. If that turns out the new City Clerk will start work on the 7<sup>th</sup> of August.

- Numerous conversations with staff and consultants regarding the Sign Ordinance and how previous interior lighted signs are affected regarding compliance and non-compliance issues. The council and the planning commission had a joint study session to discuss parking and listened to staff's recommendations on proposed amendments to the parking ordinance that would reduce parking requirements for our businesses downtown. Most input from the two bodies was positive and staff will try to move forward with it now going to the Planning Commission, and then to the council.
- Multiple conversations and meetings with Rio Dell CM and Fortuna CM to discuss common is
- Discussions with Gerald Silva regarding Russ Park LLA agreement, and they are not ready to move forward as of last week. We have decided to put signs up at a couple of key areas to instruct people who would like to use Russ Park to stay on the road until they get to the sign that points them to the back trail to Russ Park, and to keep their animals on a lease so that they can avoid interaction with ranch animals. It may be worthwhile to mention that we do not allow horses or bikes on the trails in the park.
- Numerous discussions and meetings with county and RCD representatives regarding the culvert replacement at Port Kenyon and Francis Creek. It was still unclear whether the County's project will move forward this year or not. We were hopeful that the culvert project was going to move forward this construction season, but that does not look like the County was able to get all the property owners to sign off on it in a timely way.
- Check signing and invoice review for the City.
- Conversations with John Driscoll, Jared Huffman's representative, regarding Ferndale issues.
- Regular conversations with County Supervisor Bohn regarding common issues.
- Numerous meetings with individual councilmen and the mayor regarding City issues, and updates on 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 routine conversations 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 when not in use such as on the weekends. We are now including the actual gas usage as an obligation of any nonprofit who rents the Community Center.
- Met with Nilsen property Ad Hoc committee to go over parking alternatives. We have had

several meetings with the public to go over best use of the property and will had another meeting on July 1<sup>st</sup> to go over the latest parking and use designs. Phil Ostler has spearheaded an effort to maintain the old storage shed rather than deconstruct it with some alternative designs that include the use of the current shed siding in a fence design. Councilman Sweeney has used his artistic talents to produce an illustration of how the property could be used if the fence design was the preferred alternative. Phil continues to feel he can get the financial backing necessary and said that he has maybe half the amount necessary for the renovations. We are in the process of setting up another community meeting to go over the latest alternatives. One of the ideas that came up for the fence would use as material boards from old family barns that would be identified with interpretive placards informing the viewer where the old barn was located and the family associated with it.

- Daily meetings with Public Works as to daily projects. I meet with Public Works every morning at City Hall to go over daily work and projects.
- Daily conversations and communication with Wastewater department to review and go over wastewater activities.
- Numerous conversations with citizens regarding donations and volunteer activities.
- Wrote letter to CalRecycle Grant Administration Unit, authorizing HWMA to submit a regional Used Oil Payment Program application and act as lead agency on behalf of City.
- Discussion with Troy Hubner regarding drought conditions, conservation, and Del Oro's response to the situation. Troy said that they are meeting all expectations required of a facility such as theirs.
- Met with Russ Park committee members Jim Stretch and John Vernon and gave an update on the lot line adjustment with Silva property. We also met to go over trail management and a possible project for the con crew to help us cut the brush away from the trails.
- Most of the Financial Officer's and my time have been dedicated to working on the budget in the past months. Although the economy of the state seems to be getting a little better, for cities anyway, we are all struggling with stagnant revenue and increased costs, resulting in a negative cash flow. The other cities in our area are no different than us and the county in trying to find revenue sources to stem the flow and allow us to continue to provide community services of equal quality. Almost all of the other cities have a utility user tax or a sales tax. The county and all the other cities except Arcata are in the process of having a measure on the November ballot. We are just now starting to consider and analyze whether an increase to our drainage assessment or sales tax would be appropriate to provide adequate funding for our infrastructure needs.
- Met Russ Park Committee to develop plan to clear trails in park and talk about maintenance schedule. We will also have the Park closed on July 30<sup>th</sup> because Cal Fire will have a crew helping us clear brush away from our trails.

