

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

Location:	City Hall 834 Main Street Ferndale CA 95536	Date:	March 18, 2020
		Time:	7:00 pm
		Posted:	March 12, 2020

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 Sweeney; Councilman Avis; Councilwoman Bullard; Councilwoman Fisk-Becker; and Councilman Smith.
4. REPORT OUT OF CLOSED SESSION
5. CEREMONIAL – Swearing in of Officer Cesar Cervantes
6. MODIFICATIONS TO THE AGENDA
7. STUDY SESSION - A Study Session was held on Tuesday, March 3, 2020 at 3:15pm to discuss and review Ad-hoc Committee Terms, Mission, & Authority
8. PUBLIC COMMENT. (This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes’ total for all speakers, with each speaker given no more than five minutes.)
9. CONSENT CALENDAR. (All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a 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.”)

<i>a.</i> Approval of Minutes of the February 19, 2020 Regular City Council Meeting.....	Page 5
<i>b.</i> Approval of Minutes of the February 25, 2020 Special City Council Meeting.....	Page 8
<i>c.</i> Acceptance of Checkbook Register for February 1-29, 2020	Page 10
<i>d.</i> Acceptance of Financial Statements for February 1-29, 2020	Page 14
<i>e.</i> Second Reading, by title only, of Ordinance 2020-01, Amending Nuisance Ordinance 06-04.....	Page 36
<i>f.</i> Resolution 2020-04 Adopting the North Coast Resource Partnership (NCRP) Plan	Page 40
<i>g.</i> City Auditor Contract Renewal	Page 43
10. CALL ITEMS REMOVED FROM CONSENT CALENDAR	
11. PRESENTATION	
<i>a.</i> RCEA Microgrid Technology	Page 51
12. PUBLIC HEARING	
13. BUSINESS	
<i>a.</i> Introduction & First Reading, by title only, of Ordinance 2020-03, Prohibiting Smoking in Certain Places and Regulating Smoking within the City.....	Page 70
<i>b.</i> Introduction and First Reading, by title only, of Ordinance 2020-02 Amending Building Inspector/Construction Code Ordinance 2011-01 Section 6.01	Page 84
<i>c.</i> Appoint Members to Serve on Drainage Committee	Page 88
<i>d.</i> Appoint Member to Serve on Planning Commission	Page 93
<i>e.</i> Resolution 2020-05 Acceptance of Gifts and donations	Page 95
14. CORRESPONDENCE	Page 100
15. COMMENTS FROM THE COUNCIL	
16. REPORTS	
<i>a.</i> City Manager Report	Page 124
<i>b.</i> Commission and Committee Reports	
<i>i.</i> Planning Commission Minutes	Page 132
<i>ii.</i> Design Review Committee Minutes	
<i>c.</i> Minutes from Joint Power Authorities (JPAs) and Reports	
<i>i.</i> Humboldt County Association of Governments (Jan 2020)	Page 134
<i>ii.</i> Humboldt Waste Management Authority (Jan 2020)	Page 137
<i>iii.</i> Redwood Coast Energy Authority (Jan 2020)	Page 139
17. 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
April 15, 2020 in the City Hall at 7:00 p.m.**

Section 1

CALL MEETING TO ORDER

Section 2

PLEDGE ALLEGIANCE

Section 3

ROLL CALL

Section 4

CLOSED SESSION REPORT OUT

Section 5

CEREMONIAL

Section 6

MODIFICATIONS TO THE AGENDA

Section 7

STUDY SESSIONS

Section 8

PUBLIC COMMENT

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

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

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

Section 9

CONSENT CALENDAR

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

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

City of Ferndale, Humboldt County, California, U.S.A.
DRAFT Minutes for City Council Meeting of February 19, 2020

Mayor Michael Sweeney called the Regular City Council Meeting to order at 7:00 pm. Those present did the flag salute. Present were Mayor Sweeney, Council Members Stephen Avis, Robin Smith, and Kathleen Bullard along with staff: City Manager Jay Parrish, City Engineer Brian Ontiveros and City Clerk Kristene Hall.

Report out of Closed Session: None

Ceremonial: None

Modifications to the Agenda: None

Report out of Study Session: Mayor Sweeney reported there was a Study Session held on Tuesday January 21, 2020 at 3:15pm to discuss and review the Land Use Element Update of the General Plan. Another Study Session was held on February 4, 2020 to discuss sewer rates. An additional Study Session was held tonight, before the regular meeting, to discuss Proposition 218 – Implementing a sewer rate increase.

Public Comment: There were no comments.

Consent Calendar: There were four items on the Consent Calendar for approval. **MOTION:** to approve the consent calendar. **(Bullard/Avis) Unanimous**

Call Items Removed from Consent Calendar: None

Presentation: Paul Gregson was present to review the Fiscal Sustainability Plan regarding the wastewater treatment plant and sewer collection system. Gregson explained that a Fiscal Sustainability Plan is a requirement when receiving grants and provides the grantor knowledge of how an entity will maintain the equipment after the grant is given. Gregson provided a PowerPoint presentation on how the treatment process works to give a better understanding of the importance of maintaining the treatment plant.

Public Hearing: None

Business:

Resolution 2020-03 Repealing and Replacing Resolution 2019-21 Regarding the Drainage Committee: City Manager Jay Parrish explained the changes proposed. Parrish explained that the resolution would allow one member from outside the city limits to be a committee member. **MOTION:** to approve Resolution 2020-03 Repealing and Replacing Resolution 2019-21. **(Avis/Bullard) Unanimous**

Appoint Members to Serve on the Drainage Committee: City Manager Jay Parrish explained that changing the Drainage Committee from an adhoc committee to a Brown Act Committee requires the council to officially appoint members to the committee. Parrish explained that two applicants, Tom Stephens and Jim Bass, had been serving on the adhoc committee for several

years and would like to continue to serve on the committee. Parrish added that the third applicant, Jeff Farley, has been a life-long resident of Ferndale and has served on the Council, and in many different capacities. Parrish explained that staff will re-advertise for remaining vacancies, including a member from outside city limits. **MOTION:** to appoint Tom Stephens, Jim Bass, and Jeff Farley to the Drainage Committee. **(Avis/Bullard/) Unanimous**

Resolution 2020-02 Approving the Humboldt County Operational Hazard Mitigation Plan: City Manager Jay Parrish explained the Hazard Mitigation Plan and all the entities involved in constructing the document. Parrish added that the Plan is a living document and the current document is the third rendition and had been being worked on for approximately two years. Parrish explained the importance and necessity of the Plan to receive FEMA funding and various grants. Councilman Avis questioned what was included in the Ferndale section of the document. Parrish directed Avis to Volume two Section 5 of the document that is specific to Ferndale. Councilwoman Bullard stated it was an excellent report and thanked Parrish for his hard work and effort. **MOTION:** to approve Resolution 2020-02 approving the Humboldt County Operational Hazard Mitigation Plan. **(Avis/Smith) Unanimous**

Introduction and First Reading, by title only, of Ordinance 2020-01 Amending Nuisance

Ordinance 06-04: City Manager Jay Parrish explained the proposed changes to the abatement process of the Nuisance Ordinance. Parrish stated the changes suggested by the City Attorney would help strengthen the abatement process and give the Nuisance Ordinance more “teeth”. Councilman Smith questioned who the enforcement official was. Parrish stated it was various staff including himself (city manager), public works, city clerk and building official. Mayor Sweeney questioned if the amendments would make it easier in the abatement process to levy fines and court action for non-compliance. Parrish stated there could be still gray area, but these amendments will help but explained the costs can be high for court actions and would essentially be a council action to approve expenditures. Councilman Avis questioned what the attorney felt the changes would improve. Parrish stated the immediacy of it and reconfirmation of the stop order work. Avis asked the process of abatement. Parrish stated that staff tries to abate the issue immediately, then if that does not work a letter is sent to the individual. Mayor Sweeney added that after multiple letters are sent then there is a notice to abate and fines will start to accumulate. **MOTION:** to approve the first reading, by title only, of Ordinance 2020-01 amending Nuisance Ordinance 06-04. **(Avis/Bullard) Unanimous**

City Attorney Contract Renewal: City Manager Jay Parrish explained we have been with the firm for over 5 years and currently the city has been working with Ryan Plotz, who is a partner with the firm. Parrish added Plotz was good to work with and knowledgeable. Councilman Smith stated he and Councilman Avis had been working with Plotz and stated Plotz was very knowledgeable and easy to work with, **MOTION:** to approve the contract renewal for legal services with the Mitchell Law Firm, LLP, and direct City Manager to sign the contract extension. **(Avis/Smith) Unanimous**

Correspondence: No Comments

Comment from the Council: No Comments

Reports:

City Managers Report: City Engineer Brian Ontiveros was present to discuss the Engineers report. Ontiveros presented the council with plans for both 4th and Shaw improvement plans and the Washington Street Drainage Improvements. Ontiveros went over the plans for each project and included projected costs.

Other Reports: No Comments

Mayor Sweeney adjourned the meeting at 8:28 pm.

Respectfully submitted

Kristene Hall
City Clerk

DRAFT

City of Ferndale, Humboldt County, California, U.S.A.
DRAFT Minutes for Special City Council Meeting of February 25, 2020

Mayor Michael Sweeney called the Special City Council Meeting to order at 3:17 pm. Those present did the flag salute. Present were Mayor Sweeney, Council Members Stephen Avis, Robin Smith, Jenny Fisk-Becker, and Kathleen Bullard along with staff: City Manager Jay Parrish, City Attorney Ryan Plotz, and City Clerk Kristene Hall.

Announcement of Items to be Discussed in Closed Session: City Attorney Ryan Plotz the council would be adjourning into closed session to discuss Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (one case).

Public Comment Regarding Closed Session Items: No Comments

Adjournment into Closed Session: The council adjourned into closed session at 3:22pm

Report out of Closed Session: The council reconvened into open session at 3:35pm. The city attorney reported the council had no reportable action in closed session.

Business:

Discuss and Consider Revision of Ferndale Zoning Ordinance 02-02 regarding Fences:

Councilman Avis stated he and Councilman Smith had written a report on the research they had done regarding fences. Avis stated that in the report it gives their recommendations as well as findings, exhibits and examples. Councilman Smith went over the report and the recommendations that included fence material, heights, hedges, building permit and design review requirements, variances, and enforcement. City Attorney Ryan Plotz explained the enforcement section in detail and explained options the council had regarding fences constructed prior to the ordinance. Plotz explained the difference between non-conforming fences and fences that would be deemed a nuisance. Mayor Sweeney questioned the variance process. City Attorney Plotz went over the process and what findings would allow a variance to be approved. Councilman Avis explained and went over the diagrams and descriptions of yards in the report. Avis also explained the different proposed fence heights and setbacks. Councilwoman Fisk-Becker questioned the fence height on the side yard of a corner lot. Fisk-Becker stated she would like to see the fence height be increased to 6' to allow for privacy on the side and back yard of a residence. City Attorney Plotz asked for the council to vote on the recommendations to the Planning Commission for Ordinance drafting. Voting was as follows:

1. Enforcement option regarding fences constructed?

The council unanimously voted that fences constructed in violation of any existing ordinance for which enforcement was initiated will be considered in violation with such notice or lien recorded at the County Recorder. This violation must be remedied by the property owner prior to the close of escrow at the time of sale to clear the title and/or before any building permits can be issued.

2. Retain the 4' maximum height restriction in the front yard?

The council unanimously voted to retain the 4' maximum height restriction.

3. Regulation of location of front yard fence or a required setback?

The council unanimously voted for no regulation of location or setback.

4. Retain the 4' maximum height restriction on the street side of a corner lot?

The council voted 3-2 in favor of removing the 4' street side corner lot height restriction and make it 6' for privacy.

The council discussed further and discussed options of allowing a 6' fence from either the front side of the home or rear side of the home.

Staff suggested letting the Planning Commission look into alternatives to setbacks and where to allow a 6' fence to begin on the street side corner lot. Council agreed to turn this over to Planning Commission.

Goals and Priorities: Mayor Sweeney went over his report on the progress of goals that were set the beginning of 2019. Sweeney also asked for input on any goals or priorities that need to be added to the list. Councilwoman Bullard stated the need to add passing an Ordinance for pavement replacement for sewer repairs. Councilwoman Fisk-Becker commented on the 3-hr parking signs on Main Street. Fisk-Becker questioned the cost of raising the light poles and suggested instead of raising the light poles to alternate the parking signs and the "walk your wheels" signs that are already on the posts. City Manager Parrish stated that it was a good idea. Parrish added that the other idea behind raising the light posts was to better preserve them due to the excessive dog urine on the poles cause damage. Councilwoman Fisk-Becker also questioned police officer salaries and the retention of officers. Parrish explained the difficulties in retaining officers and competing with salaries offered by Fortuna, Eureka, and Arcata as well as the sheriffs office. Parrish added that he is extremely happy with the cities Police Department and officers.

Mayor Sweeney adjourned the meeting at 5:06 pm.

Respectfully submitted

Kristene Hall
City Clerk

Bank Account Register

General Checking

February 1, 2020 - February 29, 2020

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
			Beginning Balance			305,012.50
02/01/20		ALL LINES	ALL-LINES LEASING	950.45		304,062.05
02/01/20	53789	CITFO	CITY OF FORTUNA	1,950.00		302,112.05
02/01/20	53790	MIRRE	MIRANDA'S RESCUE	450.00		301,662.05
02/01/20	53791	VANESSA	VANESSA HUERTA	200.00		301,462.05
02/02/20		USDAR	USDA RURAL DEVELOPMENT	50,433.12		251,028.93
02/03/20		JAY PARRISH	JAY PARRISH	400.00		250,628.93
02/04/20		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,282.75		249,346.18
02/04/20		USTREASURY	UNITED STATES TREASURY	7,060.49		242,285.69
02/04/20	53798	ARNKE	ARNOLD C. KEMP	3,529.03		238,756.66
02/04/20	53799	LCENG	LOST COAST ENGINEERING, INC.	1,527.50		237,229.16
02/04/20	53800	MISLI	MISSION LINEN & UNIFORM SERVICE	18.20		237,210.96
02/04/20	53801	NORCO	NORTH COAST LABORATORIES LTD.	1,635.00		235,575.96
02/04/20	53802	PACGA	PACIFIC GAS & ELECTRIC	1,049.49		234,526.47
02/04/20	53803	SUNBELT	SUNBELT RENTALS, INC.	207.19		234,319.28
02/04/20	53804	TOOPL	TOOLS PLUS INDUSTRIES, INC.	118.25		234,201.03
02/04/20	53805	USBANK	US BANK	5,576.94		228,624.09
02/04/20	53806	VALLU	VALLEY LUMBER	509.39		228,114.70
02/04/20	53807	VERZN	VERIZON WIRELESS	584.74		227,529.96
02/10/20	53813	ALTBU	ALTERNATIVE BUSINESS CONCEPTS	141.36		227,388.60
02/10/20	53814	SRPST	AMERICAN RIVER COLLEGE	1.00		227,387.60
02/10/20	53815	CESAR C	CESAR E. CERVANTES	300.00		227,087.60
02/10/20	53816	HUMTE	HUMBOLDT TERMITE & PEST	49.00		227,038.60
02/10/20	53817	HUMTI	HUMMEL TIRE & WHEEL, INC	604.44		226,434.16
02/10/20	53818	NILCO	NILSEN COMPANY	612.77		225,821.39
02/10/20	53819	OCCUP	OCCUPATIONAL, ENVIRONMENTAL, HEALTH & DRUG SCREENI	242.00		225,579.39
02/10/20	53820	RWS	RWS SERVICES	54.74		225,524.65
02/10/20	53821	SEQGA	SEQUOIA GAS COMPANY	739.30		224,785.35
02/10/20	53822	MBDVZ	THE MITCHELL LAW FIRM, LLP	1,505.00		223,280.35
02/10/20	53823	TIM D	TIMOTHY G. DIAS	27.66		223,252.69
02/10/20	53824	VAPAC PETRO	VALLEY PACIFIC PETROLEUM SERVICES, INC.	801.86		222,450.83
02/10/20	53825	WESCH	WESTERN CHAIN SAW CO	169.71		222,281.12
02/10/20	53826	WYCKO	WYCKOFF'S	264.78		222,016.34
02/11/20	53828	STABO	STATE WATER RESOURCES CONTROL BOARD	295.00		221,721.34
02/13/20	1001		PARRISH, JAY D	2,558.05		219,163.29
02/13/20	1002		HALL, KRISTENE M	1,604.40		217,558.89
02/13/20	1003		JOHNSON, DONNA J	1,475.20		216,083.69
02/13/20	1004		SMITH, BRET A	1,573.68		214,510.01
02/13/20	1005		LINDGREN, ROBERT C	1,547.85		212,962.16
02/13/20	1006		DIAS, TIMOTHY G	1,684.79		211,277.37
02/13/20	1007		MENDES, ALAN SCOTT	700.16		210,577.21
02/13/20	1008		COPPINI, STEVE L	2,243.00		208,334.21
02/13/20	1009		GARDNER, SHAWN C	1,716.51		206,617.70
02/13/20	1010		LIU, CARSON B	376.88		206,240.82
02/13/20	1011		HOPPIS, JOHNNY F	1,738.74		204,502.08
02/13/20	1012		SUTTON, DANIEL V	528.11		203,973.97
02/13/20	53808		BALCH, DYLAN C	1,312.20		202,661.77
02/13/20	53809		CERVANTES, CESAR E	592.52		202,069.25
02/13/20	53810		Franceschi, David A	1,304.02		200,765.23
02/13/20	53811		BOYNTON, MARY ELLEN	33.80		200,731.43
02/13/20	53812		RICHARDSON, DIANNA L	187.27		200,544.16
02/13/20	53827	CHOPPIS	CHELCI HOPPIS	126.92		200,417.24
02/14/20		TRICOUNTIES	TRI COUNTIES BANK	9.15		200,408.09
02/18/20		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,310.34		199,097.75
02/18/20		USTREASURY	UNITED STATES TREASURY	7,374.70		191,723.05

Bank Account Register

General Checking

February 1, 2020 - February 29, 2020

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
02/18/20	53829	COMAS	DEMETRIUS DISTEFANO	1,697.42		190,025.63
02/18/20	53830	ONTIV	ONTIVEROS & ASSOCIATES, INC.	7,770.50		182,255.13
02/18/20	53831	DEPJU	DEPARTMENT OF JUSTICE	67.00		182,188.13
02/18/20	53832	FORAC	FORTUNA ACE HARDWARE	77.45		182,110.68
02/18/20	53833	FORAP	FORTUNA AUTO & TRUCK PARTS INC	159.10		181,951.58
02/18/20	53834	HUMTI	HUMMEL TIRE & WHEEL, INC	1,307.56		180,644.02
02/18/20	53835	JJACPA	JJACPA, INC.	9,000.00		171,644.02
02/18/20	53836	MENSU	MENDES SUPPLY CO.	113.20		171,530.82
02/18/20	53837	MERFR	MERCER FRASER COMPANY	389.62		171,141.20
02/18/20	53838	PACGA	PACIFIC GAS & ELECTRIC	7,120.05		164,021.15
02/18/20	53839	EELRI	RECOLOGY HUMBOLDT COUNTY	311.77		163,709.38
02/18/20	53840	RWS	RWS SERVICES	115.15		163,594.23
02/18/20	53841	SHREDAWARE	SHRED AWARE	74.00		163,520.23
02/18/20	53842	TIPMO	TIPPLE MOTORS, INC.	156.72		163,363.51
02/18/20	53843	VALGR	VALLEY GROCERY	86.57		163,276.94
02/21/20			2/21/20 deposit		2,144.62	165,421.56
02/24/20			2/24/20 deposit		1,085.11	166,506.67
02/25/20			2/25/20 deposit		20,668.27	187,174.94
02/25/20	53850	DELOR	DEL ORO WATER CO., FDLE. DIST.	502.83		186,672.11
02/25/20	53851	ADS	ADVANCED DISPLAY & SIGNS	211.43		186,460.68
02/25/20	53852	AEROM	AERO-MOD	556.46		185,904.22
02/25/20	53853	PHIAY	AYCOCK & EDGMON	4,275.00		181,629.22
02/25/20	53854	CRYST	CRYSTAL SPRINGS BOTTLED WATER CO.	86.00		181,543.22
02/25/20	53855	EEL SCRAP	EEL RIVER SCRAP & SALVAGE	85.00		181,458.22
02/25/20	53856	FDAC	FDAC EBA	10,560.89		170,897.33
02/25/20	53857	FRONT	FRONTIER	508.88		170,388.45
02/25/20	53858	HUMBOLDT FE	HUMBOLDT FENCE	650.00		169,738.45
02/25/20	53859	HUMTI	HUMMEL TIRE & WHEEL, INC	670.03		169,068.42
02/25/20	53860	MCKCO	MC KAY'S COLLISION REPAIR	878.28		168,190.14
02/25/20	53861	PARS1	PARSAC	3,918.71		164,271.43
02/25/20	53862	POREN	PORTLAND ENGINEERING, INC.	350.00		163,921.43
02/25/20	53863	SDRMA	SPECIAL DISTRICT RISK MGMT AUTHORITY	675.96		163,245.47
02/25/20	53864	FEREN	THE FERNDALE ENTERPRISE	45.50		163,199.97
02/25/20	53865	VAPAC PETRO	VALLEY PACIFIC PETROLEUM SERVICES, INC.	596.81		162,603.16
02/25/20	53866	WELF(\$106)	WELLS FARGO FINANCIAL LEASING	106.46		162,496.70
02/25/20	53867	WELLS(\$206)	WELLS FARGO VENDOR FIN SERV	206.76		162,289.94
02/27/20		TRICOUNTIES	TRI COUNTIES BANK	1,129.58		161,160.36
02/27/20			2/27/20 deposit		19,485.37	180,645.73
02/27/20			2/27/20 deposit		507,726.02	688,371.75
02/27/20	1001		PARRISH, JAY D	2,558.05		685,813.70
02/27/20	1002		KAYTIS-SLOCUM, NANCY S	65.77		685,747.93
02/27/20	1003		HALL, KRISTENE M	1,600.40		684,147.53
02/27/20	1004		JOHNSON, DONNA J	1,475.20		682,672.33
02/27/20	1005		ALAMEDA, RENAE MARY	246.83		682,425.50
02/27/20	1006		SMITH, BRET A	1,573.68		680,851.82
02/27/20	1007		LINDGREN, ROBERT C	1,405.27		679,446.55
02/27/20	1008		FIELDER, CHARLES COSMAS	310.05		679,136.50
02/27/20	1009		DIAS, TIMOTHY G	1,599.49		677,537.01
02/27/20	1010		MENDES, ALAN SCOTT	216.21		677,320.80
02/27/20	1011		COPPINI, STEVE L	2,243.00		675,077.80
02/27/20	1012		GARDNER, SHAWN C	1,736.38		673,341.42
02/27/20	1013		LIU, CARSON B	228.38		673,113.04
02/27/20	1014		HOPPIS, JOHNNY F	1,758.67		671,354.37
02/27/20	1015		SUTTON, DANIEL V	329.88		671,024.49
02/27/20	53844		BALCH, DYLAN C	1,225.80		669,798.69
02/27/20	53845		CERVANTES, CESAR E	1,212.05		668,586.64

City of Ferndale

Bank Account Register

General Checking

February 1, 2020 - February 29, 2020

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
02/27/20	53846		Franceschi, David A	1,406.83		667,179.81
02/27/20	53847		BOYNTON, MARY ELLEN	43.84		667,135.97
02/27/20	53848		RICHARDSON, DIANNA L	76.73		667,059.24
02/27/20	53849		VON BRAUN, BONNIE K	41.15		667,018.09
02/27/20	53868	CHOPPIS	CHELCI HOPPIS	126.92		666,891.17
Totals				<u>189,230.72</u>	<u>551,109.39</u>	<u>666,891.17</u>

Transaction count = 115

FEBRUARY 2020 Deposit Recap	2.21.20	2.24.20	2.25.20	2.27.20	2.27.20	TOTAL-FEB20
RETAIL TAX			20,668.27		-	20,668.27
HIGHWAY USER TAX/VEHICLE LICENSE FEES	2,144.62	1,085.11				3,229.73
BUSINESS LIC				215.00		215.00
ANIMAL LIC						-
BUILDING RENTS				875.00		875.00
PERMITS				2,944.55		2,944.55
TOT				4,152.49		4,152.49
HEALTH INSPECTIONS				125.00		125.00
HCAOG - RSTP						-
RECYCLING GRANT						-
PARSAC - GRANT / OTHER						-
COUNTY OF HUMBOLDT-STREETS & ROADS						-
SEPTIC DUMPS / SEWER REVENUE				1,900.50		1,900.50
FRANCHSE FEES				809.60		809.60
HUMBOLDT CTY - COPS						-
DONATIONS						-
POLICE SERVICES				10.00	1,229.18	1,239.18
SMALL MISC				271.15		271.15
DRAINAGE FEES					11,460.49	11,460.49
COUNTY OF HUMBOLDT-PROPERTY TAXES					88,502.49	88,502.49
COUNTY OF HUMBOLDT-SEWER					405,381.94	405,381.94
COUNTY OF HUMBOLDT-INTEREST INCOME					1,151.92	1,151.92
STATE - CAL TRANS - STREET SWEEP				8,182.08		8,182.08
MISC: STATE OF CA - OEM REIMB FY 16/17						
WORKERS COMP DIVIDENDS - PARSAC						
MISC: COUNTY OF HUMBOLDT-MEASURE Z						-
	2,144.62	1,085.11	20,668.27	19,485.37	507,726.02	551,109.39

City of Ferndale
Balance Sheet
Fund 10 - General Fund
As of February 29, 2020

Assets

Current Assets		
Cash	\$	462,625.20
Restricted Cash		15,150.00
Accounts Receivable		<u>31,599.50</u>
Total Current Assets		<u>509,374.70</u>
Total Assets	\$	<u><u>509,374.70</u></u>

Liabilities and Fund Balance

Current Liabilities		
Accounts Payable	\$	89,893.53
Accrued Liabilities		6,887.24
Other Current Liabilities		<u>4,389.88</u>
Total Current Liabilities		<u>101,170.65</u>
Total Liabilities		<u>101,170.65</u>
Fund Balance		
Retained Earnings		<u>408,204.05</u>
Total Fund Balance		<u>408,204.05</u>
Total Liabilities and Fund Balance	\$	<u><u>509,374.70</u></u>

City of Ferndale
Balance Sheet
Fund 22-Gas Tax
As of February 29, 2020

Assets

Current Assets	
Cash	\$ <u>18,899.36</u>
Total Current Assets	<u>18,899.36</u>
Total Assets	<u>\$ 18,899.36</u>

Liabilities and Fund Balance

Current Liabilities		<u> </u>
Total Current Liabilities	\$	<u>0.00</u>
Total Liabilities		<u>0.00</u>
Fund Balance		
Retained Earnings		<u>18,899.36</u>
Total Fund Balance		<u>18,899.36</u>
Total Liabilities and Fund Balance	\$	<u>18,899.36</u>

City of Ferndale
Balance Sheet
Fund 23 - RSTP Fund
As of February 29, 2020

Assets

Current Assets		
Cash	\$	76,196.37
Total Current Assets		76,196.37
Total Assets	\$	76,196.37

Liabilities and Fund Balance

Current Liabilities		
Total Current Liabilities	\$	0.00
Total Liabilities		0.00
Fund Balance		
Retained Earnings		76,196.37
Total Fund Balance		76,196.37
Total Liabilities and Fund Balance	\$	76,196.37

City of Ferndale
Balance Sheet
Fund 24 - Transportation Development Act
As of February 29, 2020

Assets

Current Assets	
Cash	\$ <u>269,940.86</u>
Total Current Assets	<u>269,940.86</u>
Total Non Current Assets	<u> </u>
Total Assets	<u><u>\$ 269,940.86</u></u>

Liabilities and Fund Balance

Current Liabilities	
Total Current Liabilities	\$ <u>0.00</u>
Fund Balance	
Retained Earnings	<u>269,940.86</u>
Total Fund Balance	<u>269,940.86</u>
Total Liabilities and Fund Balance	<u><u>\$ 269,940.86</u></u>

City of Ferndale
Balance Sheet
Fund 26 - Drainage Fund
As of February 29, 2020

Assets

Current Assets	
Cash	\$ <u>13,396.52</u>
Total Current Assets	<u>13,396.52</u>
Total Assets	<u>\$ 13,396.52</u>

Liabilities and Fund Balance

Current Liabilities	
Total Current Liabilities	\$ <u>0.00</u>
Total Liabilities	<u>0.00</u>
Fund Balance	
Retained Earnings	<u>13,396.52</u>
Total Fund Balance	<u>13,396.52</u>
Total Liabilities and Fund Balance	<u>\$ 13,396.52</u>

City of Ferndale
Balance Sheet
Fund 25 - Integrated Waste Mgt
As of February 29, 2020

Assets

Current Assets		
Cash	\$	52,790.54
Total Current Assets		52,790.54
Total Assets	\$	52,790.54

Liabilities and Fund Balance

Current Liabilities		
Total Current Liabilities	\$	0.00
Total Liabilities		0.00
Fund Balance		
Retained Earnings		52,790.54
Total Fund Balance		52,790.54
Total Liabilities and Fund Balance	\$	52,790.54

City of Ferndale
Balance Sheet
Fund -30 - Sewer
As of February 29, 2020

Assets

Current Assets	
Cash	\$ <u>404,547.30</u>
Total Current Assets	<u>404,547.30</u>
Property and Equipment	
Vehicles	42,332.05
Equipment	87,061.27
Sewer system	13,459,674.06
Less Accumulated Depreciation	<u>(3,013,758.69)</u>
Net Property and Equipment	<u>10,575,308.69</u>
Total Assets	<u>\$ <u>10,979,855.99</u></u>

Liabilities and Fund Balance

Current Liabilities	
Interest Payable	\$ <u>42,938.02</u>
Total Current Liabilities	<u>42,938.02</u>
Long-Term Liabilities	
Notes Payable USDA	<u>4,339,000.00</u>
Total Long-Term Liabilities	<u>4,339,000.00</u>
Total Liabilities	<u>4,381,938.02</u>
Fund Balance	
Other Equity	6,649,092.60
Retained Earnings	<u>(51,174.63)</u>
Total Fund Balance	<u>6,597,917.97</u>
Total Liabilities and Fund Balance	<u>\$ <u>10,979,855.99</u></u>

City of Ferndale
Balance Sheet
GASB 34 ASSETS AND LIABILITIES
As of February 29, 2020

Assets

Property and Equipment	
Buildings and improvements	479,444.72
Vehicles	173,365.86
Equipment	142,665.72
Roadways	10,782,034.50
Sidewalks	173,300.00
Streetlights	31,684.18
Land	131,000.00
Less Accumulated Depreciation	<u>(8,680,844.96)</u>
Net Property and Equipment	<u>3,232,650.02</u>
Total Assets	<u>\$ 3,232,650.02</u>

Liabilities and Fund Balance

Long-Term Liabilities	
Accrued Vacation/Sick pay	32,588.85
Notes payable-current	<u>40,053.95</u>
Total Long-Term Liabilities	<u>72,642.80</u>
Fund Balance	
Other Equity	<u>3,160,007.22</u>
Total Fund Balance	<u>3,160,007.22</u>
Total Liabilities and Fund Balance	<u>\$ 3,232,650.02</u>

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
REVENUES				
Revenues - Taxes				
10014102 Property tax-secured	\$ 0.00	\$ 77,461.24	\$ 143,000.00	\$ (65,538.76)
10014104 Property tax-unsecured	0.00	5,870.97	5,500.00	370.97
10014106 Property tax-prior	0.00	25.03	2,000.00	(1,974.97)
10014107 Supplemental role	0.00	1,542.23	2,400.00	(857.77)
10014110 Sales and use tax	0.00	93,104.59	160,000.00	(66,895.41)
10014111 Trash franchise	0.00	4,589.05	5,000.00	(410.95)
10014112 PG&E franchise	0.00	0.00	7,200.00	(7,200.00)
10014114 Cable franchise	0.00	11,769.22	25,000.00	(13,230.78)
10014116 Business license tax	215.00	12,195.25	12,000.00	195.25
10014118 Real Property Transfer tax	0.00	2,148.86	6,000.00	(3,851.14)
10014120 Transient lodging tax	0.00	96,388.29	200,000.00	(103,611.71)
10014121 TOT Humboldt Lodging Authority	0.00	18,978.72	40,000.00	(21,021.28)
Total Revenue - Taxes	\$ 215.00	\$ 324,073.45	\$ 608,100.00	\$ (284,026.55)
Revenues - Licenses and Permits				
10024132 Construction permits	\$ 2,874.55	\$ 43,240.82	\$ 40,800.00	\$ 2,440.82
10024164 Health protection	0.00	3,325.00	3,850.00	(525.00)
10024166 Encroachment permits	70.00	350.00	225.00	125.00
10024278 Animal license fees	0.00	1,197.50	1,400.00	(202.50)
Total Revenue - Licenses and Permits	\$ 2,944.55	\$ 48,113.32	\$ 46,275.00	\$ 1,838.32
Revenues - Use of Money and Property				
10044182 Interest	\$ 0.00	\$ 8,971.29	\$ 16,650.00	\$ (7,678.71)
10044285 Bocce ball revenue	0.00	20.00	0.00	20.00
10044297 Town Hall Rent	525.00	2,515.00	3,000.00	(485.00)
10044297.1 Community Center rents	50.00	400.00	600.00	(200.00)
Total Revenue -Use of Money and Property	\$ 575.00	\$ 11,906.29	\$ 20,250.00	\$ (8,343.71)
Revenues - Fines				
10034283 Court fines	\$ 0.00	\$ 1,229.18	\$ 1,500.00	\$ (270.82)
Total Revenue - Fines	\$ 0.00	\$ 1,229.18	\$ 1,500.00	\$ (270.82)
Revenues - Intergovernmental				
10054204 Motor vehicle in-lieu tax	\$ 1,085.11	\$ 1,085.11	\$ 133,000.00	\$ (131,914.89)
10054222 Home owners prop. tax relief	0.00	869.96	1,200.00	(330.04)
10054286 Street sweeping	0.00	16,364.16	16,364.00	0.16
10054289 RMRA	2,144.62	12,956.67	22,532.00	(9,575.33)
10054300 Public safety 1/2 cent	0.00	1,210.82	4,500.00	(3,289.18)
10054310 COPs Program	0.00	104,111.87	145,000.00	(40,888.13)
Total Revenue - Intergovernmental	\$ 3,229.73	\$ 136,598.59	\$ 322,596.00	\$ (185,997.41)

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Revenues - Fees for Service				
10084271 Parking fees	\$ 0.00	\$ 27.62	\$ 150.00	\$ (122.38)
10084280 Copy machine fees - City	0.00	25.00	0.00	25.00
10084287.2 Developer reimbursed fees	0.00	7,545.50	6,700.00	845.50
10084291 Special police services	10.00	1,905.00	300.00	1,605.00
10084298 Fair racing revenue	<u>231.15</u>	<u>1,813.11</u>	<u>2,400.00</u>	<u>(586.89)</u>
Total Revenue - Fees for Service	\$ <u>241.15</u>	\$ <u>11,316.23</u>	\$ <u>9,550.00</u>	\$ <u>1,766.23</u>
Revenues - Other Revenue				
10094284 Donations - Library	\$ 0.00	\$ 100.00	\$ 100.00	\$ 0.00
10094307 Miscellaneous	340.00	5,796.37	3,600.00	2,196.37
10094308 PARSAC Grants	0.00	10,354.74	9,000.00	1,354.74
10094311 Utilities - Little League park	<u>0.00</u>	<u>200.00</u>	<u>200.00</u>	<u>0.00</u>
Total Revenue - Other Revenue	\$ <u>340.00</u>	\$ <u>16,451.11</u>	\$ <u>12,900.00</u>	\$ <u>3,551.11</u>
TOTAL REVENUES	\$ <u>7,545.43</u>	\$ <u>549,688.17</u>	\$ <u>1,021,171.00</u>	\$ <u>(471,482.83)</u>

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
EXPENDITURES				
Expenditures - City Council				
10115012 Office expense	\$ 0.00	\$ 67.97	\$ 200.00	\$ (132.03)
10115013 Advertising	45.50	495.16	300.00	195.16
10115044 Meetings and dues	0.00	1,950.02	3,000.00	(1,049.98)
10115045 LAFCO fees	<u>0.00</u>	<u>626.62</u>	<u>640.00</u>	<u>(13.38)</u>
Total Expenditures - City Council	\$ 45.50	\$ 3,139.77	\$ 4,140.00	\$ (1,000.23)
Expenditures City Manager				
10105002 Salary - permanent	\$ 2,512.46	\$ 21,919.05	\$ 31,106.08	\$ (9,187.03)
10105006 SSI tax	191.63	1,791.95	2,490.49	(698.54)
10105007 Medical insurance	662.24	5,259.07	8,211.30	(2,952.23)
10105009 Workers comp. insurance	0.00	1,797.11	1,866.36	(69.25)
10105010 Deferred retirement	0.00	1,247.13	2,488.49	(1,241.36)
10105061 Liability Insurance	<u>0.00</u>	<u>1,475.95</u>	<u>1,493.09</u>	<u>(17.14)</u>
Total expenditures -City Manager	\$ 3,366.33	\$ 33,490.26	\$ 47,655.81	\$ (14,165.55)
Expenditures - City Clerk				
10125002 Salary - permanent	\$ 5,932.57	\$ 53,292.89	\$74,768.18	\$ (21,475.29)
10125006 SSI tax	548.90	4,757.12	6,217.04	(1,459.92)
10125007 Medical insurance	1,057.58	8,696.51	12,334.56	(3,638.05)
10125009 Workers comp. insurance	0.00	4,319.62	4,486.09	(166.47)
10125010 Deferred retirement	0.00	3,164.32	5,980.72	(2,816.40)
10125012 Office expense	1,552.07	3,979.10	3,900.00	79.10
10125022 IT support	125.00	500.45	500.00	0.45
10125044 Meetings and dues	0.00	925.58	1,100.00	(174.42)
10125061 Liability Insurance	<u>0.00</u>	<u>3,547.67</u>	<u>3,588.87</u>	<u>(41.20)</u>
Total Expenditures -City Clerk	\$ 9,216.12	\$ 83,183.26	\$ 112,875.46	\$ (29,692.20)

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - City Attorney				
10145052 Professional services	\$ 2,152.50	\$ 12,360.72	\$ 9,000.00	\$ 3,360.72
Total Expenditures - City Attorney	\$ 2,152.50	\$ 12,360.72	\$ 9,000.00	\$ 3,360.72
Expenditures - Government Buildings				
10155002 Salary - permanent	\$ 270.20	\$ 1,275.65	\$ 2,995.36	\$ (1,719.71)
10155006 SSI tax	33.64	158.82	372.93	(214.11)
10155009 Workers comp. insurance	0.00	173.05	179.72	(6.67)
10155012 Office expense	130.68	1,546.83	1,500.00	46.83
10155020 Building and ground maint.	686.20	7,489.28	6,000.00	1,489.28
10155030 Trash service	0.00	246.12	400.00	(153.88)
10155031 Gas	480.55	2,326.94	4,800.00	(2,473.06)
10155032 Utilities	220.33	1,132.33	2,500.00	(1,367.67)
10155033 Water	61.95	3,903.50	3,980.00	(76.50)
10155034 Telephone/internet	451.24	2,879.32	3,850.00	(970.68)
10155061 Liability Insurance	0.00	142.13	143.78	(1.65)
10155063 Building and Property Insurance	0.00	2,955.00	3,850.00	(895.00)
Total Expenditures - Government Buildings	\$ 2,334.79	\$ 24,228.97	\$ 30,571.79	\$ (6,342.82)
Expenditures - Non departmental				
10165015 Property tax admin. fees	\$ 0.00	\$ 0.00	\$ 3,600.00	\$ (3,600.00)
10165054 Audit and accounting	9,000.00	19,998.00	17,900.00	2,098.00
10165054.1 Accounting services	0.00	7,725.00	10,100.00	(2,375.00)
10165055 Contractual services	0.00	360.00	720.00	(360.00)
10165078 Copy machine expense	348.12	2,826.25	4,000.00	(1,173.75)
10165099 Miscellaneous	0.00	3,484.16	1,800.00	1,684.16
10165200 Car allowance	400.00	3,200.00	4,800.00	(1,600.00)
Total Expenditures - Nondepartmental	\$ 9,748.12	\$ 37,593.41	\$ 42,920.00	\$ (5,326.59)
Expenditures - Community Promotion				
10175020 Building and ground maint.	\$ 0.00	\$ 72.77	\$ 0.00	\$ 72.77
10175028 Public restroom	82.74	1,844.39	3,600.00	(1,755.61)
10175032 Utilities	19.99	(16.55)	310.00	(326.55)
10175033 Water	81.79	1,185.24	1,440.00	(254.76)
10175072 Chamber of commerce	0.00	28,161.87	37,549.00	(9,387.13)
10175072.1 Donation - Visitors & Conv.	0.00	0.00	1,500.00	(1,500.00)
10175072.2 Employee appreciation	0.00	100.00	150.00	(50.00)
10175072.3 TOT 2% HLA QTRLY	0.00	18,430.48	33,000.00	(14,569.52)
Total Expenditures - Community Promotion	\$ 184.52	\$ 49,778.20	\$ 77,549.00	\$ (27,770.80)