## **CITY CLERK ACTIVITY**

### **Meetings**

- Daily Meetings with City Manager regarding work activities and council agenda.
- Attended:
  - Regular City Council Meeting 7/7/14
  - Special City Council Meeting 7/15/14

- Planning Commission Meeting 7/16/14
- Wrote agenda items and compiled packets for:
  - Regular City Council Meeting 7/7/14
  - Special City Council Meeting 7/15/14
  - Planning Commission Meeting 7/16/14
- Wrote meeting minutes and uploaded meeting videos for:
  - Regular City Council Meeting 7/7/14
  - Special City Council Meeting 7/15/14
  - Planning Commission Meeting 7/16/14
- Posted all meeting agendas and public notices on City Hall and Post Office bulletin boards.
- Uploaded meeting packets to City website.
- Wrote and posted and published notices for:
  - Library Board Vacancy
  - Ad Hoc Committee on Old Nilsen Barn Uses
  - Design Review Vacancy
  - Upcoming Election Notice
- Met with Planning Commission Chair to discuss agenda packet and recommendations for Design Review Committee appointments process for Planning Commission meeting.
- Met with Planner Rheame to discuss items for Planning Commission meeting.

### **Projects**

- Daily work with front counter and telephones assisting the public, giving out dog or business licenses, answering questions and information requests.
- Updated and maintained City web site (with contractor) with job postings, and updated forms.
- Updated Fees and Fines Schedule for City Council consideration.
- Provided reports on building permits to CA Department of Real Estate, CA Department of Finance and US Department of Commerce.
- On-going communications with contract Planners.
- 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.
- Sent and received emails daily.
- Pick up and process 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.
- 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 several Public Records Act requests.

- Discussions and communications on process for PG&E Undergrounding project; research on public hearing, noticing and form of legislation requirements.
- Followed up on Field Observation Forms with citizens.
- Wrote and sent letters re non-compliance issues.
- Researched further sewer lateral issues and provided testing requirements to citizens.
- Met with City Building Inspector to discuss out of compliance issues.
- Revised Personnel Manual according to council direction.
- Sent Election Consolidation Resolution to County Board of Supervisors.
- Prepared packet of information and filing papers for mayor and city council candidates.
- Meet with potential candidates to review the paper work and filing requirements.
- Maintained minute and agenda binders.
- On-going communications re bringing out of compliance Secondary Dwelling Unit into compliance.
- Prepared ads for two positions placed the ads for publication and posted on the City's and other web sites. Processed incoming applications.

### **DEPUTY CITY CLERK ACTIVITY**

#### **Meetings**

- Attended and transcribed minutes for 06/26/2014 Design Review meeting.
- Prepared packet for 7/24/2014 Design Review meeting.
- Posted agenda for 7/24/2014 Design Review meetings.
- Assisted City Clerk with reports for 07/16/2014 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.
- Processed Field Observation Reports.
- Inventoried and ordered office supplies.
- Processed Parade and Encroachment Permits.
- Sent Building Permit reports to Assessors office and Construction Industry Research Board.
- Assisted with new Fees and Fines schedule.
- Assisted Finance with 2014-2015 budget.
- Assisted Finance with Accounts Payable.
- Sent Sewer Rate charges to Assessors Office

### **FINANCE OFFICER ACTIVITY**

- Meetings with City Manager – re: office issues
- Worked with City Manager on the Budget
- Attended budget meeting.
- Documenting accrual items for the accountant for year-end closing.
- Provided accountant with the quarterly payroll information for 2<sup>nd</sup> Quarter Payroll Taxes

- Payroll/Payroll Taxes Payments
- Accounts Payable
- Accounts Receivables
- Purchased supplies for City Hall

## **CITY PLANNER ACTIVITY**

### **Task 1 – General Planning**

- Coordinated with City Manager, City Clerk, and Deputy City Clerk on planning and development projects.
- Prepared and presented two items for 7/16 Planning Commission Meeting:
  - Draft Ordinance 2014-06 Amending Off-Street Parking Regulations
  - Revised Draft 2014 Housing Element Update and Draft CEQA Document
- Prepared vacant land inventory map, zoning map, and Draft Housing Element excerpts, including development standards by zone, senior needs and services, and senior housing policies and implementation programs, for 7/9 Ferndale Senior Housing Coalition meeting.
- Coordinated with City staff on public inquiry regarding zoning and development standards at 679 Van Ness Ave.