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Police				
10215002 Salary - permanent	\$ 18,548.43	\$ 167,773.32	\$ 270,611.66	\$ (102,838.34)
10215004 Salary - reserve	1,452.36	10,944.04	1,986.00	8,958.04
10215005 Salary - overtime	954.79	3,618.50	7,000.00	(3,381.50)
10215006 SSI tax	1,953.90	16,575.51	21,946.93	(5,371.42)
10215007 Medical insurance	4,131.41	34,499.59	54,898.08	(20,398.49)
10215009 Workers comp. insurance	3,918.71	19,580.16	15,799.80	3,780.36
10215010 Deferred retirement	0.00	5,076.40	16,352.29	(11,275.89)
10215012 Office expense	52.83	1,054.11	6,150.00	(5,095.89)
10215014 Vehicle expense	3,460.31	11,623.28	8,000.00	3,623.28
10215016 Fuel	726.55	7,960.97	7,500.00	460.97
10215020 Building and ground maint.	650.00	5,538.96	11,100.00	(5,561.04)
10215022 IT support	0.00	2,568.45	9,190.00	(6,621.55)
10215024 Special department supply	72.74	1,717.14	5,000.00	(3,282.86)
10215026 Uniform expense	0.00	218.00	1,100.00	(882.00)
10215026.1 Uniform allowance	300.00	2,800.00	3,000.00	(200.00)
10215029 Water/sewer	53.51	1,233.43	1,400.00	(166.57)
10215032 Utilities	166.85	1,130.42	2,700.00	(1,569.58)
10215034 Telephone/internet	324.42	2,711.74	3,600.00	(888.26)
10215035 Dispatch service	1,950.00	15,600.00	23,400.00	(7,800.00)
10215044 Meetings and dues	0.00	172.09	1,520.00	(1,347.91)
10215048 Training	0.00	846.00	1,500.00	(654.00)
10215051 Physical exams	0.00	242.00	900.00	(658.00)
10215052 Professional services	67.00	483.00	600.00	(117.00)
10215061 Liability Insurance	0.00	12,840.23	12,639.83	200.40
10215063 Building and Property Insurance	0.00	830.00	1,100.00	(270.00)
10215078 Copy machine expense	106.46	900.38	1,300.00	(399.62)
10215088 Equipment repair other	115.15	234.45	200.00	34.45
10215098 Background expense	0.00	3,463.00	1,650.00	1,813.00
10215201 Lexipol services	0.00	2,355.00	2,300.00	55.00
Total Expenditures - Police	\$ 39,005.42	\$ 334,590.17	\$ 494,444.59	\$ (159,854.42)
Expenditures - Animal Control				
10225096 Animal control	\$ 450.00	\$ 3,600.00	\$ 5,400.00	\$ (1,800.00)
Total Expenditures - Animal Control	\$ 450.00	\$ 3,600.00	\$ 5,400.00	\$ (1,800.00)
Expenditures - Health				
10245052 Professional services	\$ 200.00	\$ 1,600.00	\$ 2,400.00	\$ (800.00)
Total Expenditures - Health	\$ 200.00	\$ 1,600.00	\$ 2,400.00	\$ (800.00)

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Streets and Roads				
10315002 Salary - permanent	\$ 1,432.27	\$ 12,146.99	\$ 17,372.16	\$ (5,225.17)
10315005 Salary - overtime	122.04	385.54	0.00	385.54
10315006 SSI tax	166.21	1,083.66	1,463.37	(379.71)
10315007 Medical insurance	403.00	3,200.60	4,996.94	(1,796.34)
10315009 Workers comp. insurance	0.00	1,003.65	1,042.33	(38.68)
10315010 Deferred retirement	0.00	397.48	942.66	(545.18)
10315011 Bldg/property insurance	0.00	448.00	0.00	448.00
10315014 Vehicle expense	950.45	8,496.94	11,406.00	(2,909.06)
10315020 Building and ground maint.	81.34	3,817.63	2,000.00	1,817.63
10315021 Street maintenance	194.81	7,033.86	8,000.00	(966.14)
10315024 Special department supply	0.00	376.28	1,500.00	(1,123.72)
10315034 Telephone/internet	77.93	612.05	840.00	(227.95)
10315055 Contractual services	0.00	539.00	550.00	(11.00)
10315061 Liability Insurance	0.00	824.29	833.86	(9.57)
10315088 Equipment repair other	<u>104.32</u>	<u>751.88</u>	<u>1,000.00</u>	<u>(248.12)</u>
Total Expenditures - Streets and Roads	<u>\$ 3,532.37</u>	<u>\$ 41,117.85</u>	<u>\$ 51,947.32</u>	<u>\$ (10,829.47)</u>
Expenditures - Planning				
10415052 Professional services	\$ 0.00	\$ 17,462.72	\$ 23,400.00	\$ (5,937.28)
10415053 Reimbursable Fees	0.00	9,987.00	10,000.00	(13.00)
10415055 Contractual services	0.00	12,012.50	14,500.00	(2,487.50)
10415059 Special Planning Projects	<u>0.00</u>	<u>3,463.50</u>	<u>0.00</u>	<u>3,463.50</u>
Total Expenditures - Planning	<u>\$ 0.00</u>	<u>\$ 42,925.72</u>	<u>\$ 47,900.00</u>	<u>\$ (4,974.28)</u>
Expenditures - City engineer				
10425052 Professional services	<u>\$ 0.00</u>	<u>\$ 20,923.85</u>	<u>\$ 18,000.00</u>	<u>\$ 2,923.85</u>
Total Expenditures - City engineer	<u>\$ 0.00</u>	<u>\$ 20,923.85</u>	<u>\$ 18,000.00</u>	<u>\$ 2,923.85</u>
Expenditures - Building Regulation				
10435024 Special department supply	\$ 0.00	\$ 1,401.28	\$ 0.00	\$ 1,401.28
10435052 Professional services	<u>2,282.20</u>	<u>28,507.48</u>	<u>32,400.00</u>	<u>(3,892.52)</u>
Total Expenditures - Building Regulation	<u>\$ 2,282.20</u>	<u>\$ 29,908.76</u>	<u>\$ 32,400.00</u>	<u>\$ (2,491.24)</u>

**City of Ferndale
Income Statement
Fund 10 - General Fund**

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Library				
10615002 Salary - permanent	\$ 1,116.06	\$ 6,326.51	\$ 5,000.00	\$ 1,326.51
10615006 SSI tax	61.16	459.30	622.50	(163.20)
10615009 Workers comp. insurance	0.00	288.87	300.00	(11.13)
10615012 Office expense	0.00	187.32	250.00	(62.68)
10615020 Building and ground maint.	57.10	85.55	250.00	(164.45)
10615024 Special department supply	301.92	1,624.21	2,500.00	(875.79)
10615031 Gas	343.85	1,580.97	3,360.00	(1,779.03)
10615032 Utilities	199.12	1,028.84	2,100.00	(1,071.16)
10615033 Water	35.70	280.79	310.00	(29.21)
10615034 Telephone/internet	138.71	1,087.44	1,500.00	(412.56)
10615061 Liability Insurance	0.00	237.24	240.00	(2.76)
10615063 Building and Property Insurance	0.00	1,191.00	1,400.00	(209.00)
10615078 Copy machine expense	0.00	0.00	50.00	(50.00)
Total Expenditures - Library	<u>\$ 2,253.62</u>	<u>\$ 14,378.04</u>	<u>\$ 17,882.50</u>	<u>\$ (3,504.46)</u>
Expenditures - Parks				
10625002 Salary - permanent	\$ 231.57	\$ 3,849.89	\$ 6,215.82	\$ (2,365.93)
10625006 SSI tax	19.14	394.99	662.04	(267.05)
10625007 Medical insurance	60.36	479.43	748.52	(269.09)
10625009 Workers comp. insurance	0.00	359.11	372.95	(13.84)
10625010 Deferred retirement	0.00	77.54	169.67	(92.13)
10625020 Building and ground maint.	154.27	2,636.65	5,500.00	(2,863.35)
10625024 Special department supply	96.81	96.81	300.00	(203.19)
10625032 Utilities	30.29	246.42	750.00	(503.58)
10625033 Water	159.13	1,078.09	1,200.00	(121.91)
10625061 Liability Insurance	0.00	294.93	298.37	(3.44)
10625065 Russ Park expenditures	0.00	0.00	800.00	(800.00)
Total Expenditures - Parks	<u>\$ 751.57</u>	<u>\$ 9,513.86</u>	<u>\$ 17,017.37</u>	<u>\$ (7,503.51)</u>
Expenditures -Community Center				
10635020 Building and ground maint.	\$ 333.20	\$ 3,462.65	\$ 0.00	\$ 3,462.65
10635063 Building and Property Insurance	0.00	2,316.00	3,300.00	(984.00)
Total Expenditures -Community center	<u>\$ 333.20</u>	<u>\$ 5,778.65</u>	<u>\$ 3,300.00</u>	<u>\$ 2,478.65</u>
TOTAL EXPENDITURES	<u>\$ 75,856.26</u>	<u>\$ 748,111.49</u>	<u>\$ 1,015,403.84</u>	<u>\$ (267,292.35)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (68,310.83)</u>	<u>\$ (198,423.32)</u>	<u>\$ 5,767.16</u>	<u>\$ (204,190.48)</u>

City of Ferndale
STATEMENT OF REVENUES AND EXPENDITURES
FUND 22 - GAS TAX

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
22314210.1 Gas tax (2105)	\$ 0.00	\$ 4,432.40	\$ 7,614.00	\$ (3,181.60)
22314210.2 Gas tax (2106)	0.00	5,862.24	10,062.00	(4,199.76)
22314210.3 Gas tax (2107)	0.00	5,499.25	9,945.00	(4,445.75)
22314210.4 Gas tax (2107.5)	0.00	1,000.00	1,000.00	0.00
22314210.5 Gas Tax (2103)	0.00	8,130.66	11,808.00	(3,677.34)
22314210.6 Loan repay & road maint	0.00	0.00	1,546.00	(1,546.00)
Total Revenue	<u>0.00</u>	<u>24,924.55</u>	<u>41,975.00</u>	<u>(17,050.45)</u>
EXPENDITURES				
22315002 Salary - permanent	1,695.60	14,412.75	19,527.55	(5,114.80)
22315005 Salary - overtime	128.15	411.73	0.00	411.73
22315006 SSI tax	148.73	1,251.22	1,668.64	(417.42)
22315007 Medical insurance	441.23	3,503.94	5,533.30	(2,029.36)
22315009 Workers comp. insurance	0.00	1,128.18	1,203.32	(75.14)
22315010 Deferred retirement	0.00	649.08	1,092.72	(443.64)
22315057 Street signs	0.00	2,521.67	0.00	2,521.67
22315058 Street lighting	1,085.63	8,324.16	15,240.00	(6,915.84)
22315061 Liability Insurance	0.00	926.56	962.67	(36.11)
TOTAL EXPENDITURES	<u>3,499.34</u>	<u>33,129.29</u>	<u>45,228.20</u>	<u>(12,098.91)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (3,499.34)</u>	<u>\$ (8,204.74)</u>	<u>\$ (3,253.20)</u>	<u>\$ (4,951.54)</u>

City of Ferndale
STATEMENT OF REVENUES AND EXPENDITURES
FUND 23 - RSTP

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
23314211 RSTP Revenue	\$ 0.00	\$ 10,720.00	\$ 9,500.00	\$ 1,220.00
Total Revenue	<u>0.00</u>	<u>10,720.00</u>	<u>9,500.00</u>	<u>1,220.00</u>
EXPENDITURES				
23315002 Salary - permanent	462.90	3,908.33	5,501.42	(1,593.09)
23315006 SSI tax	37.69	326.77	454.46	(127.69)
23315007 Medical insurance	111.12	882.61	1,413.87	(531.26)
23315009 Workers comp. insurance	0.00	317.84	330.08	(12.24)
23315010 Deferred retirement	0.00	177.96	373.04	(195.08)
23315061 Liability Insurance	0.00	261.04	264.07	(3.03)
TOTAL EXPENDITURES	<u>611.71</u>	<u>5,874.55</u>	<u>8,336.94</u>	<u>(2,462.39)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (611.71)</u>	<u>\$ 4,845.45</u>	<u>\$ 1,163.06</u>	<u>\$ 3,682.39</u>

City of Ferndale
STATEMENT OF REVENUES AND EXPENDITURES
FUND 24 - TRANSPORTATION DEVELOPMENT ACT

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
24314231 Transportation devel. act	\$ 0.00	\$ 30,000.00	\$ 62,380.00	\$ (32,380.00)
Total Revenue	<u>0.00</u>	<u>30,000.00</u>	<u>62,380.00</u>	<u>(32,380.00)</u>
EXPENDITURES				
24315002 Salary - permanent	1,510.41	12,994.41	19,776.30	(6,781.89)
24315005 Salary - overtime	73.23	250.72	0.00	250.72
24315006 SSI tax	147.58	1,144.39	1,610.26	(465.87)
24315007 Medical insurance	406.40	3,228.00	5,120.18	(1,892.18)
24315009 Workers comp. insurance	0.00	1,142.55	1,154.90	(12.35)
24315010 Deferred retirement	0.00	442.36	1,313.80	(871.44)
24315014 Vehicle expense	0.00	241.51	250.00	(8.49)
24315016 Fuel	461.53	5,113.12	5,600.00	(486.88)
24315020 Building and ground maint.	0.00	2,400.55	300.00	2,100.55
24315021 Street maintenance	194.81	441.45	1,000.00	(558.55)
24315024 Special department supply	0.00	549.93	1,000.00	(450.07)
24315032 Utilities	349.02	1,456.68	3,300.00	(1,843.32)
24315033 Water	40.82	329.53	385.00	(55.47)
24315034 Telephone/internet	77.93	612.03	840.00	(227.97)
24315061 Liability Insurance	0.00	938.36	923.92	14.44
24315088 Equipment repair other	0.00	399.60	550.00	(150.40)
TOTAL EXPENDITURES	<u>3,261.73</u>	<u>31,685.19</u>	<u>43,124.36</u>	<u>(11,439.17)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (3,261.73)</u>	<u>\$ (1,685.19)</u>	<u>\$ 19,255.64</u>	<u>\$ (20,940.83)</u>

City of Ferndale
STATEMENT OF REVENUES AND EXPENDITURES
FUND 26 - DRAINAGE FUND

	1 Month Ended February 29, 2020 Actual	8 Months Ended February 29, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
26314230 Drainage fund	\$ 0.00	\$ 4,986.00	\$ 4,500.00	\$ 486.00
26314240 Drainage district fees	<u>0.00</u>	<u>11,460.49</u>	<u>19,000.00</u>	<u>(7,539.51)</u>
Total Revenue	<u>0.00</u>	<u>16,446.49</u>	<u>23,500.00</u>	<u>(7,053.51)</u>
EXPENDITURES				
26315002 Salary - permanent	1,371.01	11,643.66	16,719.33	(5,075.67)
26315005 Salary - overtime	103.76	334.22	0.00	334.22
26315006 SSI tax	125.29	1,027.23	1,403.34	(376.11)
26315007 Medical insurance	373.17	2,963.76	4,662.91	(1,699.15)
26315009 Workers comp. insurance	0.00	965.93	1,003.16	(37.23)
26315010 Deferred retirement	0.00	418.41	957.49	(539.08)
26315019 Creek maintenance	0.00	1,504.32	500.00	1,004.32
26315023 Drain project	0.00	0.00	200.00	(200.00)
26315024 Special department supply	0.00	697.45	500.00	197.45
26315061 Liability Insurance	0.00	793.31	802.53	(9.22)
26315194 Interest expense	<u>1,129.58</u>	<u>9,036.64</u>	<u>13,555.00</u>	<u>(4,518.36)</u>
TOTAL EXPENDITURES	<u>3,102.81</u>	<u>29,384.93</u>	<u>40,303.76</u>	<u>(10,918.83)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (3,102.81)</u>	<u>\$ (12,938.44)</u>	<u>\$ (16,803.76)</u>	<u>\$ 3,865.32</u>

City of Ferndale
STATEMENT OF REVENUES AND EXPENDITURES
FUND 25 - INTEGRATED WASTE MANAGEMENT

	1 Month Ended February 29, 2020	8 Months Ended February 29, 2020	FY2019/2020	Over/(Under)
	Actual	Actual	Budget	Budget
Revenues				
25314288 Tipping fee (int. waste mgt.)	\$ 0.00	\$ 933.28	\$ 3,200.00	\$ (2,266.72)
25314600 Recycling grant	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>(5,000.00)</u>
Total Revenue	<u>0.00</u>	<u>933.28</u>	<u>8,200.00</u>	<u>(7,266.72)</u>
EXPENDITURES				
25315002 Salary - permanent	380.68	3,321.07	4,713.04	(1,391.97)
25315006 SSI tax	29.04	263.16	377.35	(114.19)
25315007 Medical insurance	100.35	796.90	1,244.14	(447.24)
25315009 Workers comp. insurance	0.00	272.29	282.78	(10.49)
25315010 Deferred retirement	0.00	188.96	377.04	(188.08)
25315061 Liability Insurance	0.00	223.63	226.23	(2.60)
25315600 Recycling grant expenditures	<u>0.00</u>	<u>88.71</u>	<u>236.00</u>	<u>(147.29)</u>
TOTAL EXPENDITURES	<u>510.07</u>	<u>5,154.72</u>	<u>7,456.58</u>	<u>(2,301.86)</u>
 REVENUES OVER (UNDER) EXPENDITURES	 <u>\$ (510.07)</u>	 <u>\$ (4,221.44)</u>	 <u>\$ 743.42</u>	 <u>\$ (4,964.86)</u>

**City of Ferndale
INCOME STATEMENT
FUND 30 - SEWER FUND**

	1 Month Ended February 29, 2020	8 Months Ended February 29, 2020	FY2019/2020	Over/(Under)
	Actual	Actual	Budget	Budget
Revenues				
30514274 Sewer service charge	\$ 0.00	\$ 405,381.94	\$ 700,000.00	\$ (294,618.06)
30514275 Sewer connection fees	0.00	15,940.43	15,000.00	940.43
30514303 Septic discharge	0.00	40,653.75	88,800.00	(48,146.25)
30514325 State Water Board Grant	0.00	34,010.24	300,000.00	(265,989.76)
	<hr/>	<hr/>	<hr/>	<hr/>
Total Revenue	0.00	495,986.36	1,103,800.00	(607,813.64)
EXPENSES				
30515002 Salary - permanent	16,310.17	146,805.06	212,501.65	(65,696.59)
30515005 Salary - overtime	878.96	7,622.08	9,877.40	(2,255.32)
30515006 SSI tax	1,569.51	13,488.19	18,466.87	(4,978.68)
30515007 Medical insurance	3,651.85	29,003.30	45,926.08	(16,922.78)
30515009 Workers comp. insurance	0.00	12,847.61	13,342.74	(495.13)
30515010 Deferred retirement	0.00	8,032.27	16,232.86	(8,200.59)
30515012 Office expense	0.00	394.95	1,725.00	(1,330.05)
30515014 Vehicle expense	0.00	966.64	300.00	666.64
30515016 Fuel	158.24	2,188.35	2,000.00	188.35
30515024 Special department supply	0.00	925.33	2,500.00	(1,574.67)
30515030 Trash service	0.00	4,283.65	5,000.00	(716.35)
30515032 Utilities	6,102.42	48,716.20	74,000.00	(25,283.80)
30515033 Water	69.93	1,626.65	1,800.00	(173.35)
30515034 Telephone/internet	508.88	4,092.30	5,800.00	(1,707.70)
30515044 Meetings and dues	0.00	612.00	900.00	(288.00)
30515048 Training	0.00	261.53	850.00	(588.47)
30515050 IT Support	308.89	2,159.34	250.00	1,909.34
30515055 Contractual services	0.00	3,420.00	6,700.00	(3,280.00)
30515061 Liability Insurance	0.00	10,580.66	10,674.19	(93.53)
30515063 Building and Property Insurance	0.00	1,675.00	2,950.00	(1,275.00)
30515092 Permits	295.00	13,873.73	10,750.00	3,123.73
30515095 Capital outlay	0.00	0.00	10,000.00	(10,000.00)
30515121 Sewer plant maintenance	767.30	45,046.57	68,000.00	(22,953.43)
30515122 Sewer line maintenance	27,787.00	28,344.41	15,000.00	13,344.41
30515130 Ultra Violet Lights	0.00	38,552.50	45,000.00	(6,447.50)
30515157 Testing and monitoring	435.00	5,860.00	33,000.00	(27,140.00)
30515160 Postage & Shipping	297.84	307.53	2,000.00	(1,692.47)
30515170 State Water Planning Grant Expenses	12,922.17	52,006.57	300,000.00	(247,993.43)
30515190 USDA loan	50,433.12	193,958.74	194,000.00	(41.26)
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL EXPENSES	122,496.28	677,651.16	1,109,546.79	(431,895.63)
NET INCOME (LOSS)	\$ (122,496.28)	\$ (181,664.80)	\$ (5,746.79)	\$ (175,918.01)

City of Ferndale
Cash Balances

As of February 29, 2020

Cash Balances

Current Assets	
General Fund	\$ 462,625.20
Restricted Cash	15,150.00
Gas Tax	18,899.36
RSTF	76,196.37
TDA	269,940.86
IWM	52,790.54
Drainage	13,396.52
Sewer	<u>404,547.30</u>
 Total	 \$ <u><u>1,313,546.15</u></u>
Checking	\$ 666,891.17
LAIF	646,504.98
Petty cash	<u>150.00</u>
Total	<u>\$ <u>1,313,546.15</u></u>

Meeting Date:	March 18, 2020		Agenda Item Number	9.e	
Agenda Item Title	Second Reading, by title only, of Ordinance No. 2020-01, an Ordinance of the City of Ferndale Amending the City of Ferndale Nuisance Ordinance				
Presented By:	City Manager				
Type of Item:	X	Action		Discussion	Information
Action Required:		No Action	X	Voice Vote	Roll Call Vote

RECOMMENDATION:

Approve Second Reading and Adoption, by title only, of Ordinance No. 2020-01, an Ordinance of the City of Ferndale Amending the City of Ferndale Nuisance Ordinance

BACKGROUND:

The City’s Nuisance Ordinance was passed and adopted on or about November 16, 2006. The Nuisance Ordinance declares certain conditions and activities to be public nuisances and provides a process for the abatement of such conditions.