### **Task 2 – Reimbursable Fee Planning – None**

### **Task 3 – Special Projects**

- Updated Planner portion of Fees and Fines Schedule.
- Coordinated with City Manager on budget issues.
- Coordinated with City Clerk on nonconforming use requirements and potential amendments to the Zoning Ordinance for compliance with State regulations.

### **Task 4 – Additional Authorizations**

- Utility Undergrounding – Coordinated with City Manager and City Clerk on process for designating undergrounding district. Reviewed Ordinance 251 Utility Ordinance for process and regulations.
- Housing Element Implementation – Integrated City actions to implement 2012 Housing Element into draft Housing Element Update 2014. Provided City with up-to-date Zoning Ordinance with all enacted amendments incorporated.
- Parking Amendments – Prepared Draft Ordinance 2014-06 Amending Zoning Ordinance 02-02 §7.16 Parking and Loading and presented at Planning Commission meeting. Coordinated with City Manager and City Clerk on next steps.

### **Task 5 – General Plan Review Fund**

- Coordinated with HCD to revise Draft Housing Element Update 2014 to comply with all State housing regulations. Prepared Draft Addendum to the Initial Study/ Negative Declaration for Housing Element Update 2012 and Historical & Cultural Resources Element. Prepared and presented Revised Draft Housing Element Update 2014 at 7/16 Planning Commission study session and meeting. Incorporated Commission input. Prepared Draft for public review and posting at Library, City Hall and online.
- Assessed remaining tasks to complete Noise & Air Quality Element. Initiated noise analysis.

## **CITY ENGINEER**

**Sewer Projects –**

- Inverted siphon replacement and manhole relocation under County of Humboldt Francis Creek Culvert Replacement Project.
  - Francis Creek Culvert Replacement Project will not be executed this year.
  - Funding for the relocation of the manhole and replacement of the inverted siphon still remains in question.
  - Reaching out to Donna Chambers regarding RCD funds for utility relocation
- 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 received and our recommendation has been provided to the City.
  - 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 Avenue: (Phase 2)**

- Base Bid work and Change Order #1 has been completed. The project is expected to be completed by Friday, July 25<sup>th</sup>

**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 and a minor subdivision of APN 031-241-09. 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). The Notice of Lot Line Adjustment and Certificate of Compliance have not been recorded per the applicant's request. We anticipate the project will be complete by July 2014.
  - At the same hearing, the Conditions of Approval were modified for the subdivision. The Commission requested to remove Condition of Approval 3 related to recording a new deed to establish the appropriate ownerships. 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 City staff to discuss scope of projects to be included but still need to prioritize and prepare estimated for the work. Draft CIP submitted for review.
- Cal Trans Maintenance on SR 211 (Review of SHOPP drawings)
  - Continued coordination and inspections (as needed) will take place until the projects are completed.
- Misc. Document review.
  - Prepared a project description for a new PSR project to do a safety and ADA accessibility study for the pedestrian corridors throughout the City. The map 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 (as needed).
- Old Nilsen Barn Project
  - Prepared several conceptual layouts for parking and rough estimates for construction and development of the site.

#### **Meetings and Committees –**

- Attended June HCOAG Meeting

#### **Reporting and Correspondence –**

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

### **WASTEWATER OPERATIONS**

- Monthly No Spill Certification completed
- OIT Thrap's application for Grade 2 test in October accepted by state
- Coliform 2nd Tuesday of month and BOD 2<sup>nd</sup> Thursday of month to Fortuna lab
- CPO met with Troy from DeOro to match addresses for tax spread sheets; taxes completed and submitted
- Weekly safety meetings held, including public works employees
- Blower #2 discovered to have bad motor, motor pulled and sent to Industrial Electric for rebuild
- Irrigation moved to west side of Sousa ranch
- Dewater throughout the month for approximately 28 total hours
- OIT Bradshaw weed eats around both facilities and along wetland and road
- Send copy of toxicity report to Cathleen Goodwin at state water board
- OIT Thrap and OIT Bradshaw perform lab tests daily to measure efficiency of plant
- CPO met with Rio Dell CPO to discuss MLSS issues with both plants; similar problems with each, ideas for corrective measures discussed and instituted
- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- Sewer plug at Humboldt Sweets, offset in main discovered and repaired; subsequent sinkhole discovered in front of Humboldt Sweets on main street, dug up and repaired; both emergency jobs performed by Mobley Construction
- OIT Bradshaw pulled and cleaned UVT probe
- Front gate chain oiled each Monday
- Turn sludge at drying facility
- OITs Thrap and Bradshaw cleaned walls and catwalks
- OIT Bradshaw resigned; ad for new OIT placed
- The facility received a total of 19 septic dumps from Roto Rooter & Wyckoff's totaling 29,750 gallons and generating \$5,337 in revenue for the facility.
- Total flows through the collection system for June were 3.67 MG. Of that, .57 MG was pumped to the equalization pond.
- Influent flows that were treated through the facility totaled 3.1 MG for the month of June. Average irrigation discharge was .103 MGD.

### **PUBLIC WORKS STAFF ACTIVITY**

- 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.
- Walked Francis Creek for yearly debris check.
- Hung new flags at City Hall.
- Fixed toilet at Police DEPT.
- Trimmed back trees at Park entrance.
- Working on getting new vehicle for Public Works.
- Public Works removed small blockage on city property.
- Set up for 4<sup>th</sup> July luncheon at City Hall.
- Clean the gutter at the Community Centers Kitchen.

- Replaced signs around town.
- Assisted Sewer Dept. with sewer line break on Main St.
- Installed plant brackets for the light poles on Main ST at the VI.
- Finished up sewer project on Main St and over see paving.
- Returned borrowed barricades to the City of Fortuna.
- Trimmed back trees and brush on Arlington St that were blocking the stop sign.
- Contacted property owner on 151 Francis St about down tree behind their property.

### **POLICE DEPARTMENT**

- We have been placing the radar trailer at various locations where we have received speeding complaints.
- Chief Smith attended Kiwanis meetings/functions.
- Chief Smith attended the monthly LECAH meeting.
- The police department continues targeted enforcement of peripheral areas impacting the Ferndale quality of life.
- Chief Smith met with representatives from the Humboldt County Fair, Bear River Rancheria, CHP and Ferndale Fire regarding the July 4<sup>th</sup> fireworks show.
- Ferndale officers assisted Fortuna PD with various rodeo-related events.

### **Police Statistics – June 2014**

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape	0	
Robbery	0	
Larceny	0	
Assault	1	
Burglary	0	
Vehicle Theft	0	
TOTAL	1	
SECONDARY CRIMES	7	
Calls for Service	66	
Reports Written	18	
Traffic Citations	2	
Other Citations	0	
Parking Citations	1	
Warnings	20	
ARRESTS	6	
AGENCY ASSISTS	15	
TRAFFIC COLLISIONS	2	

**City of Ferndale, Humboldt County, California USA**  
Minutes for Planning Commission Meeting of May 21, 2014

Call to Order — Chairman Jorgen Von Frausing-Borch called the Planning Commission to order at 7:00 pm. Commissioners Lino Mogni, Dean Nielsen, Doug Brower and Michael Warner were present along with staff City Clerk Elizabeth Conner and Contract City Planner Rheaume. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial - None.

3.0 Update Agenda - None.

3.1 Proposed changes, modifications to agenda items – None.

3.2 Commissioners Comments

4.0 Approval of previous minutes - **MOTION:** to approve the minutes of the April 16, 2014 Regular Meeting (**Brower/Mogni**) **3-0-2** (Commissioners Nielsen and Warner abstained due to not being there for part of the meeting as they were being interviewed for membership on the commission).

5.0 Public Comment – None

6.0 Public Hearing

6.1 25 Birding Street Use Permit Application. Contract Planner Rheaume described that the project is in an R-1 Zone and meets the parking requirements of the zone in that at least five (5) off-street parking spaces are being provided. She reported that while the City's Zoning Ordinance does not directly address "vacation rentals," a B&B is similar and that is how staff is viewing this project as the City has in the past. Since this project will not have on-site supervision, staff has set a two-night minimum as a Condition of Approval. She further explained that the Applicant would live there part of the year, which would help with upkeep of the yard and property in general, and the project had received support from several neighbors. **MOTION:** to adopt Resolution No. PC 2014-09 making the required findings of fact listed in Attachment A to approve the Use Permit, subject to the conditions of approval listed in Attachment B, and allow for vacation rental use of a single family residence and attached guest house located at 725 Berding Street. (**Nielsen /Warner**) **5-0.**