The City Attorney suggests amending provisions of the Nuisance Ordinance to include an express declaration that any condition of property or any structure thereon that exists in violation of any ordinance of the City or State law is unlawful and a public nuisance. The current version of the Nuisance Ordinance broadly defines nuisance conditions, which definitions likely encompass most—if not all—violations of City or State law, but the City Attorney recommends an express declaration to avoid any ambiguity. Sections 1 and 2 of the proposed Ordinance are intended to implement this change.

The City Attorney further suggests amending the Summary Abatement procedures to comply with updates in California law. Section 3 of the proposed Ordinance is intended to implement this change.

The City Attorney further recommends adding a provision to the Administrative process to expressly authorize a “stop work order” as part of the Notice and Order to Abate if the violation is related to a permit, license or other approval of a project. Section 4 of the proposed Ordinance is intended to implement this change.

First Reading was approved unanimously by the Council at the February 19, 2020 City Council Meeting. If council approves the second reading, the ordinance will be effective in 30 days (April 17, 2020).

FISCAL IMPACT:

No impact.

ORDINANCE NO. 2020-01**AN ORDINANCE OF THE CITY OF FERNDALE AMENDING THE CITY OF FERNDALE NUISANCE ORDINANCE
(ORDINANCE NO. 06-04)**

WHEREAS, Ordinance No. 06-04, as amended, constitutes the Nuisance Ordinance of the City of Ferndale (hereinafter the "Nuisance Ordinance");

WHEREAS, pursuant to California Government Code section 38771, the City Council is authorized by law to declare, by ordinance, conditions that constitute a public nuisance and are subject to abatement or other remedies provided by law;

WHEREAS, with respect to conditions of real property within the City, Article 3 and Article 4 of the Nuisance Ordinance declare certain conditions to constitute a public nuisance;

WHEREAS, by way of this Ordinance, the City Council desires to add an express declaration that any condition of real property, or any structure thereon, that is in a condition that violates of any ordinance of the City of Ferndale or any applicable provision of state law shall be declared a public nuisance and unlawful.

THE CITY OF FERNDALE DOES ORDAIN AS FOLLOWS:

Section 1. Amendment to Nuisance Ordinance. Section 3.02.4 is hereby added to Article 3 of the Nuisance Abatement Ordinance as follows:

§3.02.4 Any a condition of real property that results in a violation of any ordinance of the City of Ferndale or applicable provisions of State law shall be deemed to be unlawful and a public nuisance.

Section 2. Amendment to Nuisance Ordinance. Section 4.03.06 is hereby added to Article 4 of the Nuisance Abatement Ordinance as follows:

§4.03.06 Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of any ordinance of the City of Ferndale or applicable provisions of State law, and any use of land, building or premises established, conducted, operated or maintained contrary to the provisions of any ordinance of the City of Ferndale or applicable provisions of State law, shall be and the same is hereby declared to be unlawful and a public nuisance.

Section 3. Amendment to Nuisance Ordinance. Section 5.03 of the Nuisance Ordinance is hereby deleted and replaced with the following:

5.03.1 The City may immediately abate any nuisance or violation of this chapter that poses a clear and imminent danger to, or requires

immediate action to prevent or mitigate the loss or impairment of, life, health, property, or essential public services. The City may perform this abatement without providing prior notice or hearing to the owner or occupier of the offending premises. Such summary abatement may proceed only upon the authorization of the Enforcement Official and the City Attorney, or their respective designees. The abatement shall include all actions necessary to secure the premises to prevent further occurrences of the nuisance.

- 5.03.2 The owner and/or occupier of the premises or the persons creating, causing, committing, or maintaining the nuisance shall be subject to any administrative fines, penalties, fees and costs, including reasonable attorney fees, imposed or incurred by the City pursuant to this Chapter.
- 5.03.3 Any abatement performed by the City pursuant to this Article shall be at the expense of the owner and/or occupier of the premises or the persons creating, causing, allowing, permitting, committing, or maintaining the nuisance. The City shall recover its expenses pursuant to the special assessment lien procedures contained in this Chapter or any other applicable provision of law.
- 5.03.4 As soon as practicable following completion of the abatement, the Enforcement Official shall issue a notice of violation and/or notice and order in accordance with this Chapter. Persons receiving such notice shall be entitled to all hearing rights as provided herein

Section 4. Amendment to Nuisance Ordinance. Subsection “g” is hereby added to Section 5.04.2 of the Nuisance Abatement Ordinance as follows:

- g. If the violation is related to a permit, license or other approval of a project, the notice of violation may be accompanied by a stop work order which orders the recipient to stop immediately any and all work on the project that is subject to the permit, license or approval until the violation is corrected.

Section 5. Severability. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this ordinance as hereby adopted shall remain in full force and effect.

Section 6. Effective Date. This ordinance becomes effective thirty (30) days after the date of its enactment.

Section 7. Enacting Date and Signatures. Passed, approved and adopted by the City Council of the City of Ferndale at a regular meeting on March 18, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Michael Sweeney, Mayor

Attest:

Kristene Hall, City Clerk

First Reading: February 19, 2020	Amended:	
Second Reading:		
Enacted:		

Meeting Date:	March 18, 2020	Agenda Item Number	9.f
Agenda Item Title	Resolution 2020-04 Adopting the North Coast Resource Partnership (NCRP) Plan		
Presented By:	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 Resolution 2020-04 Adopting the NCRP Plan

BACKGROUND:

The eligibility requirement of the Proposition 1 Integrated Regional Water Management (IRWM) Round 1 grant funding is proof of formal adoption of the NCRP Plan as evidenced by a resolution from each project proponent named in the NCRP regional application.

The City of Ferndale, California Street Sewer Replacement project is named in the application for this funding, therefore formal adoption of the North Coast Resource Partnership (NCRP) Plan is needed for eligibility.

ATTACHMENTS:

Resolution 2020-04

RESOLUTION 2020-04**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE
ADOPTING THE NORTH COAST RESOURCE PARTNERSHIP PLAN, PHASE IV
(January 2020)**

WHEREAS, in the past 18 years, the California electorate approved three general obligation bonds including Propositions 50, 84, 1E and 1 that have provided more than \$21.2 billion for water-related projects in California for projects that are included in Integrated Regional Water Management (IRWM) Plans; and

WHEREAS, the development of a regional coalition, entitled the North Coast Resource Partnership (NCRP) to organize and promote local and regional projects for funding has proven to be effective in obtaining funding from these bond measures directing more than \$71 million to water related projects located in the North Coast Region over the past 15 years; and

WHEREAS, a concerted effort by NCRP participants and interested stakeholders has resulted in the completion of Phase I, II & III of the North Coast IRWM Plan that have been adopted by partner Tribes and seven counties in 2005, 2007, 2014; and

WHEREAS, the NCRP IRWM Plan has identified \$435 million in funding needs for capital projects that will improve water supply reliability, protect and improve water quality, increase water use efficiency and reuse, and protect and restore threatened and endangered aquatic species; and

WHEREAS, local and regional water suppliers across California face significant financial challenges due to efforts to replace aging water infrastructure, meet increasingly difficult regulatory compliance standards, adapt to climate change, and increase water reuse and improve groundwater management; and

WHEREAS, projects to implement water self-reliance and climate change efforts throughout the North Coast Region are eligible for grant funding from the Proposition 1 IRWM Program; and

WHEREAS, projects that complement the NCRP Plan have been reviewed and ranked by the North Coast Technical Peer Review Committee and approved by the North Coast Policy Review Panel; and

WHEREAS, the City Council of the City of Ferndale declares its intent to adopt and implement Phase IV of the NCRP Plan, March 18, 2020; and

WHEREAS, all persons desiring to be heard and provide comment at the NCRP Policy Review Panel meetings and via the North Coast Resource Partnership website were given the opportunity to present their views and all written communications regarding the plan were publicly presented.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ferndale does hereby find, determine and declare as follows:

1. All of the above recitals are true and correct.
2. Phase IV of the North Coast Resource Partnership Plan, March 18, 2020, is adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Ferndale, at a regular meeting, held on March 18, 2020 by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

Meeting Date:	March 18, 2020	Agenda Item Number	9.g
Agenda Item Title	City Auditor Contract Renewal		
Presented By:	City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input checked="" type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION

Approve renewal of contract with Joseph Arch, CPA of JJACPA, Inc. to provide Annual Auditing Services for the City and direct the City Manager to sign the contract extension for one additional year.

DISCUSSION:

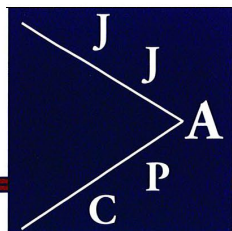
On Feb 20, 2019, the City Council voted to approve the contract with Joseph Arch, CPA of JJACPA to provide for annual auditing services for FY 2018-19 for Ferndale. The current contract would be to provide for annual auditing services for FY 2019-2020.

FINANCIAL IMPACT:

General Fund, Professional services (10145052)

ATTACHMENT:

Proposed contract for Auditing Services from Joseph Arch, CPA of JJACPA



JJACPA, Inc.

A Professional Accounting Services Corp.

February 13, 2020

Jay Parrish
City Manager
City of Ferndale
834 Main Street
P.O. Box 1095
Ferndale, CA 95536

Dear Jay:

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Ferndale (City), as of June 30, 2020, and for the year then ended and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit.

Accounting principles generally accepted in the United States of America require that management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by *the Governmental Accounting Standards Board*, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis
- Budgetary Comparison Information

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America.

We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining and individual nonmajor fund financial statements.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section
- Statistical Section, if applicable

Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and Government Auditing Standards of the Comptroller General of the United States of America.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

Management's Responsibilities

Our audit will be conducted on the basis that management acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements.
- c. For following up and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
- d. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;

Management's Responsibilities (continued)

- e. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- f. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole; and
- g. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to the governing body of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Fees and Timing

The timing of our audit will be scheduled for performance and completion as follows: TBD

	<i>Begin</i>	<i>Complete</i>
Document internal control and preliminary tests		
Mail confirmations		
Trial Balance sent to JJACPA		
Perform year-end audit procedures		
Issue audit report		

Joseph Arch is the engagement partner for the audit services specified in this letter. His responsibilities include supervising JJACPA’s services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices will be rendered every two weeks and are payable upon presentation. We estimate that our fee for the audit will be \$16,275. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use the City’s personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

Dispute Resolution

This agreement shall be governed by the laws of the State of California. If a dispute arises out of the audit engagement described herein and if the dispute cannot be settled through negotiations, the parties agree first to try in good faith to settle the dispute by mediation using an agreed upon mediator. If the parties are unable to agree on a mediator, the parties shall petition the state court that would have jurisdiction over this matter and request the appointment of a mediator, and such appointment shall be binding on the parties. Each party shall be responsible for its own mediation expenses and shall share equally in the mediator's fees and expenses.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

We will provide the City with the following nonattest services:

- Prepare the financial statements based on information in the trial balance and other relevant information that is provided by, and is the responsibility of, management.

With respect to any nonattest services we perform, the City’s management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

At the conclusion of our audit engagement, we will communicate to the City Council the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of JJACPA, Inc. and constitutes confidential information. However, we may be requested to make certain audit documentation available to state and federal agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of JJACPA's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

In accordance with the requirements of Government Auditing Standards, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

JJACPA, Inc.

JJACPA, Inc.,
7080 Donlon Way, Suite 204,
Dublin, CA 94568

RESPONSE:

This letter correctly sets forth our understanding.

City of Ferndale

Acknowledged and agreed on behalf of City of Ferndale by:

Title: _____

Name (Printed): _____

Signature: _____

Date: _____

Section 10

CALL ITEMS

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

Section 11

PRESENTATION

RCEA Micro-Grid Technology



REDWOOD COAST Energy Authority

BOARD OF DIRECTORS

Michael Winkler
CITY OF ARCATA

Bobbie Ricca
CITY OF BLUE LAKE

Austin Allison
CITY OF EUREKA

Michael Sweeney
CITY OF FERNDALE

Dean Glaser
CITY OF FORTUNA

Sheri Woo
HUMBOLDT BAY
MUNICIPAL WATER
DISTRICT

Estelle Fennell
COUNTY OF HUMBOLDT

Frank Wilson
CITY OF RIO DELL

Dwight Miller
CITY OF TRINIDAD

Summary of RCEA's Solar Feasibility Report for the City of Ferndale

The City of Ferndale has been working with Redwood Coast Energy Authority's (RCEA) Public Agency Solar Program (PASP) to study the possibility of installing solar arrays at city facilities to offset electric use and costs. RCEA will make a brief informational presentation to the Ferndale City Council to summarize RCEA's Solar Feasibility Report that they delivered to city staff on March 4th, 2020. The presentation will last approximately 10 minutes and there will be brief period for questions and answers after the presentation.

633 3rd Street
Eureka, CA 95501
(707) 269-1700

info@redwoodenergy.org

www.RedwoodEnergy.org



REDWOOD COAST Energy Authority

Humboldt County • Arcata • Blue Lake • Eureka • Ferndale • Fortuna • Rio Dell • Trinidad • Humboldt Bay Municipal Water District

Solar Feasibility Study

City of Ferndale

March 2020



Author: Public Agency Solar Program

Striving to develop and implement sustainable energy initiatives that reduce energy demand, increase energy efficiency, and advance the use of clean, efficient and renewable resources available in the region.

Table of Contents

1	Executive Summary	3
2	Introduction.....	4
3	Electric Load Analysis.....	4
4	Solar PV Analysis for Fireman’s Park	5
4.1	Fireman’s Park PV System Size and Cost	6
4.2	Fireman’s Park Financial Analysis.....	7
5	Analysis for Wastewater Treatment Plant	7
5.1	Efficiency Opportunities	7
5.2	Utility Rate Analysis	8
5.3	WWTP Solar PV Site Analysis.....	8
5.4	WWTP PV System Size and Cost.....	9
5.5	Roof Array Financial Analysis.....	10
5.6	Carport Array Financial Analysis.....	10
5.7	Examples of Carport Structures.....	11
5.8	Summary of Solar Options at Ferndale’s WWTP	11
6	Findings.....	11
7	Next Steps.....	12
8	Appendices	13
8.1	Other Project Options Analyzed by RCEA: Baseball Field Lighting	13
8.2	Other Project Options Analyzed by RCEA: Floatovoltaics at WWTP Storage Pond.....	13

1 Executive Summary

The City of Ferndale is working with Redwood Coast Energy Authority’s (RCEA’s) Public Agency Solar Program (PASP). As part of that work, RCEA performed an analysis of the energy consumption, efficiency opportunities, and solar photovoltaic installation opportunities at several locations controlled by the City of Ferndale including Fireman’s Hall and the Wastewater Treatment Facility. While projects at both sites would provide economic and environmental benefits to the City, the Fireman’s Hall project option would provide the greatest economic benefits, with a simple payback period of less than 12 years. RCEA estimates that a 12.8 kW DC array installed at Ferndale’s Fireman’s Hall could provide the following benefits:

- Offset of 100% of the site’s annual electricity consumption at the City’s Corp Yard and Fireman’s Park
- Offset of 96% of the site’s annual electricity bill at the City’s Corp Yard and Fireman’s Park
- A simple payback period of 11.9 years
- A Net Present Value of savings of almost \$30,000 *after loan re-payment*
- Greenhouse gas abatement of 23 metric tons of CO₂ equivalent over the life of the project

The Wastewater Treatment Plant (WWTP) could host a 133 kW DC solar installation; the project would require greater initial capital investment and would require just over 17 years to payback the initial investment, largely due to increased cost of installing carport canopy systems. The WWTP project could be paired with lighting efficiency upgrades at the plant that would improve the payback period if the projects were funded under one loan application. The WWTP project would benefit from changing from the E-19-S rate to the more solar friendly E-19-R electric rate. A 133 kW DC solar installation at the WWTP combined with an LED lighting upgrade and the E-19-R rate change could provide the following benefits:

- Offset of 42% of the site’s annual electricity consumption
- Offset of 42% of the site’s annual electricity bill
- A simple payback period of 17.2 years
- A Net Present Value of savings of almost \$148,000 *after loan re-payment*
- Greenhouse gas abatement of 236 metric tons of CO₂ equivalent over the life of the project

Table 1 below shows a comparison of the project options analyzed in this report.

Table 1 Summary and comparison of Energy Conservation Measure options for the City of Ferndale.

Energy Conservation Measure	PV System Size (kW DC)	Estimated Project Cost (\$)	Estimated Rebate (\$)	Net Cost (\$)	Annual Energy Savings (kWh)	Annual Avoided Costs (\$)	Annual Bill Offset (%)	Simple Payback
Roof-Mounted Solar Array on Fireman’s Hall	12.8	\$44,800	\$0	\$44,800	16,073	\$3,749	100%	11.9
Interior and Exterior Lighting Upgrades to LEDs at WWTP	-	\$10,660	\$1,680	\$8,980	11,053	\$1,947	2.6%	4.6
Roof-Mounted and Carport-Mounted Solar Arrays at the WWTP	133	\$542,500	\$0	\$542,500	167,528	\$31,455	40%	17.2
Rate Change from E-19-S to E-19-R	-	\$0	\$0	\$0	-	\$1,040	1.4%	-
Totals	145.8	\$597,960	\$1,680	\$596,280	194,654	\$38,218	46%	15.6

2 Introduction

Redwood Coast Energy Authority (RCEA) began working with the City of Ferndale as part of RCEA’s Public Agency Solar Program in March of 2018. After an initial kick-off meeting with City staff, RCEA began its analysis of the energy consumption, energy efficiency opportunities, energy rates, and solar photovoltaic (PV) installation opportunities at Ferndale’s City Hall, Library, Police Station, Corporation Yard, Fireman’s Park and the Wastewater Treatment Plant (WWTP). RCEA continued its work with the City of Ferndale in 2019: RCEA helped coordinate energy efficiency assessments at the WWTP, provided an assessment and estimate to upgrade their baseball field lighting to LEDs and helped with the City’s application for funding from California Office of Emergency Services (CalOES) for a backup generator at City Hall.

3 Electric Load Analysis

RCEA performed a load analysis of City of Ferndale’s electric consumption using utility data from the previous 12 months, covering the period from January 2019 to December 2019. City of Ferndale receives electric service from PG&E and is enrolled in RCEA’s Community Choice Aggregation program; all the city’s meters are on an A-1 time-of-use electric rate and the meter at the Wastewater Treatment Plant (WWTP) is on an E-19-S rate. PG&E’s electric rates and time-of-use periods used throughout this analysis can be found in **Appendix A** of this document. Tables 2 below provide details about the electric rates, the annual electric consumption, and total electric costs for the City of Ferndale’s eight (8) electric accounts.

Table 2 Detailed summary of the City of Ferndale’s electric use.

City of Ferndale’s Electric Use and Cost by Site						
Site Name	Rate	Annual Load (kWh)	Percentage of Load (%)	Annual Charges (\$)	Percentage of Charges (%)	Average Cost/kWh (\$)
City Hall	HA1X	838	0.2%	\$307	0%	\$0.37
City Hall	HA1X	8,893	1.9%	\$2,176	3%	\$0.24
Fireman’s Park	HA1X	3,422	0.7%	\$920	1%	\$0.27
Library	HA1X	7,652	1.7%	\$1,930	2%	\$0.25
Police Station	HA1X	12,107	2.6%	\$2,868	3%	\$0.24
WWTP	HE19S	411,804	89.9%	\$74,296	87%	\$0.18
Corp Yard	HA1X	12,551	2.7%	\$2,989	3%	\$0.24
Parking Lot Lights	HA1X	851	0.2%	\$324	0.4%	\$0.38
Totals		458,118	100%	\$85,811	100%	\$0.19

Table 3 below shows a summary of the City’s electric use.