7.0 Business

7.1 Review Housing Element Update 2014 Initial Draft and Recommend to City Council. Chair Von Frausing-Borch reported the Commission had a productive study session and thanked staff for their work. Contract Planner Rheaume presented that the City is updating the document for the CA Department of Housing and Community Development (HCD), and that staff is asking the PC for input on the initial review before sending it on the City Council for their comment and review before sending the document into HCD. The Planning Commission suggested minor revisions to the document. **MOTION:** to recommend the City Council review the initial draft with the minor changes made by the Planning Commission. (**Warner/Nielsen**) **5-0.**

Adjournment – Chair Von Frausing-Borch adjourned the meeting at 7:55 pm.

Respectfully submitted,

Elizabeth Conner, City Clerk

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 05/22/14 - 8:30am meeting

Chairman Mark Giacomini opened the meeting at 8:33 a.m. Committee Members Paul Gregson, and Doug Brower were present along with Deputy City Clerk Kristene Tavares. Committee member Lino Mogni was not present.

Approval of Previous Minutes: **MOTION** to **APPROVE** April 24, 2014 meeting minutes. **(Gregson/Brower) Unanimous.**

There were no Modifications to the Agenda.

There were no Public Comments.

425 Main Street: The Design Review Committee was presented with a picture of the proposed sign designs (hanging and painted window sign) as well as the dimensions and a site photo. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to place signage on storefront window of business and hang an 8" X 50" business sign on the overhang outside the storefront and over the sidewalk. **(Brower/Gregson) Unanimous**

614 Main Street: The Design Review Committee was presented with a picture of the proposed sign design as well as the dimensions and a site photo. Committee members were concerned over the overall sign square footage. Staff went over the formula used to base the allowable square footage based on the frontage. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to place an approximately 2ft X 8ft affixed wooden sign between the first story and the peak on the building. **(Gregson/Brower) Unanimous**

Design Review Sign-Off's: The following DR Permits were signed off: DR1402, DR1409, and DR1410.

Correspondence: Committee was provided with letters staff sent out on old DR Permits.

Committee Member Comments: Committee member Gregson inquired about the General Plan and whether the Planning Commission and City Council meet yearly to go over items. Staff will inquire about this. Committee Member Brower would like to make sure that frontage dimensions were on site photos on applications involving signage. Staff will make sure that applications include this.

Meeting adjourned at 9:02 a.m.

Respectfully submitted

Kristene Tavares, Deputy City Clerk  
City of Ferndale

**City of Ferndale, Humboldt County, California USA**  
Design Review Minutes for the 06/26/14 - 8:30am meeting

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

Approval of Previous Minutes: **MOTION to APPROVE** May 22, 2014 meeting minutes.  
**(Gregson/Mogni) Unanimous.**

Modifications to the Agenda: 1101 Main Street was moved to the beginning of Business section. 778 Main Street was moved to the end of the meeting.

There were no Public Comments.

1101 Main Street: The Design Review Committee was presented with a picture of the proposed color scheme to paint the house. Applicants were present at the meeting and explained that the project may take longer than the 180 day timeline as they live in New York. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B repaint exterior of house using the approved color scheme. **(Gregson/Brower) Unanimous**

176 Francis Street: The Design Review Committee was presented with a picture of the proposed solar panel placement. Committee members would like more clarification from planning commission on solar panel guidelines. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to install ten (10) solar panels on the east facing roof for the purpose of generating electricity. **(Brower/Gregson) Unanimous**

188 Francis Street: The Design Review Committee was presented with color swatches for the purpose of painting the exterior of the house. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to repaint exterior of house using the approved color scheme. **(Gregson/Mogni) Unanimous**

660 Berding Street: The Design Review Committee was presented with color swatches and a drawing for the proposed exterior painting and addition of redwood boards for trim on top story of house. **MOTION** to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to repaint exterior of house using the approved color scheme while adding 4" redwood boards approximately every 4ft to the top story of the house. **(Brower/Gregson) Unanimous**

638 Main Street: The Design Review Committee was presented with plans for signage placement on the new medical building. **MOTION** to make the required findings of fact listed

in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to place multiple signage on the new medical facility.  
**(Mogni/Gregson) Unanimous**

778 Main Street: The Design Review Committee was presented with a color swatch for the proposed paint on the exterior of the house. MOTION to make the required findings of fact listed in Attachment A to **APPROVE** the Design Review Use Permit, subject to the conditions of approval listed in Attachment B to repaint exterior of house using the approved color scheme.  
**(Brower/Mogni) 3-0-1 (Giacomini recused himself as this is his home)**

Design Review Sign-Off's: The following DR Permits were signed off: DR1401, DR1403, and DR1406.