Table 3 Summary of Ferndale’s electric use.

City of Ferndale Annual Electricity Summary-All Sites	
Annual Electric Consumption (kWh)	458,118
Annual Electricity Costs (\$)	\$85,811
Average Electricity Rate (\$/kWh)	\$0.19

Figure 1 below provides a graphical representation of the City’s electric use

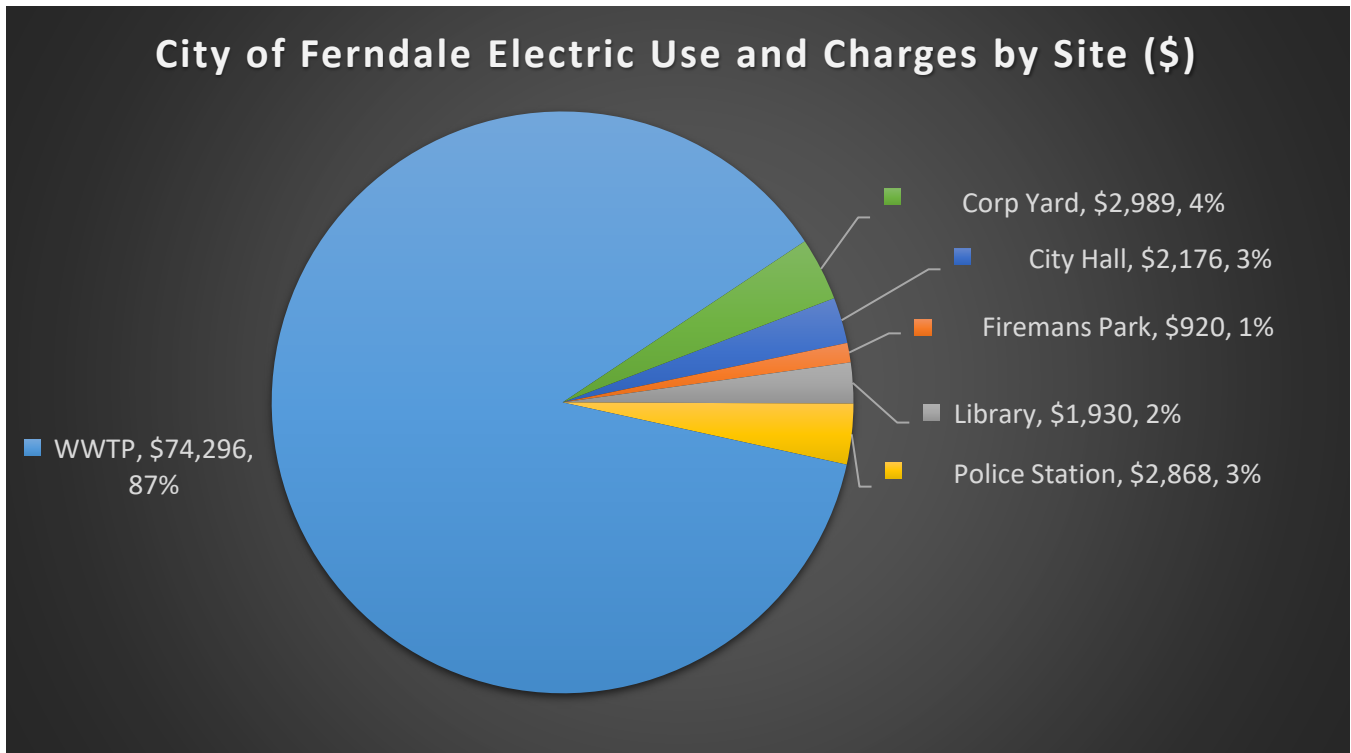


Figure 1 City of Ferndale monthly electric use and bill amounts.

4 Solar PV Analysis for Fireman’s Park

RCEA performed a solar site analysis at the City of Ferndale’s facilities on March 28th, 2018. The Fireman’s Park building is a one-story structure with a metal roof. The roof is in fair to good condition. The ideal face of the roof is oriented 35 degrees west of due south (215°) with a 6-in-12 (26.5°) pitch. The roof at Town Hall could be used to install one solar PV array that could offset the electric consumption from both meters at Fireman’s Park and the Corporation Yard using PG&E’s Aggregated Net Energy Metering Program known as NEM-2A. NEM-2A requires that all meters be controlled or owned by one entity and all meters must be on the same parcel or on contiguous parcels. The two city owned meters at Fireman’s Park and the Corporation Yard meet this requirement. Table 4 below shows the annual electric use summary of these two meters.

Table 4 Combined annual electric use and costs from Ferndale's Fireman's Park and Corporation Yard meters.

Annual Electricity Summary for Fireman's Park and Corporation Yard Meters	
Annual Electric Consumption (kWh)	15,973
Annual Electricity Costs (\$)	\$3,909
Average Electricity Rate (\$/kWh)	\$0.24

The roof of the Fireman’s Park main building has enough open space to host a solar PV array that could offset 100% of the electrical use and 96% of the annual bills from the two meters at this location. The available area for a solar PV array would be approximately 5,000 square feet. Figure 2 below shows the available area for a PV installation on the roof outlined in blue with the city owned meters marked in red.

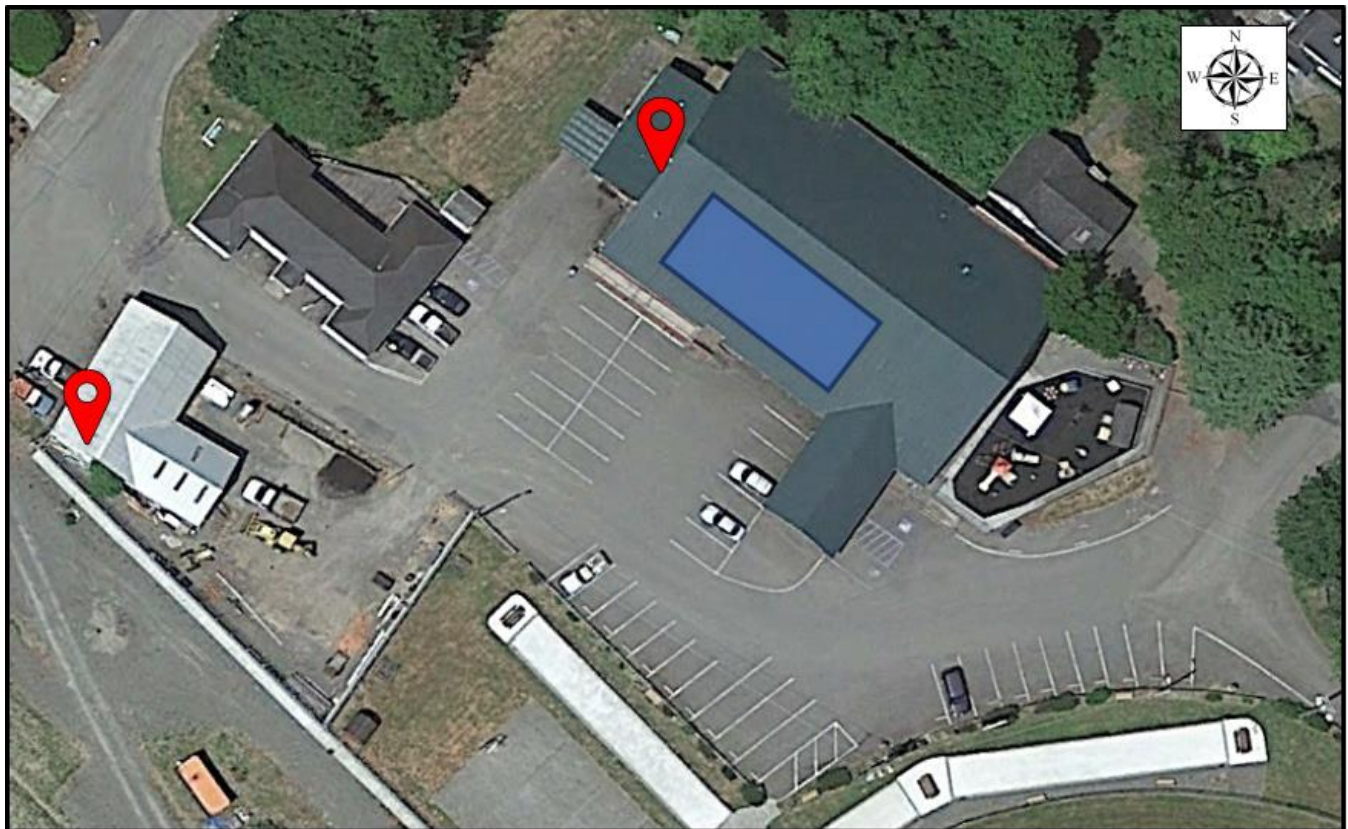


Figure 2 Available roof area for solar PV installation at Ferndale's Fireman's Park.

4.1 Fireman's Park PV System Size and Cost

RCEA estimates that a 12.8 kW DC solar PV array would offset approximately 100% of the electric consumption at the District Office and 96% of the electric bills based on the most recent 12 months of utility data. The assumptions and inputs used in RCEA's solar PV system sizing calculations can be found in **Appendix B** of this document. RCEA has recent history with solar PV installations for public works projects through California's Proposition 39 program. The average installed price of a PV system, including all labor, materials, engineering, permitting and design has been about \$3.50/DC watt. This would yield a system cost of approximately \$44,800. Table 5 below shows a break-down of the estimated costs for the proposed PV system.

Table 5 Estimated costs for a 12.8 kW DC solar PV array at Ferndale's Fireman's Park.

PV System Cost Estimate	
PV Modules	\$11,200
Inverters	\$5,824
Electrical/Structural Balance of Systems	\$6,720
Labor	\$8,960
Engineering and Design	\$4,480
Permitting and Interconnection	\$1,344
Overhead and Profit	\$6,272
Total Cost	\$44,800

4.2 Fireman’s Park Financial Analysis

RCEA performed a financial analysis for the Fireman’s Park solar installation that estimates that the project would require an investment of almost \$44,800, it would generate almost \$3,800 in annual avoided energy costs and have a simple payback period of about 11.9 years. Over the 25-year life of the project, the system would produce energy savings with a Net Present Value (NPV) of approximately \$32,000 after loan repayment and maintenance costs. The assumptions that were used in RCEA’s economic modeling can be found in **Appendix C** of this document. Table 6 below shows the results of RCEA’s economic analysis and some of the project’s estimated costs and benefits.

Table 6 Cost and benefit analysis of a 12.8 kW DC solar array at the City of Ferndale’s Fireman Park.

City of Ferndale's Fireman’s Park Financial Summary	
PV System Size (kW DC)	12.8
Annual Energy Production (kWh)	16,073
Estimated System Cost (\$)	\$44,800
First Year Bill Savings (\$)	\$3,749
Annual kWh Offset from PV (%)	100%
Annual Bill Offset from PV (%)	96%
Simple System Payback (Years)	11.9
NPV of Savings at 25 Years (\$)	\$31,875
Lifetime Avoided CO₂ emissions (Metric Tons)	23

5 Analysis for Wastewater Treatment Plant

Ferndale’s Wastewater Treatment Plant (WWTP) is the City’s single largest electric load consuming almost 412,000 kilowatt hours (kWh) per year at a cost of roughly \$75,000 annually. It accounts for about 90% of the City’s total electric use and 87% of the City’s total annual electric costs. The WWTP is on an E-19-S electric rate. Table 7 below shows a summary of the WWTP annual electric use and cost.

Table 7 Summary of the electric use and cost at Ferndale's WWTP.

Annual Electricity Summary for Ferndale's WWTP	
Annual Electric Consumption (kWh)	411,804
Annual Electricity Costs (\$)	\$74,296
Average Electricity Rate (\$/kWh)	\$0.18

5.1 Efficiency Opportunities

The WWTP offices are currently lit by T-8 linear fluorescent lighting; the exterior lighting is provided by high pressure sodium (HPS) lighting. Both technologies could be replaced with higher efficiency Light Emitting Diode (LED) lighting. RCEA estimates that Ferndale could offset about 2% of the WWTP’s annual electric usage and costs by implementing an LED lighting upgrade. Table 8 below shows a summary of the available savings from an LED lighting upgrade at the WWTP. Such a project would have a simple payback of less than five years, LED technologies have an effective useful life (EUL) of 15 years. The lighting upgrade would be eligible for PG&E’s “on Bill Finance” program which offers 0% interest financing that allows you to pay off the project via your PG&E bill.

Table 8 Annual electric bill savings and energy offset for a lighting efficiency upgrade at the WWTP

Energy Conservation Measure	Estimated Project Cost (\$)	Estimated Rebate (\$)	Net Cost (\$)	Annual Energy Savings (kWh)	Annual Avoided Costs (\$)	Simple Payback
Interior re-lamp of all T8 and T5 fluorescent fixtures to LED lamps	\$4,660	\$480	\$4,180	5,420	\$954	4.4
Update existing HPS exterior lighting with LED fixtures	\$6,000	\$1,200	\$4,800	5,633	\$992	4.8
Totals	\$10,660	\$1,680	\$8,980	11,053	\$1,947	4.6

5.2 Utility Rate Analysis

Ferndale’s WWTP is currently on an E-19-S rate, which has relatively high peak-demand charges (kW) and lower energy charges (kWh) when compared to the A-10 rate and E-19 R rate. E-19 R is only available to customers that install a solar PV array that offset’s at least 15% of their sites electric use. RCEA performed a rate analysis using the current E-19-S rate and compared it to E-19-R to estimate the benefits of a rate change. The results show that changing to an E-19 R rate, which charges more for energy (kWh) than E-19 S but has lower peak and part-peak demand charges (kW), would provide the greatest benefit. Table 9 below shows the results of the rate analysis for the WWTP.

Table 9 Results of RCEA's analysis of a utility rate change paired with a rooftop PV array at the Ferndale WWTP.

Rate	2019 Consumption (kWh)	Total Charges (\$)	Amount Saved (\$)	Percent Saved (%)
E-19 S	411,804	\$ 74,296	\$ -	0%
E-19 R	411,804	\$ 73,255	\$ 1,040	1.4%

5.3 WWTP Solar PV Site Analysis

RCEA performed a solar site analysis at Ferndale’s WWTP on March 28, 2018. The Wastewater treatment Plant’s address is 606 Port Kenyon Road. The main building on this site is a single-story structure with a commercial metal roof. The roof is in excellent condition. The two faces of the roof are oriented almost due west (260°) and almost due east (80°) with a 4-in-12 (18.5°) pitch. Considering the east and west sides of the roof, the available area for a solar PV array, there would be approximately 4,300 square feet for installation. This available roof area has enough open space to host two (2) solar PV arrays, each approximately 27.5 kW DC, that could offset 16% of the electrical use and the annual bills for the WWTP. Along with a roof-mounted solar PV array the WWTP also has the option of installing two carport-mounted solar PV array’s over its water treatment facility. The treatment facility is oriented almost due south (170°) and has an available area of about 6,100 square feet, which allows for two (2) carport array’s, each approximately 39 kW DC, on the north and south end of the treatment facility. The carport solar PV arrays together could offset about 25% of the electrical use and the annual bills for the WWTP. Figure 3 below shows the available area for roof-mounted PV installations on the main building and carport-mounted solar arrays above the water treatment facility.



Figure 3 Available area for solar PV installation at the City of Ferndale’s WWTP.

5.4 WWTP PV System Size and Cost

RCEA estimates that a 55 kW DC roof-mounted Solar PV array on the east and west main building of the WWTP could be installed along with a 78 kW DC carport-mounted solar PV array over the treatment facility. In RCEA’s history with roof-mounted solar PV installations for public works projects the average installed price of a PV system, including all labor, materials, engineering, permitting and design has been about \$3.50/DC watt and for a carport-mounted solar PV array’s the average price per watt is about \$4.50/DC watt. This would yield a system cost of approximately \$542,000. Table 10 below shows the estimated system costs.

Table 10 Estimated costs for 133 kW DC of solar PV at Ferndale’s WWTP.

Site	PV System Size (kW DC)	Average Installed Cost (\$/ DC Watt)	Total System Cost (\$)
Roof-Mounted Array	55	\$3.50	\$192,500
Carport-Mounted Array	78	\$4.50	\$350,000
Total	133	\$4.05	\$542,500

The solar arrays together could potentially offset approximately 40% of the electric consumption at the City of Ferndale’s WWTP and 40% of the electric bills based on the most recent 12 months of utility data. Table 11 below shows a summary of the proposed solar PV system including system size, annual production estimate, kilowatt hour offset, and bill offset.

Table 11 PV system summary for potential arrays at the City of Ferndale’s WWTP.

PV System Summary for Carport and Roof Mounted Arrays at the WWTP	
PV System Size (kW DC)	133
Estimated System Cost (\$)	\$542,500
Annual Energy Production (kWh AC)	167,528
Annual kWh Offset from PV (%)	40%
Annual Bill Offset from PV (%)	40%

5.5 Roof Array Financial Analysis

Because roof-mounted arrays and carport-mounted arrays have differing costs, RCEA performed separate financial analyses for the roof-mounted option and the carport-mounted option.

RCEA estimates that the roof-mounted project would require an investment of almost \$193,000, it would generate roughly \$11,300 in annual cost savings and have a simple payback period of about 16.9 years. Over the 25-year life of the project, the system would produce energy savings with a Net Present Value (NPV) of approximately \$53,000 after loan repayment and maintenance costs. Table 12 below shows the results of RCEA’s economic analysis of a 55 kW DC roof-mounted solar PV array at Ferndale’s WWTP and some of the project’s estimated costs and benefits.

Table 12 Cost and benefit analysis of a 55 kW DC roof-mounted solar PV project at Ferndale’s WWTP.

City of Ferndale's WWTP Roof Array Financial Summary	
PV System Size (kW DC)	55
Annual Energy Production (kWh)	65,755
Estimated System Cost (\$)	\$192,500
First Year Bill Savings (\$)	\$12,465
Simple System Payback (Years)	15.4
NPV of Savings at 25 Years (\$)	\$78,177
Lifetime Avoided CO₂ emissions (Metric Tons)	93

5.6 Carport Array Financial Analysis

On average, carport-mounted solar arrays cost more than roof-mounted solar arrays due to the cost of the carport structure. RCEA estimates that a carport-mounted solar array would cost approximately \$4.50/watt including labor, materials, engineering, permitting and design. Table 13 below shows the results of RCEA’s economic analysis of a 78 kW DC carport-mounted solar PV array at Ferndale’s WWTP and some of the project’s estimated costs and benefits.

Table 13 Cost and benefit analysis of a 78 kW DC carport-mounted solar PV project at Ferndale’s WWTP

City of Ferndale's WWTP Carport-Mounted Array Financial Summary	
PV System Size (kW DC)	78
Annual Energy Production (kWh)	101,773
Estimated System Cost (\$)	\$350,000
First Year Bill Savings (\$)	\$18,990
Simple System Payback (Years)	4
NPV of Savings at 25 Years (\$)	\$70,989
Lifetime Avoided CO₂ emissions (Metric Tons)	143

5.7 Examples of Carport Structures

Mounting solar panels on carport structures has become a common practice. Several manufacturers now make carport products specifically designed for mounting solar arrays on. Figure 4 below shows examples of commercially available solar carport structures.