Correspondence: Committee was provided with a response letter from Nancy Trujillo and Marc Daniels Design Review Application.

There were no Committee Member Comments.

Meeting adjourned at 9:02 a.m.

Respectfully submitted

Kristene Tavares, Deputy City Clerk  
City of Ferndale

**Humboldt/Del Norte  
Hazardous Materials Response Authority  
Regular Meeting Minutes  
Monday, April 14, 2014**

**1. Roll Call:**

*Present:* Mr. Dale Watson, Del Norte County; Chief Steve Wakefield, Crescent City, Mr. Richard Enea, Crescent City; Ms. Melinda Ciarabellini, City of Eureka; Mr. Mark Wheatley, City of Arcata; Mr. Daniel Brown, City of Ferndale

*Via Speaker phone:* Ms Virginia Bass, Humboldt County; Mr. Mark Wheatley, City of Arcata.

*Guests:* Chief Ed Laidlaw, Humboldt Bay Fire Department; Mr. Brian McNally, Del Norte County Division Environmental Health; Mr. Houawa Moua, Del Norte County Division Environmental Health; Mr. Larry Lancaster, Humboldt County Division of Environmental Health; Mr. Jose Gonzalez, Humboldt County Division of Environmental Health.

**2. Convening of the Meeting:**

Meeting was called to order at 4:35 p.m. by Ms. Virginia Bass.

**3. Public Comments:**

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

**4. Old Business:**

A. Ms. Virginia Bass called for approval of the January 13, 2014 Regular Meeting Minutes. The motion to approve the minutes was made by Chief Steve Wakefield and was seconded by Mr. Dale Watson. The motion was carried by those members present.

**5. New Business:**

A. The City Council of the City of Ferndale took action to designate Councilmember Daniel Brown as Board Member to the Humboldt/Del Norte Hazardous Materials Response Authority. The City Council of the City of Arcata took action to designate Councilmember Shane C. Brinton as Board Member to the Humboldt/Del Norte Hazardous Materials Response Authority.

B. Election of Officers, Ms. Virginia Bass called for nominations for Chairperson to the Humboldt/Del Norte Hazardous Materials Response Authority. Ms. Virginia Bass nominated Ms. Melinda Ciarabellini seconded Mr. Mark Wheatley and Mr. Dale Watson. Ms Virginia Bass call for a vote of those members present, the motion carried. Ms. Virginia Bass called for nominations for Vice-Chairperson; Ms Melinda Ciarabellini nominated Ms. Virginia Bass as Vice-Chairperson to the Humboldt/Del Norte Hazardous Materials Response Authority, seconded by Mr. Mark Wheatley, Ms Melinda Ciarabellini call for a vote of those members present, the motion carried.

- C. Chief Ed Laidlaw presented to the Board the Annual Budget for 2013/2014 for the Humboldt /Del Norte Hazardous Materials Response Team. Reviewed the line items with the board with no changes projected through the end of the Fiscal Year.
- D. Chief Ed Laidlaw presented to the Board the Proposed Budget for the 2014/2015 for the Humboldt/Del Norte Hazardous Material Response Team. Reviewed the line items with the board with no forecasted changes in the estimated expenditures as submitted. The motion to accept the proposed budget as offered by Chief Laidlaw was moved by Ms Virginia Bass seconded by Mr. Mark Wheatley and carried by those members present.
- E. Mr. Mark Wheatley addressed the Board introducing presentations that may be of interest to the Board members and any interested parties with a short question and answer period afterwards. Based on the availability of the presenters, planning by multi-agencies around Humboldt Bay regarding Sea Level Rise Scenarios will be tentatively scheduled for July 14, 2014 and statewide multi-agency findings in Marijuana cultivation practices will be tentatively scheduled for October 14, 2014.
- F. Chief Ed Laidlaw presented to the Board the 2014 First Quarter Hazardous Material Regional Response Team Report. One Level 1 incident occurred regarding a significant diesel spill extending throughout downtown Eureka streets, the source of the spill was not able to be located. Consultation regarding the possession/storage of potentially hazardous materials with Humboldt County Sheriff's Office related to the discovery of a suspected Meth Lab. Monthly training and training to allied agencies was conducted during this period, participated and observed in the California Specialized Training Institute (CSTI) Technician training four week course that was conducted and held in Eureka during February and March. Announcement of a potential new member to the Hazardous Material Response Team from the California Highway Patrol.