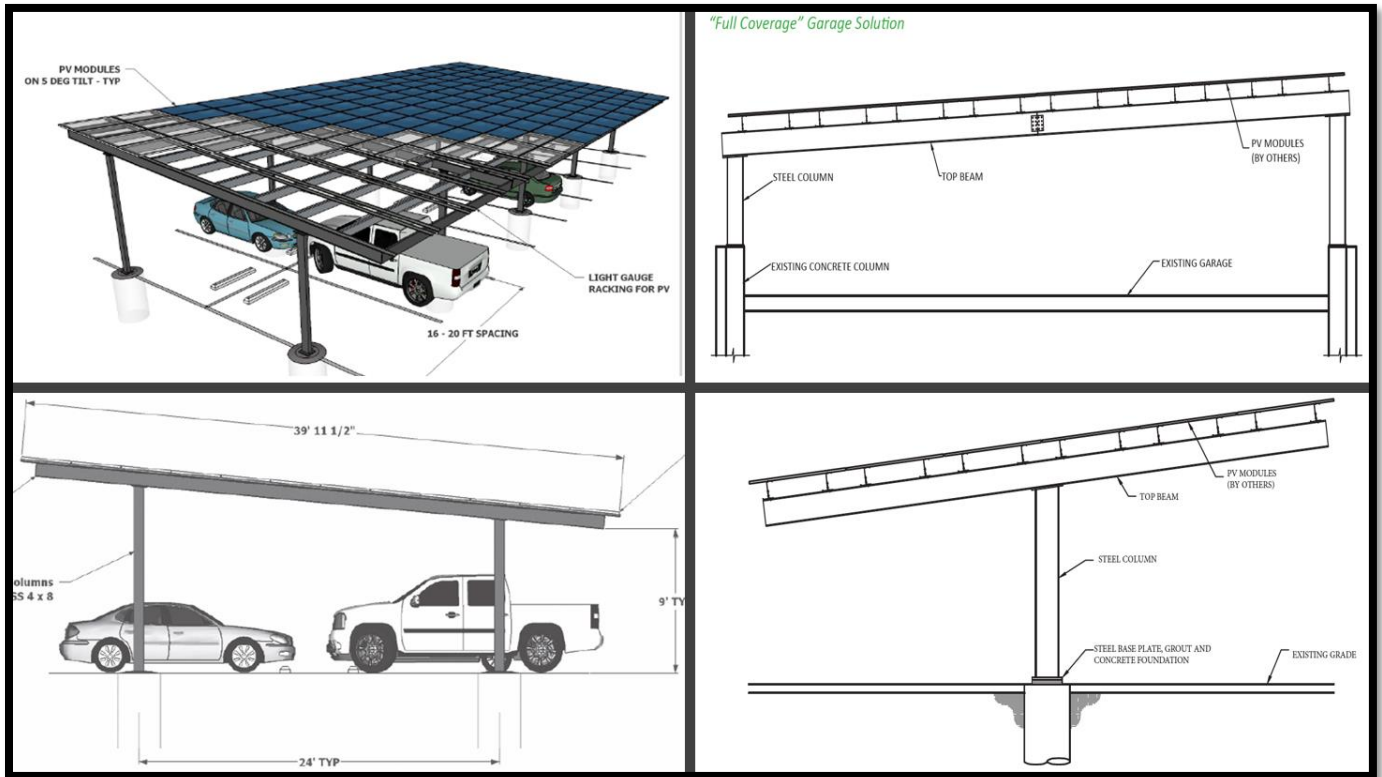


Figure 4 Examples of carport structures for mounting solar panels that could be used at Ferndale's WWTP.

5.8 Summary of Solar Options at Ferndale's WWTP

Table 14 below provides a side by side comparison of the roof-mounted and carport-mounted array options at Ferndale's WWTP.

Table 14 Side by side comparison of PV project options at Ferndale's WWTP

Energy Measure	PV System Size (kW DC)	System Cost/ DC watt (\$)	Estimated System Cost	Annual Energy Production (kWh AC)	Annual Avoided Costs (\$)	Annual Bill Offset (%)	Simple Payback
Roof-Mounted Arrays on Maintenance Building	55	\$3.50	\$192,500	65,755	\$12,465	15%	15.5
Carport-Mounted Array on Treatment Works	78	\$4.50	\$350,000	101,773	\$18,990	25%	18.4
Totals	133	\$4.08	\$542,500	167,528	\$31,455	40%	17.2

6 Findings

Based on the analysis of the potential project options outlined below, RCEA believes that solar PV installations at Ferndale's Fireman's Hall and Wastewater Treatment Plant are possible and could meet the requirements of the

CEC's 1% interest loan program for eligible renewable energy projects. Projects with a simple payback period of 17 years are eligible for the 1% interest loan. Ferndale could see significant economic benefits from enacting the solar PV installations analyzed in this report. The Fireman's Hall project provides the best economic payback of the two solar projects largely due to the A-1 electric rate which provides a high rate of compensation for the kWh produced by a solar PV installation. A 133 kW DC solar installation at the city's WWTP would require an initial investment of about \$542,000. Such a system would produce roughly \$31,455 in annual energy savings and would offset about 40% of the electricity consumption and costs from the site. The system would have a simple payback period of about 17.2 years. The City of Ferndale should consider enacting lighting efficiency upgrades at the WWTP and changing the WWTP electric account to a more favorable electric rate, such as the E-19-R time-of-use rate analyzed in this report, if a solar PV installation is pursued at the WWTP.

RCEA recommends that the City of Ferndale combine the potential lighting project at the WWTP, the E-19-S to E-19-R rate change, and the potential solar project at Fireman's Hall, into a combined project that could qualify for CEC funding. Table 15 below shows the results of RCEA's economic analysis of a 12.8 kW DC solar array at Fireman's Hall, an LED lighting upgrade at the WWTP, a 133 kW DC solar PV array at Rio Dell's WWTP operated on the E-19-R rate, and the savings from the E-19-S to E-19-R utility rate.

Table 15 Summary of feasible energy projects identified by RCEA for the City of Ferndale.

Energy Conservation Measure	PV System Size (kW DC)	Estimated Project Cost (\$)	Estimated Rebate (\$)	Net Cost (\$)	Annual Energy Savings (kWh)	Annual Avoided Costs (\$)	Annual Bill Offset (%)	Simple Payback
Roof-Mounted Solar Array on Fireman's Hall	12.8	\$44,800	\$0	\$44,800	16,073	\$3,749	100%	11.9
Interior and Exterior Lighting Upgrades to LEDs at WWTP	-	\$10,660	\$1,680	\$8,980	11,053	\$1,947	2.6%	4.6
Roof-Mounted and Carport-Mounted Solar Arrays at the WWTP	133	\$542,500	\$0	\$542,500	167,528	\$31,455	40%	17.2
Rate Change from E-19-S to E-19-R	-	\$0	\$0	\$0	-	\$1,040	1.4%	-
Totals	145.8	\$597,960	\$1,680	\$596,280	194,654	\$38,218	46%	15.6

7 Next Steps

If City of Ferndale chooses to pursue any of the projects described in this report, RCEA will research Ferndale's eligibility for loan funding under the California Energy Commissions (CEC) 1% interest loan program for efficiency and renewable energy projects. This program will fund feasible renewable energy and energy efficiency projects that meet a simple payback period of 17 years. The next steps for City of Ferndale to pursue if this project is to move forward:

- Secure Board approval of preferred projects
- Begin planning, permitting, and basic design
- Prepare CEC 1% loan application with RCEA assistance

8 Appendices

8.1 Other Project Options Analyzed by RCEA: Baseball Field Lighting

RCEA also worked with the City of Ferndale to assess the possibility of upgrading the baseball field lights at Fireman’s Park. The project had high upfront costs with a 14.4-year payback period. LED technologies have an effective useful life (EUL) of 15 years. The City Manager indicated that the City was not interested in advancing the project at the time the assessment was done. The lighting upgrade would be eligible of PG&E’s “on Bill Finance” program which offers 0% interest financing that allows you to pay off the project via your PG&E bill. Table 16 below shows a summary of the baseball field lighting measure.

Table 16 Summary of the costs and benefits of an LED lighting upgrade for Ferndale's baseball field lights.

Energy Conservation Measure	Estimated Project Cost (\$)	Estimated Rebate (\$)	Net Cost (\$)	Annual Energy Savings (kWh)	Annual Avoided Costs (\$)	Simple Payback
Upgrade baseball field lighting to LED lighting	\$17,285	\$830	\$16,455	5,185	\$1,140	14.4

8.2 Other Project Options Analyzed by RCEA: Floatovoltaics at WWTP Storage Pond

RCEA also performed a brief analysis of installing a floating solar array at Ferndale’s WWTP. The storage pond at Ferndale’s WWTP could host a large floating solar array that could be sized to offset 100% the electric consumption at the WWTP site. Floating solar arrays can provide additional benefits to water treatment operators in the form of lower water temperatures, decreased algae growth and increased solar production that results from cool operating temperatures when installed on bodies of water. Figure 5 below shows the potential installation area.



Figure 5 Image of the available installation area (in blue) for a floating solar array at Ferndale's WWTP, meter location marked in red.

RCEA estimates that the storage pond could host a 325 kW DC floating solar array that would offset 100% of the electric use from the WWTP. Floatovoltaics is an emerging technology and pricing for this type of system would likely be much higher than traditional solar PV installations. RCEA has used \$5.50/watt as an installed price estimate for this analysis. The simple payback for the project would be 23 years which is close to the estimated effective useful life of a solar array which is 25 years. This measure would face funding challenges as the CEC loan program will only finance projects that payback in 17 years, though the City could provide Match Funding to pay for the costs that would be above the 17-year payback period. Table 17 below shows a summary of the costs and benefits of a floating solar array at Ferndale’s WWTP.

Table 17 Summary of costs and benefits of a floating solar array at Ferndale's WWTP.

Energy Conservation Measure	PV System Size (kW DC)	Estimated Project Cost (\$)	Annual Energy Savings (kWh)	Annual Avoided Costs (\$)	Annual Bill Offset (%)	Simple Payback
Floating Solar Array on the Storage Pond at the WWTP	325	\$1,786,400	411,934	\$77,555	95%	23

Figures 6 and 7 below show examples of commercially available floating platforms for installing floating solar arrays.

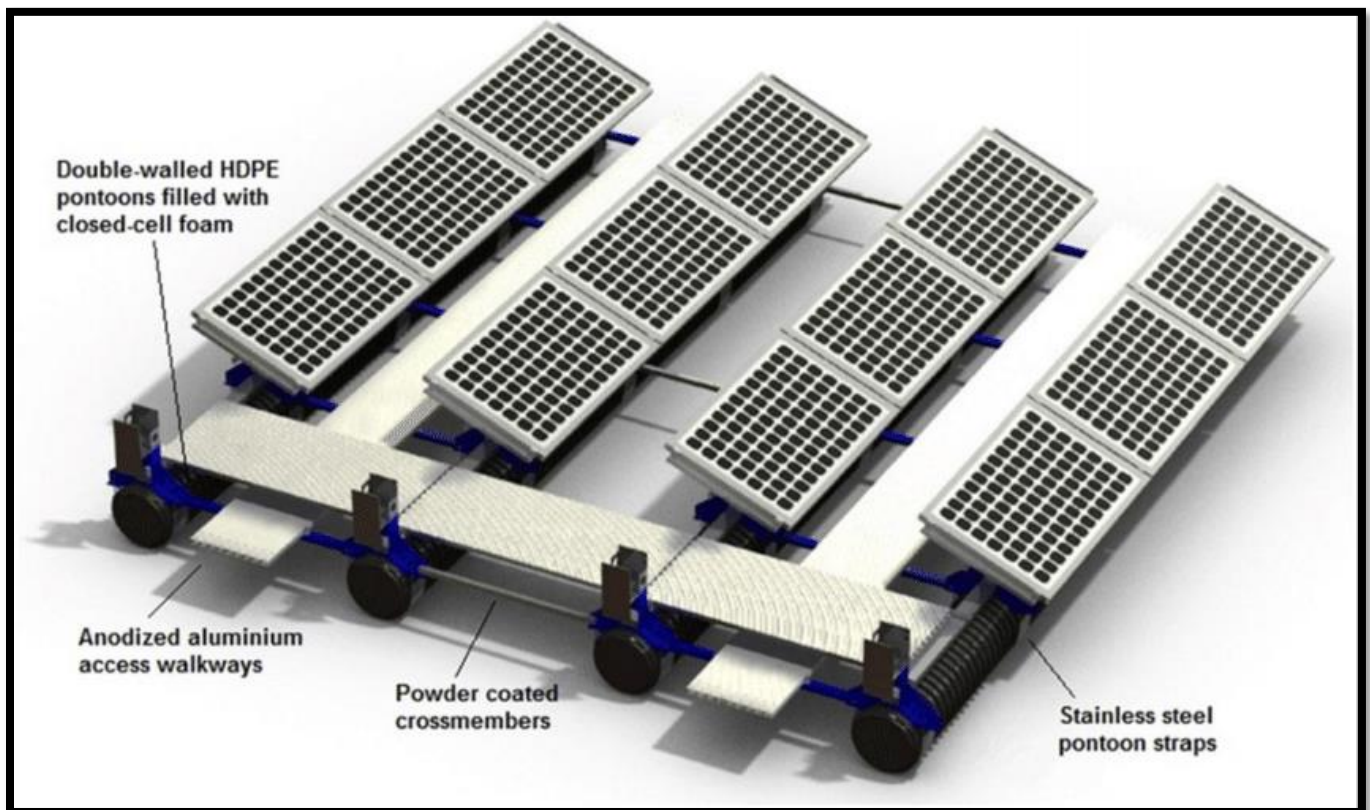


Figure 6 Example of commercially available floating solar technology.



Figure 7 Example of floating solar technology being deployed.

Appendix A: Electricity rate schedules used for solar PV feasibility analysis.

Table 18 A-1 time-of-use electric rate schedule.

A-1 Time of Use Electric Rates						
Season	PG&E T&D Rate	RCEA Gen Rate	Total A-1 Rates	Months	Days	Time
Summer Peak	\$0.128210	\$0.135645	\$0.263855	May-Oct	Mon-Fri	12pm-6pm
Summer Part-Peak	\$0.128210	\$0.112704	\$0.240914	May-Oct	Mon-Fri	8:30am-12:00pm AND 6:00pm-9:30pm
Summer Off-Peak	\$0.128210	\$0.086175	\$0.214385	May-Oct	Mon-Fri Sat- Sun	9:30pm-8:30am All Day
Winter Part-Peak	\$0.110270	\$0.112520	\$0.222790	Nov Apr	Mon-Fri	8:30am-9:30pm
Winter Off-Peak	\$0.110270	0..0922276	\$0.110270	Nov Apr	Mon-Fri Sat- Sun	9:30pm-8:30am All Day

Table 19 E-19-S electricity rate schedule.

E-19 S Electric Rates						
Season	PG&E T&D Rate	RCEA Gen Rate	Total E-19 S Rates	Months	Days	Time
Summer Peak	\$0.02289	\$0.13353	\$0.15642	May-Oct	Mon-Fri	12pm-6pm
Summer Part-Peak	\$0.02289	\$0.09044	\$0.11333	May-Oct	Mon-Fri	8:30am-12:00pm AND 6:00pm-9:30pm
Summer Off-Peak	\$0.02289	\$0.06191	\$0.08480	May-Oct	Mon-Fri Sat- Sun	9:30pm-8:30am All Day
Winter Part-Peak	\$0.02289	\$0.08454	\$0.10743	Nov Apr	Mon-Fri	8:30am-9:30pm
Winter Off-Peak	\$0.02289	\$0.06899	\$0.09188	Nov Apr	Mon-Fri Sat- Sun	9:30pm-8:30am All Day

Table 20 E-19-S Option R electricity rates.

E-19 R Electric Rates						
Season	PG&E T&D Rate	RCEA Gen Rate	Total E-19 R Rates	Months	Days	Time
Summer Peak	\$0.077440	\$0.304930	\$0.382370	May-Oct	Mon-Fri	12pm-6pm
Summer Part-Peak	\$0.040690	\$0.138770	\$0.179460	May-Oct	Mon-Fri	8:30am-12:00pm AND 6:00pm-9:30pm
Summer Off-Peak	\$0.023560	\$0.072030	\$0.095590	May-Oct	Mon-Fri Sat- Sun	9:30pm-8:30am All Day
Winter Part-Peak	\$0.024100	\$0.095960	\$0.120060	Nov Apr	Mon-Fri	8:30am-9:30pm
Winter Off-Peak	\$0.023560	\$0.079520	\$0.103080	Nov Apr	Mon-Fri Sat- Sun	9:30pm-8:30am All Day

Appendix B: Assumptions and inputs used in RCEA's solar PV system sizing.

Table 21: Assumptions and inputs for PV system analysis for City of Ferndale's Fireman's Hall.

District Office PV System Sizing Inputs	
Array Orientation (Degrees)	215
Array Tilt (Degrees)	26.5
Average Daily Insolation (kWh/m ² /day)	4.35
Inverter Efficiency (%)	97%
De-rate Factor (Soiling, Wire Loss, Mismatch) (%)	10%
Shading	2%
Average Operating Cell Temperature (°C)	40
Temperature Coefficient of Power (Wp/°C)	-0.0037
Module DC Rating (Watts)	320
Manufacturer Power Guarantee (%)	98%

Table 22: Assumptions and inputs for PV system analysis the Main Lift Station's roof and ground mounted arrays.

Main Lift Station PV System Sizing Inputs	
Array Orientation (Degrees)	90/180/270
Array Tilt (Degrees)	18.5
Average Daily Insolation (kWh/m ² /day)	4.14
Inverter Efficiency (%)	97%
De-rate Factor (Soiling, Wire Loss, Mismatch) (%)	10%
Shading	1%
Average Operating Cell Temperature (°C)	40
Temperature Coefficient of Power (Wp/°C)	-0.0037
Module DC Rating (Watts)	320
Manufacturer Power Guarantee (%)	98%

Appendix C: Assumptions and inputs used in RCEA's financial analysis.

Table 23: Assumptions and inputs for financial analysis of solar PV installation for City of Ferndale.

Financial Analysis Assumptions	
Inflation rate	2%
Discount rate	5%
Electricity escalation rate	3%
Added maintenance	0.3%
Annual PV production degradation rate	0.5%
Percentage of electricity cost not due to peak demand	85%
Cost to replace inverter at year 15	\$0.30/watt
System price for roof mount	\$3.50/watt
System price for ground mount	\$4.50/watt
System price for floating array	\$5.50/watt

Section 12

PUBLIC HEARING

Section 13

BUSINESS

Meeting Date:	March 18, 2020	Agenda Item Number	13.a
Agenda Item Title	Introduction and First Reading, by title only, of Ordinance 2020-03, Prohibiting Smoking in Certain Enclosed and Unenclosed Places Within the City and Providing Regulation of Smoking		
Presented By:	City Manager		
Type of Item:	<input checked="" type="checkbox"/>	Action	<input type="checkbox"/>
			Discussion
			Information
Action Required:	<input type="checkbox"/>	No Action	<input checked="" type="checkbox"/>
			Voice Vote
			Roll Call Vote

RECOMMENDATION:

Staff recommends that the Council move to conduct a first reading, by title only, of Ordinance No. 2020-03, an Ordinance of the City of Ferndale Prohibiting Smoking in Certain Enclosed and Unenclosed Places Within the City and Otherwise Providing for the Regulation of Smoking

BACKGROUND:

Since 1964 when the U.S. Surgeon General published the first report on smoking and health, there has been extensive study of the health effects of smoking and exposure to secondhand smoke. Evidence is also rapidly accumulating about the harmful effects of electronic cigarette vapor to both users and bystanders. According to the U.S. Centers for Disease Control, smoking is the leading cause of preventable deaths in the U.S., accounting to more than 480,000 deaths annually including more than 41,000 deaths from secondhand smoke. Smoking is also the leading cause of fire fatalities amounting to 620 residential fire fatalities each year. The body of scientific evidence provides the justification for government to regulate smoking to protect the public health. In California there are now more than 84 cities and counties that have adopted comprehensive outdoor secondhand smoke ordinances and more than 55 jurisdictions that have adopted strong nonsmoking regulations covering multi-unit housing, including the City of Fortuna (in 2016) City of Arcata (in 2013) and City of Eureka (in 2010). These cities regulate smoking to prevent exposure to secondhand smoke in Dining Areas, Entryways, Public Events, Recreation Areas, Sidewalks and Worksites. In addition, Fortuna, Arcata, and Eureka include provisions to regulate smoking in multi-unit housing.

If Ordinance 2020-03 is adopted, The City of Ferndale would join the many cities and counties in California to pass a comprehensive secondhand smoke-free Ordinance.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Ordinance 2020-03

Various Information

ORDINANCE NO. 2020-03**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FERNDALE PROHIBITING SMOKING IN CERTAIN ENCLOSED AND UNENCLOSED PLACES WITHIN THE CITY AND OTHERWISE PROVIDING FOR THE REGULATION OF SMOKING**

WHEREAS, the Council finds that because the United States Environmental Protection Agency ("EPA") has designated environmental tobacco smoke ("ETS") a Class A carcinogen and has determined that ETS is a major source of indoor air pollution and a cause of lung cancer in nonsmokers, the City has a responsibility to protect the public health and welfare of its citizenry through the adoption of appropriate smoking prohibitions.

WHEREAS, while all members of the population are at increased risk due to exposure to ETS, such exposure constitutes a special health hazard for children.

WHEREAS, State law regulates smoking within the workplace under California Labor Code Section 6404.5. These laws create a uniform statewide standard, which restricts and prohibits the smoking of tobacco products in all parts of enclosed places of employment with fourteen (14) specified exclusions. The stated intent of the Legislature in enacting the specific exclusions is to allow for local regulation in any workplace area specifically excluded. The Council finds that ETS exposure within some of the workplace areas specifically excluded from state law presents a health risk necessitating local regulation.

WHEREAS, the Council additionally finds that ETS exposure in certain other nonworkplace areas, located both inside and outside, presents a similar health risk for which local regulation is appropriate.

WHEREAS, the Council further finds that exposure to secondhand smoke or vapors from nontobacco products such as electronic cigarettes and marijuana may be injurious to health and create a nuisance.

THE CITY COUNCIL OF THE CITY OF FERNDALE DOES ORDAIN AS FOLLOWS:**ARTICLE 1. SHORT TITLE AND PURPOSE.**

§ 1.01: This Ordinance shall be known and may be cited as the "Secondhand Smoking Regulations" of the City of Ferndale.