## **6. Adjournment:**

Ms. Virginia Bass called for adjournment at 500 pm. The next Regular Meeting of the Humboldt /Del Norte Hazardous Materials Response Authority meeting is scheduled at the Humboldt Bay Fire Department Conference Room on Monday on Monday, July 14, 2014 at 4:30 pm.

**Humboldt/Del Norte  
Hazardous Materials Response Authority  
Regular Meeting Minutes  
Monday, July 14, 2014**

**1. Roll Call:**

*Present:* Chairperson Ms. Melinda Ciarabellini, City of Eureka; Mr. Dale Watson, Del Norte County; Mr. Mark Wheatley, City of Arcata; Mr. Daniel Brown, City of Ferndale; Mr. Tim Sanderson, Yurok Tribe.

*Guests:* Chief Ed Laidlaw, Humboldt Bay Fire Department; Mr. Dan Larkin, Humboldt County Office of Emergency Services; Ms. Maje Hoyos, Humboldt County Division of Environmental Health; Mr. Jose Gonzalez, Humboldt County Division of Environmental Health; Mr. Aldaron Laird, Humboldt Bay Water District Board.

**2. Convening of the Meeting:**

Meeting was called to order at 4:41 p.m. by Ms. Melinda Ciarabellini.

**3. Public Comments:**

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

**4. Old Business:**

- A. Ms. Melinda Ciarabellini called for approval of the April 14, 2014 Regular Meeting Minutes. The motion to approve the minutes was made by Mr. Mark Wheatley and was seconded by Mr. Daniel Brown. The motion was carried by those members present.

**5. New Business:**

- A. Mr. Mark Wheatley introduced the guest speaker Mr. Aldaron Laird who serves on the Humboldt Bay Water District Board and is currently a planner involved with multiple agencies around Humboldt Bay. Mr. Laird explained that the State Coastal Conservancy from its inception in 2010 funded multi-agencies development of Humboldt Bay Sea Level Rise Adaptation Planning Project. Mr. Laird gave a power point presentation on his involvement with the planning effort regarding sea level rise adaptation, efforts of these agencies and the development of the plan. With the completion of Phase 1 and with the ongoing work on Phase 2, Mr. Laird was able to give a detailed account on what is to be expected with the current rise in sea levels, and the corresponding effects of tides that will be impacting the areas in and around Humboldt County.
- B. Chief Ed Laidlaw presented to the Board the 2014 Second Quarter Hazardous Material Regional Response Team Report. Two Level 1 incidents occurred during this period: 1) response to an unknown white powder discovered in envelope sent to the Fortuna Police Department, 2) diesel spill extending throughout the City of Eureka city streets and highway.

One Level 2 response regarding a Semi-tractor trailer involved in a traffic accident on US Route 101 Highway between the town of Benbow and the town of Piercy.

California Specialized Training Institute (CSTI) Technician training was received by 30 students, seven local responders attended. Monthly training and training to allied agencies was conducted during this period, participated and conducted a quarterly drill in conjunction with CSTI Technician training. The United States Postal System conducted a full scale Biological Detection System (BDS) drill at the West Clark Street Main Post Office. Announcement of a potential new member to the Hazardous Material Response Team joining from the California Highway Patrol in the County of Del Norte.

## **6. Adjournment:**

Ms. Melinda Ciarabellini called for adjournment at 6:00 pm. The next Regular Meeting of the Humboldt /Del Norte Hazardous Materials Response Authority meeting is scheduled at the Humboldt Bay Fire Department Conference Room on Tuesday, October 14, 2014 at 4:30 pm.

**Section 14**

**ADJOURN**