§1.02: The City Council hereby finds and declares that the recitals set forth above are true and accurate.

§ 2.02: The purpose of these Smoking Regulations are:

- A. To protect the public health and welfare of Ferndale citizens in general and children in particular by prohibiting smoking in certain enclosed and unenclosed where the health hazard of ETS exposure is high.

- B. To strike a reasonable balance between persons who smoke and nonsmokers to breathe smoke free air and to recognize that where these needs conflict, the need to breathe smoke-free air shall have priority.

ARTICLE 2. DEFINITIONS.

The following words and phrases, whenever used in this ordinance, shall have the meanings defined in this section, unless the context clearly requires otherwise:

- A. "Business" means any sole proprietorship, partnership, joint venture, corporation, association, or other entity formed for profit-making purposes.
- B. "Common area" means every enclosed area or unenclosed area of a multi-unit residence that residents of more than one unit are entitled to enter or use, including, for example, halls, pathways, lobbies, courtyards, elevators, stairs, community rooms, playgrounds, gym facilities, swimming pools, parking garages, parking lots, grassy or landscaped areas, restrooms, laundry rooms, cooking areas, and eating areas.
- C. "Dining area" means any area, including streets and sidewalks, which is available to or customarily used by the general public or an employee, and that is designed, established, or regularly used for consuming food or drink.
- D. "Electronic smoking device" means an electronic device that can be used to deliver an inhaled dose of nicotine, or other substances, including any component, part, or accessory of such a device, whether or not sold separately. "Electronic smoking device" includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.
- E. "Employee" means any person who is employed or retained as an independent contractor by any employer in consideration for direct or indirect monetary wages or profit, or any person who volunteers his or her services for an employer.
- F. "Employer" means any business or nonprofit entity that retains the service of one or more employees.
- G. "Enclosed area" means an area in which outside air cannot circulate freely to all parts of the area, and includes an area that has:
1. Any type of overhead cover, whether or not that cover includes vents or other openings, and at least three walls or other vertical boundaries of any height, whether or not those boundaries include vents or other openings; or
 2. Four walls or other vertical boundaries, including but not limited to, vegetation that exceeds six feet in height, whether or not those boundaries include vents or other openings.

H. "Landlord" means any person or agent of a person who owns, manages, or is otherwise legally responsible for a unit in a multi-unit residence that is leased to a residential tenant, except that landlord does not include a tenant who sublets a unit (e.g., a sub lessor).

I. "Multi-unit residence" means property containing two or more units, including, but not limited to, apartment buildings, condominium complexes, senior and assisted living facilities, long-term health care facilities, hotels and motels, mobile home parks, and campgrounds. Multi-unit residences do not include the following:

1. A single-family home, except if used as a child care or health care facility subject to licensing requirements; and
2. A single-family home with a detached or attached in-law or second unit when permitted pursuant to Cal. Gov't Code §§ 65852.1, 65852.150, 65852.2 or an ordinance of the city adopted pursuant to those sections, except if the single-family home or in-law/second unit is used as a child care or health care facility subject to licensing requirements.

J. "Nonprofit entity" means any entity that meets the requirements of Cal. Corp. Code § 5003 as well as any corporation, unincorporated association or other entity created for charitable, religious, philanthropic, educational, political, social or similar purposes, the net proceeds of which are committed to the promotion of the objectives or purposes of the entity and not to private gain. A government agency is not a nonprofit entity within the meaning of this ordinance.

K. "Person" means any natural person, employer, cooperative association, personal representative, receiver, trustee, assignee, or any other legal entity including government agencies.

L. "Place of employment" means any area under the legal or de facto control of an employer, that an employee or the general public may have cause to enter in the normal course of the operations, regardless of the hours of operation including, for example, indoor and outdoor work areas, construction sites, vehicles used in employment or for business purposes, taxis, hookah bars, retail tobacco shops, and private residences that are used as child care or health care facilities subject to licensing requirements.

M. "Public place" means any place, publicly or privately owned, which is open to the general public regardless of any fee or age requirement.

N. "Reasonable distance" means a distance of 30 feet in any direction from an area in which smoking is prohibited.

O. "Recreational area" means any area, including streets and sidewalks, that is publicly or privately owned and open to the general public for recreational purposes, regardless of any fee or age requirement. The term "recreational area" includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, horseback riding trails, swimming pools, roller- and ice-skating rinks, skateboard parks, and amusement parks.

P. "Service area" means any publicly or privately owned area, including streets and sidewalks, that is designed to be used or is regularly used by one or more persons to receive a service, wait to receive a service or to make a transaction, whether or not such service or transaction includes the exchange of money. The term "service area" includes but is not limited to information kiosks, automatic teller machines (ATMs), ticket lines, bus stops or shelters, mobile vendor lines or cab stands.

Q. "Smoke" means the gases, particles, or vapors released into the air as a result of combustion, electrical ignition or vaporization, when the apparent or usual purpose of the combustion, electrical ignition or vaporization is human inhalation of the by-products, except when the combusting or vaporizing material contains no tobacco or nicotine and the purpose of inhalation is solely olfactory, such as, for example, smoke from incense. The term "smoke" includes, but is not limited to, tobacco smoke, electronic smoking device vapors, marijuana smoke, and crack cocaine smoke.

R. "Smoking" means engaging in an act that generates smoke, such as, for example, inhaling, exhaling, burning, or carrying any lighted, heated, or ignited cigar, cigarette, cigarillo, pipe, hookah, electronic smoking device, or any plant product intended for human inhalation.

S. "Tobacco product" means:

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff; and
2. Any electronic smoking device including vape pens and vape cartridges.
3. Notwithstanding any provision of subsections (S)(1) and (2) of this section to the contrary, "tobacco product" includes any component, part, or accessory of a tobacco product, whether or not sold separately. "Tobacco product" does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

T. "Unenclosed area" means any area that is not an enclosed area.

U. "Unit" means a personal dwelling space, even where lacking cooking facilities or private plumbing facilities, and includes any associated exclusive-use enclosed area or unenclosed area, such as, for example, a private balcony, porch, deck, or patio. "Unit" includes but is not limited to an apartment; a condominium; a townhouse; a room in a long-term health care facility, assisted living facility, or hospital; a hotel or motel room; a room in a single-room occupancy ("SRO") facility; a room in a homeless shelter; a mobile home; a camper vehicle or tent; a single-family home; and an in-law or second unit.

ARTICLE 3. PROHIBITION OF SMOKING IN ENCLOSED AREAS.

Smoking is prohibited in the enclosed areas of the following places within the city:

1. Places of employment;
2. Other businesses that have a common or shared air space with an enclosed area in which smoking is prohibited by law, such as, without limitation, openings, cracks, air ventilation systems, doorways, hallways, and stairways. Notwithstanding any other provision, the fact that smoke enters one enclosed area from another enclosed area is conclusive proof that the areas share a common or shared air space;
3. Public places; and
4. Common areas and individual units of multi-unit residences.

ARTICLE 4. PROHIBITION OF SMOKING IN UNENCLOSED AREAS.

A. Smoking is prohibited in the unenclosed areas of the following places within the city:

1. Recreational areas;
2. Service areas;
3. Dining areas;
4. Places of employment;
5. Common areas of multi-unit residences; provided, that a person with legal control over a common area may designate a portion of the unenclosed area of the common area as a designated smoking area if the area meets all of the following criteria:
 - a. The area must be located a reasonable distance from any unit or enclosed area where smoking is prohibited by this ordinance or by other law; by binding agreement relating to the ownership, occupancy, or use of real property; or by designation of a person with legal control over the property. A person with legal control over a common area in which a smoking area has been designated shall modify, relocate or eliminate that designated smoking area so as to maintain compliance with the requirements of this section as laws change, as binding agreements are created, and as nonsmoking areas on neighboring property are established;
 - b. The area must not include, and must be a reasonable distance from, unenclosed areas primarily used by children and unenclosed areas with improvements that facilitate physical activity including, for example, playgrounds, tennis courts, swimming pools, school campuses, and sandboxes;
 - c. The area must be no more than 10 percent of the total unenclosed area of the multi-unit residence for which it is designated;
 - d. The area must have a clearly marked perimeter;

- e. The area must be identified by conspicuous signs;
- f. The area must be completely within an unenclosed area; and
- g. The area must not overlap with any enclosed or unenclosed area in which smoking is otherwise prohibited by this ordinance or other provisions of this code, state law, or federal law;

6. All exclusive-use unenclosed areas associated with a multi-unit residence, such as, for example, a private balcony, porch, deck, or patio;

7. Other public places, when being used for a public event, including a farmers' market, parade, craft fair, festival, or any other event open to the general public.

B. Nothing in this ordinance prohibits any person, employer, or nonprofit entity with legal control over any property from prohibiting smoking on any part of such property, even if smoking is not otherwise prohibited in that area.

C. The city manager or his or her designee shall engage in an ongoing educational program to explain and clarify the purposes and requirements of this ordinance, as well as providing guidance to persons, landlords, employers, and nonprofit entities about compliance. However, lack of such education shall not be a defense to a violation of this ordinance.

ARTICLE 5. REASONABLE SMOKING DISTANCE REQUIRED.

A. Smoking in all unenclosed areas shall be prohibited within a reasonable distance from any doorway, window, opening, crack, or vent into an enclosed area in which smoking is prohibited, except while actively passing on the way to another destination and provided smoke does not enter any enclosed area in which smoking is prohibited.

B. Smoking in unenclosed areas shall be prohibited within a reasonable distance from any unenclosed areas in which smoking is prohibited, except while actively passing on the way to another destination, and provided smoke does not enter any unenclosed area in which smoking is prohibited. **Section**

ARTICLE 6. DISCLOSURE OF NONSMOKING UNITS BY LANDLORD.

A landlord of a multi-unit residence with fewer than 100 percent nonsmoking units shall disclose to every prospective tenant, prior to entering into a new lease or other rental agreement for the occupancy of a unit, which units are designated nonsmoking units, a diagram depicting the location of the designated nonsmoking units in relation to all other units, and any designated smoking areas.

ARTICLE 7. SMOKING AND SMOKE GENERALLY.

A. The provisions of this ordinance are restrictive only and establish no new rights for a person who engages in smoking.

B. Notwithstanding (1) any provision of this ordinance or other provisions of this code, (2) any failure by any person to restrict smoking under this ordinance, or (3) any explicit or implicit provision of this code that allows smoking in any place, nothing in this code shall be interpreted to limit any person's legal rights under other laws with regard to smoking, including, for example, rights in nuisance, trespass, property damage, and personal injury or other legal or equitable principles.

C. For all purposes within the jurisdiction of the city, nonconsensual exposure to smoke is a nuisance, and the uninvited presence of smoke on property is a nuisance and a trespass.

ARTICLE 8. OTHER REQUIREMENTS AND PROHIBITIONS.

A. No person, landlord, employer, or nonprofit entity shall knowingly permit smoking in an area which is under the legal or de facto control of that person, landlord, employer or nonprofit entity and in which smoking is prohibited by law.

B. No person, landlord, employer, or nonprofit entity shall knowingly or intentionally permit the presence or placement of ash receptacles, such as, for example, ash trays or ash cans, within an area under the legal or de facto control of that person, landlord, employer or nonprofit entity and in which smoking is prohibited by law, including, without limitation, within a reasonable distance required by this ordinance from any area in which smoking is prohibited. Notwithstanding the foregoing, the presence of ash receptacles in violation of this subsection (B) shall not be a defense to a charge of smoking in violation of any provision of this ordinance.

C. No person shall dispose of used smoking or tobacco product waste within the boundaries of an area in which smoking is prohibited, including inside the perimeter of any reasonable distance required by this ordinance.

D. A person, landlord, employer, or nonprofit entity that has legal or de facto control of an enclosed or unenclosed area in which smoking is prohibited by this ordinance shall post a clear, conspicuous and unambiguous "No Smoking" or "Smoke-free" sign at each point of ingress to the area, and in at least one other conspicuous point within the area. The signs shall have letters of no less than one inch in height and shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it). Signs posted on the exterior of buildings to comply with this section shall include the reasonable distance requirement set forth in Ferndale Municipal Code. For purposes of this section, the city manager or his or her designee shall be responsible for the posting of signs in regulated facilities owned or leased in whole or in part by the city. Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of smoking in violation of any other provision of this ordinance.

E. No person, landlord, employer, or nonprofit entity shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this ordinance.

F. Each instance of smoking in violation of this ordinance shall constitute a separate violation. For violations other than for smoking, each day of a continuing violation of this ordinance shall constitute a separate violation.

ARTICLE 9. PENALTIES AND ENFORCEMENT.

A. The remedies provided by this ordinance are cumulative and in addition to any other remedies available at law or in equity.

B. Each incident of smoking in violation of this ordinance is an infraction subject to a \$100 fine. Other violations of this ordinance may, in the discretion of the City Attorney be prosecuted as infractions or misdemeanors when the interests of justice so require. Enforcement of this ordinance shall be the responsibility of the city manager^[RP21] or his designee. In addition, any peace officer or code enforcement official also may enforce this ordinance.

C. Causing, permitting, aiding, abetting, or concealing a violation of any provision of this ordinance shall also constitute a violation of this ordinance.

D. Any violation of this ordinance is hereby declared to be a nuisance.

E. In addition to other remedies provided by this ordinance or by other law, any violation of this ordinance may be remedied by a civil action brought by the city, including, but not limited to, administrative or judicial nuisance abatement proceedings, civil or criminal code enforcement proceedings, and suits for injunctive relief.

F. Except as otherwise provided, enforcement of this ordinance is at the sole discretion of the city. Nothing in this ordinance shall create a right of action in any person against the city or its agents to compel public enforcement of this ordinance.

ARTICLE 10. OTHER LAWS.

It is not the intention of this ordinance to regulate any conduct where the regulation of such conduct has been preempted by the state of California.

ARTICLE 11. STATUTORY CONSTRUCTION AND SEVERABILITY.

It is the intent of the city council to supplement applicable state and federal law and not to duplicate or contradict such law, and this ordinance shall be construed consistently with that intention. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The city council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof independently,

irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

ARTICLE 12. ENACTMENT

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

PASSED, APPROVED AND ADOPTED by the City Council of the City of Ferndale this ___ day of _____, 2020, by the following vote:

AYES:

NOES:

ASTAIN:

ABSENT:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

First Reading		Amendments:
Second Reading		
Enacted		



March 1, 2020

To: Mayor Sweeney, Manager Parrish and Ferndale City Council Members

From: Dian Kiser, Ph.D., CFRE, Health and Social Policy Institute

I am writing on behalf of the Health and Social Policy Institute (HASPI) to offer any assistance or support you might need in the upcoming months toward passage and implementation of a comprehensive smoke-free ordinance similar to those passed in Fortuna, Arcata and Eureka as indicated in the American Lung Association National Clean Air Report Card which is attached to this note. If it is possible to pass a comprehensive secondhand smoke-free ordinance in Ferndale (similar to those passed in Fortuna, Arcata and Eureka), the policy will be recorded and Ferndale will join Fortuna, Arcata and Eureka in the 'A' column.

Why is it important for Ferndale to have a comprehensive ordinance? Ferndale is an example of a smaller California city that has a reputation for beauty and uniqueness—the Victorians and the location of Ferndale makes it one of California's treasures.

How can the grade of "A" be used to Ferndale's advantage? A number of California communities include their non-smoking status in materials and policies such as the Redding Chamber of Commerce; Marin County Office of Education; Plumas County Public Housing Authority among others.

What can HASPI provide free for Ferndale?

- Expert Testifiers
- Current Research
- Local Support
- Signage, materials and resources
- Advice from public health legal experts
- Public health resources and fire safety advice
- Preparing towns for fire suppression in regard to tobacco control
- LEED Buildings information

There are real dangers to tobacco and nicotine use. We have received information in the last few months regarding the deaths and illnesses to youth and adults caused by vaping both nicotine and cannabis. Daily, we are learning about the dangers of vaping, and using nicotine delivery devices that can cause death. As the media has recently reported, people are dying and being critically injured from vaping. States, counties and cities are passing no vaping or flavored tobacco ordinances to save lives and protect their communities.

The Health and Social Policy Institute-HASPI has been working in Humboldt County since 2013 and have been active in the passage of local smoke-free housing and community policies in the County of Humboldt-City of Eureka Public Housing Authority ; City of Fortuna, Smoke-Free Community Policy; and the City of Ferndale-Smoke-Free Low Income Housing and Navy Housing among others. We look forward to continuing to provide support, materials and any assistance in tobacco control that Ferndale might need.



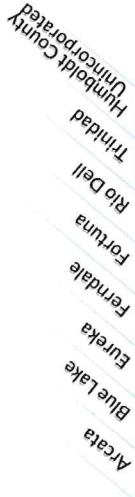
Protecting the Victorians in the City of Ferndale

Like many rural California towns that developed in the late 1800's, substantial wealth had poured into Ferndale from its position as a dairy and trade center which contributed to the building of many ornate store buildings, churches and elegant homes, called 'Butterfat Palaces.' The Victorian Village of Ferndale has been designated as a distinctive destination by the National Trust for Historic Preservation and, as one of America's Prettiest Painted Places, it remains a photographer's paradise. It is truly one of California's most interesting small cities and should be protected from natural disasters such as wild fires and human-caused disasters such as tobacco smoke-related damages and cigarette-caused fires. We have witnessed entire cities being destroyed in California when even small fires break out.

Many cities and counties in California are passing smoke-free multi-unit housing ordinances and comprehensive smoke-free policies especially in towns and cities which have special historical interest districts or architecture which is irreplaceable. One of these cities is Jackson, California home of the historic Jackson Hotel. These ordinances cover smoke-free market value multi-unit housing and comprehensive smoke-free policies covering Secondhand Smoke as well. On August 1, 2018, federally funded HUD (Housing and Urban Development) apartments went entirely smoke-free in the United States. There are reasons smoke-free communities are seen as amenities and protect health and wealth. Thus, the Health and Social Policy Institute's SHARE Project (Sustainable Health Advances in Rural Environments) encourages and assists any city, town, apartment owner, manager or landlord concerned about protecting their properties by making them smoke-free.



Humboldt County



	Arata	Blue Lake	Eureka	Ferdale	Fortuna	Rio Dell	Trinidad	Humboldt County Unincorporated
Overall Tobacco Control Grade	C	C	C	F	C	F	F	F
TOTAL POINTS	6	6	6	0	6	0	0	0
Smokefree Outdoor Air	A	A	A	F	A	F	F	F
Dining	2	2	2	0	4	0	0	0
Entryways	4	4	4	0	4	0	0	0
Public Events	4	3	4	0	4	0	0	0
Recreation Areas	4	4	4	0	4	0	0	0
Service Areas	4	4	4	0	4	0	0	0
Sidewalks	1	0	1	0	0	0	0	0
Worksites	1	1	1	0	1	0	0	0
TOTAL POINTS	20	18	20	0	21	0	0	0
Smokefree Housing	C	C	C	F	C	F	F	F
Nonsmoking Apartments	0	0	0	0	0	0	0	0
Nonsmoking Condominiums	0	0	0	0	0	0	0	0
Nonsmoking Common Areas	4	4	4	0	4	0	0	0
TOTAL POINTS	4	4	4	0	4	0	0	0
Reducing Sales of Tobacco Products	F	F	F	F	F	F	F	F
Tobacco Retailer Licensing	0	0	0	0	0	0	0	0
TOTAL POINTS	0	0	0	0	0	0	0	0
Emerging Issues Bonus Points								
Emerging Products Definition - Secondhand Smoke	1	1	1	0	1	0	0	0
Emerging Products Definition - Licensing	0	0	0	0	0	0	0	0
Retailer Location Restrictions	0	0	0	0	0	0	0	0
Sale of Tobacco Products in Pharmacies	0	0	0	0	0	0	0	0
Flavored Tobacco Products	0	0	0	0	0	0	0	0
Minimum Pack Size of Cigars	0	0	0	0	0	0	0	0
TOTAL POINTS	1	1	1	0	1	0	0	0

Overall Tobacco Control Grade
A: 11-12 D: 2-4
B: 8-10 F: 0-1
C: 5-7

Determined by grades and points from other three categories
A: 4 C: 2 F: 0
B: 3 D: 1

Smokefree Outdoor Air Grade
A: 18+ D: 3-7
B: 13-17 F: 0-2
C: 8-12

Smokefree Housing Grade
A: 10+ D: 1-3
B: 7-9 F: 0
C: 4-6

Reducing Sales of Tobacco Products Grade
A: 4 D: 1
B: 3 F: 0
C: 2

Health Effects of Secondhand Smoke

Secondhand smoke is a serious health hazard causing more than 41,000 deaths per year. It can cause or make worse a wide range of damaging health effects in children and adults, including lung cancer, respiratory infections and asthma.

The American Lung Association has more information available on laws protecting the public from exposure to secondhand smoke.

Key Facts about Secondhand Smoke

- Secondhand smoke causes approximately 7,330 deaths from lung cancer and 33,950 deaths from heart disease each year.¹
- Between 1964 and 2014, 2.5 million people died from exposure to secondhand smoke, according to the 2014 report from the U.S. Surgeon General. The report also concluded that secondhand smoke is a definitive cause of stroke.¹
- There is no risk-free level of exposure to secondhand smoke and even short-term exposure potentially can increase the risk of heart attacks.²
- Secondhand smoke contains hundreds of chemicals known to be toxic or carcinogenic, including formaldehyde, benzene, vinyl chloride, arsenic ammonia and hydrogen cyanide.²
- Secondhand smoke can cause heart attacks; even relatively brief exposure can trigger a heart attack, according to a report by the Institute of Medicine.³

Meeting Date:	March 18, 2020	Agenda Item Number	13.b
Agenda Item Title:	Introduction and 1 st Reading of Draft Ordinance 2020-02 Amending Building Inspector/Construction Code Ordinance 2011-01 Section 6.01.		
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:

Review and consider approval of Introduction and 1st Reading of Draft Ordinance 2020-02 Amending Building Inspector/Construction Code Ordinance 2011-01 Section 6.01.1 adopting the required 2019 Title 24 Building Codes Standards and Regulations of the California State Building Standards Commission.; waive reading of the text and consent to read by title only.

DISCUSSION:

The State of California Building Standards Commission updates Building Codes every three (3) years based on the model uniform codes published by the International Code Council. The new California Code of Regulations, Title 24, was published in July, 2019. The 2019 California Building Standards Codes adopted by the Building Standards Commission went into effect 180 days after the July publication by the state. The codes must be enforced by each City and County as of January 1, 2020.

Each jurisdiction in California adopts these codes as written, or may establish more restrictive building standards that may be necessary to address different climatic, geological, or topographical conditions. In the past, the City of Ferndale has adopted these codes as adopted by the State Building Standards Commission based on the model uniform codes published by the International Code Council.

FISCAL IMPACT:

\$1300.00 Purchase of new code books required.

ATTACHMENTS:

- A. Draft Ordinance No. 2020-02

ORDINANCE NO 2020-02**AN ORDINANCE OF THE CITY OF FERNDALE, STATE OF CALIFORNIA,
AMENDING ORDINANCE 2011-01 SECTION 6.01.1 ADOPTING THE REQUIRED
2019 TITLE 24 BUILDING CODE STANDARDS AND REGULATIONS OF THE
CALIFORNIA STATE BUILDING STANDARDS COMMISSION**

The City Council of the City of Ferndale, does ordain the following:

WHEREAS, the California Building Standards Commission is responsible for administering California's building codes, including adopting, approving, publishing, and implementing codes and standards; and

WHEREAS, the California Building Standards Code is published every three years and amends the California Code of Regulations, Title 24; and

WHEREAS, these codes based substantially on codes by the International Code Council, are commonly referred to as the California Building Code and include, but are not limited to, building, electrical, mechanical, plumbing, fire and energy codes; and

WHEREAS, in January 2020, the State of California Building Standards Commission adopted many of these codes with amendments and published them as California codes; and

WHEREAS, the new California Code of Regulations, Title 24, was published in July 2019; and

WHEREAS, the codes adopted by the Building Standards Commission go into effect 180 days after publication by the State and must be enforced by each City and County as of January 1, 2020.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Ferndale does hereby ordain as follows:

ARTICLE 1: ADOPTION AND PURPOSE

§1.01 Adoption: There is hereby adopted an Amendment to Building Inspector/Construction Code Ordinance 2011-01 for the City of Ferndale, State of California

§1.02 Purpose: This Ordinance is intended to adopt the required 2019 Title 24 California Code of Regulations by the California State Building Standards Commission.

ARTICLE 2: STATUTORY AUTHORITY

§2.01 California Government Code §§37103 and 53060

ARTICLE 3: BUILDING INSPECTOR/CONSTRUCTION CODE AMENDMENTS

§ 3.01 Section 6.01.1 of Building Inspector/Construction Code Ordinance be amended to read as follows:

- 6.01.1 The following codes are required to be adopted by the City of Ferndale:
- a. **California Administrative Code** – 2019 California Administrative Code (Part 1 of Title 24)
 - b. **California Building Code** – 2019 California Building Code (Part 2 of Title 24), Based on the 2018 International Building Code (IBC)
 - c. **California Residential Code** – 2019 California Residential Code (Part 2.5 of Title 24). Based on the 2018 International Residential Code (IRC).
 - d. **California Electrical Code** – 2019 California Electrical Code (Part 3 of Title 24). Based on the 2017 National Electrical Code (NEC)
 - e. **California Mechanical Code** – 2019 California Mechanical Code (Part 4 of Title 24). Based on the 2018 Uniform Mechanical Code (UMC)
 - f. **California Plumbing Code** – 2019 California Plumbing Code (Part 5 of Title 24). Based on the 2018 Uniform Plumbing Code (UPC)
 - g. **California Energy Code** – 2019 California Energy Code (Part 6 of Title 24).
 - h. **California Fire Code** – 2019 California Fire Code (Part 9 of Title 24). Based on the 2018 International Fire Code (IFC)
 - i. **California Existing Building Code** – 2019 California Existing Building Code (Part 10 of Title 24), including 2019 California Historical Building Code, Title 24, Part 8 and 2019 California Referenced Standards Code, Title 24, Part 12. Based on the 2018 International Existing Building Code (IEBC)
 - j. **California Green Building Standards Code** – “CAL Green” – 2019 California Green Building Standards Code (Part 11 of Title 24).
 - k. **1997 Uniform Building Code** – 1997 Uniform Housing Code. Published by the International Conference of Building Officials as referenced by the California Department of Housing and Community Development and pursuant to the provisions of Section 17958, 17958.5, 17958.9 and 17959 of the California Health and Safety Code.

ARTICLE 4: ENACTMENT

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

§4.02 Effective Date: This Ordinance shall become effective 30 days after the date of enactment.

ARTICLE 5: ENACTING DATE AND SIGNATURES

Passed, approved and adopted by the City Council of the City of Ferndale at a regular meeting on this __ day of _____, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Michael Sweeney, Mayor

Kristene Hall, City Clerk

First Reading	
Second Reading	
Enacted	

Meeting Date:	March 18, 2020	Agenda Item Number	13.c
Agenda Item Title	Appoint Members to Serve on the Drainage Committee		
Presented By:	City Manager		
Type of Item:	X	Action	Discussion Information
Action Required:		No Action	X Voice Vote Roll Call Vote

RECOMMENDATION:

Appoint Bill Becker to Serve on the Drainage Committee for a 2-year term and vote one applicant to serve as the at large member outside city limits for a 2-year term.

BACKGROUND:

At the February 19, 2020 City Council Meeting, the council appointed 3 at large members to the Ferndale Drainage Committee which still left three vacant seats. The City Council also passed Resolution 2020-03 allowing one member of the Drainage Committee to reside in an area outside the city limits directly impacted by city drainage.

Staff advertised the vacancies and one application was received from a resident within the city limits and three applications were received from residents outside the city limits.

Council may appoint Bill Becker, who resides within the city limits, to the Drainage Committee as recommended, but will need to vote on the at large member residing outside city limits. A ballot will be distributed to the council by the city clerk for voting purposes. The City Clerk will then collect the ballot and read the votes out loud. Majority vote will determine the appointment of the member to the Drainage Committee.

The one remaining at-large vacancy for a member within city limits will be posted.

ATTACHMENTS:

- Bill Becker Letter of Interest
- Wayne Ambrosini Letter of Interest
- Juanita Petersen Letter of Interest
- George Toste Letter of Interest

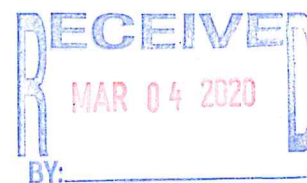
Application for Ferndale Drainage Committee

Bill Becker

I have been a businessman in Ferndale for 40 years in the insurance industry and am well acquainted with federal and state flood maps and mandates.

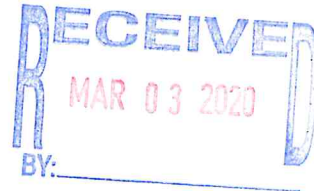
I am Ferndale Fire Commissioner, and a 20 year member of the Ferndale Fire Department, and have coordinated efforts through many floods, and flooding of Ferndale town and countryside.

Mostly, I think this is a committee in which I could help our city.



March 3, 2020

City Clerk
City of Ferndale
POB 1095, Ferndale 95536



To whom it may concern,

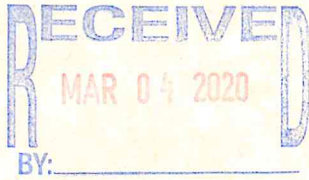
I am interested in serving on the City of Ferndale's Drainage Committee. I have served on the ad hoc drainage committee for at least one year and wish to continue my membership.

Please consider my application.

Name: WAYNE F. AMBROSINI

Signature: Wayne F. Ambrosini

Juanita Petersen
P.O. Box 1054
Ferndale, CA 95536-1054
707-834-6613
kestrel4@frontiernet.net



March 4, 2020

Ferndale Drainage Committee

TO WHOM IT MAY CONCERN:

As a concerned citizen of Ferndale, I feel that I would be an excellent candidate for a position on the Ferndale Drainage Committee. I live on the corner of Rasmussen and Van Ness – the first house outside of the city limits. I am extremely apprehensive of the drainage of all the water to the Salt River -- it definitely impacts my property. I have lived in Ferndale my entire life and feel that someone that has the history of the area would be an asset to the committee.

Sincerely,

Juanita Petersen

3/5/2020

Drainage Committee,

My name is George Toste and I would like to put my name in for the Drainage Committee Vacancy for the area outside of the Ferndale City limits.

I have lived in Ferndale my whole life, some in the Waddington Road area and the rest on Dillon Road.

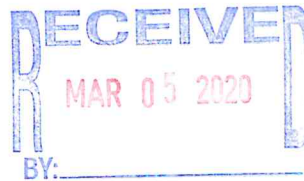
I rent property for my dairy animals on Port Kenyon, and have been impacted by the drainage water leaving the Ferndale area.

I would like to be part of the solution of the drainage problem, and would like to help my town of Ferndale.

Thank you,



George Toste



Meeting Date:	March 18, 2020	Agenda Item Number	13.d
Agenda Item Title	Consider Appointment of Applicant to Serve on the Planning Commission		
Presented By:	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:

Consider Appointment of Applicants to Serve on the Planning Commission.

BACKGROUND:

On March 1, 2020, Paul Gregson’s terms will be expiring. Staff posted the Planning Commission vacancy inviting applications from interested citizens. An application deadline of February 25, 2020 was given. There was only one application received in good standing order by the deadline. Paul Gregson would like to continue on the Planning Commission and reapplied.

At its regular meeting on March 4, 2020, the Planning Commission unanimously recommended the City Council re-appoint Paul Gregson to the Planning Commission.

ATTACHMENTS:

Paul Gregson Letter of Interest

February 20, 2020

Ferndale City Clerk

RE: Letter of Interest for Planning Position Opening

Dear Kristene,

Please add me to the list of applicants for the current opening on the Planning Commission.

I believe I am qualified to be a commissioner for the following reasons:

- Five years' service on the City of Ferndale's Planning Commission
- Six years' service on Design Review

Additionally, I have resided in Ferndale for eight years, and attended many City Council meetings; therefore, I have considerable knowledge of City government affairs and their history. Attending the meetings has led me respect people who volunteer their time to assist their community, and their example has given me a desire to serve.

Thank you for your consideration.

Regards,

Paul Gregson

Meeting Date:	March 18, 2020	Agenda Item Number	13.e
Agenda Item Title	Resolution 2020-05 Establishing a Policy to Accept Gifts and Donations		
Presented By:	City Manager		
Type of Item:	X	Action	Discussion Information
Action Required:		No Action	X Voice Vote Roll Call Vote

RECOMMENDATION:

Approve Resolution 2020-05 Establishing a Policy for the City to Accept Gifts and Donations

BACKGROUND:

At a previous Council meeting, the Council appointed an ad hoc committee of Councilmembers Bullard and Smith to work with staff to develop a policy for the acceptance of gifts and donations to the City. The proposed Resolution is attached.

The policy principally provides a review process for the acceptance of certain types of gifts, depending the type of the gift (i.e., cash, personal property, or real property) and whether the gift is donated for a designated purpose. (See Resolution, Article 4.)

The policy also provides factors the Council or the City Manager, as applicable, should consider when evaluating whether to accept or reject certain types of gifts.

Importantly, the policy draws a distinction between gifts or donations to the City versus gifts or donations to City employees or officials. The latter is not regulated by this policy and, instead, will continue to be regulated by the City’s Conflict of Interest Code and State law.

Finally, the policy makes clear that the City is under no obligation to accept a gift.

ATTACHMENTS:

Resolution 2020-05

RESOLUTION NO. 2020-05**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE ESTABLISHING A POLICY FOR THE CONSIDERATION AND ACCEPTANCE OF DONATIONS TO THE CITY**

WHEREAS, pursuant to Government Code section 37354, the City of Ferndale may accept or reject any gift, bequest, or devise made to or for the City, or to or for any of its officers in their official capacity or in trust for any public purpose;

WHEREAS, the City Council finds that this Resolution is advisable to establish a formal process for the consideration and acceptance of donations made to the City.

The City Council of the City of Ferndale, does resolve as follows:

ARTICLE 1: Purpose.

The purpose of this Resolution is to establish policies and procedures for the acceptance or rejection of any gift, bequest, or devise made to or for the City for any public purpose. This policy is not intended to regulate or permit the acceptance of any gift, bequest, or devise made to any City official or employee. The acceptance of any gift, bequest, or devise made to any City official or employee shall continue to be regulated by the City's Conflict of Interest Code and State law.

ARTICLE 2: Types of Donations.

Donations to the City may be in the form of cash or cash equivalents, real property, or personal property and shall be directed to the attention of the City Manager. Real property is defined as land or improvements thereon, such as buildings or other inherently permanent structures (including items that are structural components of such buildings). Personal property is defined as items that are moveable exclusive of land or buildings.

A gift may be donated for a designated purpose or for a general purpose. If a gift is donated for a designated purpose, the designated purpose shall be stated in writing and subject to review by City Council as described in section 4.3. If a donation is made without a designated purpose memorialized in an acceptance document, the donation shall be deemed a donation for general purposes. A donation accepted for a designated purpose shall be used by the City in accordance with the designated purpose. A donation accepted for a general purpose may be used by the City in its sole discretion.

ARTICLE 3: Public Purpose.

The City shall only accept donations that have a purpose consistent with the City's goals and objectives and are in the best interest of the City. Donations that do not have a public purpose shall not be accepted.

ARTICLE 4: Acceptance of Donations.**Section 4.1. Acceptance of Donations without a Designated Purpose.**

All offers of donations by any person or entity to the City shall be immediately reported to the City Manager. Based on the estimated value or type of donation, the City Manager or his designee shall proceed as follows:

- 4.1.1 Cash or Cash Equivalent Donations
Offers of donations of cash or cash equivalents with an undesignated purpose may be accepted by the City Manager or his designee in his or her discretion in accordance with this Resolution.
- 4.1.2 Real property
Offers of donations of real property with an undesignated purpose shall be accepted only by resolution of the City Council after consideration of the criteria set forth in section 4.3, below.
- 4.1.3 Personal property
Offers of donations of personal property with an undesignated purpose with a value of over \$5,000 shall be accepted only by resolution of the City Council. Offers of donations of personal property with an undesignated purpose with a value of equal to or less than \$5,000 shall be accepted only by the City Manager or his designee.

Section 4.2. Acceptance of Donations with a Designated Purpose.

All offers of donations with a designated purpose by any person or entity to the City shall be immediately reported to the City Manager. Based on the type of donation, the City Manager or his designee shall proceed as follows:

- 4.2.1 Cash or Cash Equivalent Donations
Donations of cash or cash equivalents with a designated purpose may be accepted by the City Manager or his designee after consideration of the criteria set forth in sub-section 4.3, below.
- 4.2.2 Real Property
Offers of donations of real property regardless of value, with a designated purpose shall be accepted only by resolution of the City Council after consideration of the criteria set forth in sub-section 4.3, below.
- 4.2.3 Personal Property
Offers of donations of personal property, regardless of value, with a designated purpose shall be accepted only by resolution of the City Council after consideration of the criteria set forth in sub-section 4.3, below.

Section 4.3. Criteria for Acceptance of Donations

When considering a donation with a designated purpose, the City Manager or City Council, as applicable, should consider:

- a. Whether the acceptance of the donation requires expenditure of City funds in order to meet the designated purpose. This would include the city staff doing due diligence and analyzing necessary research in real property such as hazardous material analysis, Title Report, etc.;
- b. The potential and extent of the City's obligation to maintain, match, administer, or supplement the donation;
- c. The length of time required to carry out the designated purpose;

- d. Whether the designated purpose is consistent with ordinances, policies, zoning designations, and the general plan of the City;
- e. The public benefit received; and
- f. The impact on City property or the aesthetic, cultural, or social impact of the donation on the character of Ferndale.

ARTICLE 5: Acknowledgment of Acceptance.

A donation shall not be deemed accepted, regardless of whether the City has temporary possession of the donated property, unless and until accepted in writing by the City Manager, his designee, or the City Council, as applicable. If the donation is accepted by the City Manager, his designee, the City Manager shall accept the donation in writing. The writing shall identify the donor's name and address, the type of property contacted, the estimated value of the donated item, and the designated purpose (if any) for which the donor has identified. If the donation is accepted by the City Council, the donation shall be by resolution and shall contain the information set forth above in the case of acceptance by the City Manager.

ARTICLE 6: Declined Donations.

The City Council or City Manager reserves the right to decline any donation if, upon review, acceptance of the donation offer is determined, in the sole discretion of the City, to be not in the best interests of the City.

ARTICLE 7: Design Review

For any real property or personal property that is subject to Council approval, the Council may, in its discretion, during a public meeting on the donation, refer the donation to the Design Review Committee if the Council determines that the donation may impact City property or impact the aesthetic, cultural, or social character of Ferndale. If so referred, the Design Review Committee shall conduct at least one public meeting on the donation and submit a recommendation to the Council as to whether it finds that the donation is appropriate.

Passed, Approved and Adopted by the City Council of the City of Ferndale on this 18th Day of March, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

Section 14

CORRESPONDENCE

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

February 13, 2020

**City of Ferndale
834 Main Street
Ferndale, CA 95536**

Mayor/City Council Members/City Manager:

I am writing to inquire on the progress and/or resolution of the following items that have previously been brought before the City:

- 1) The undergrounding of utility lines from Main & Shaw to Main & Herbert. This was discussed, studied, and decided on over two years ago. My concern is, with the current bankruptcy situation of PG&E, will those funds still be available for that project, and what is the hold-up?**
- 2) Where are we on the parking ordinance for the business district, and when will the sign posting be put in place?**
- 3) Where are we on the fence ordinance and the corrections of those in violation?**
- 4) Where are we on enforcement of parking of boats, motorhomes, trailers, and similar items on City streets over the limit specified in the ordinance? There are many violations currently going unabated.**
- 5) A review and plan for improving our City streets was to be done by our City engineer. Where are we on that report? This can has been kicked down the road long enough! (forgive the pun)**

I would like to see these items placed on the agenda for discussion at a monthly council meeting as soon as possible.

Thanks for your cooperation!

Duane Martin
Resident and concerned Citizen

DATE: February 18, 2020

TO: STATE, CITY AND LOCAL OFFICIALS

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE RATES FOR THE WILDFIRE EXPENSE MEMORANDUM ACCOUNT (A.20-02-004)

Summary

On February 7, 2020, Pacific Gas and Electric Company (PG&E) filed its Wildfire Expense Memorandum Account (WEMA) application No. A.20-02-004 with the California Public Utilities Commission (CPUC).

The application seeks recovery of certain costs recorded in the WEMA, including \$498.7 million for insurance costs incurred between July 26, 2017, and December 31, 2019. These costs exceed previously authorized rates for the same period.

If the CPUC approves this application, PG&E will recover costs in electric and gas rates over a one-year period beginning January 1, 2021.

Background

PG&E purchases excess liability insurance to protect against claims that may arise in connection with business operations. The program is designed to protect PG&E from significant losses, which could ultimately lead to increased rates for customers. PG&E renews this excess liability insurance on or about August 1 each year.

The cost of this insurance has increased dramatically due to high wildfire liabilities in California.

How will the application affect electric rates?

Most customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission and distribution services.

Based on rates currently in effect, the bill for a typical residential nonCARE customer using 500 kWh per month would increase from \$124.41 to \$127.88, or 2.8%.

Direct Access and Community Choice Aggregation customers only receive electric transmission and distribution services from PG&E. On average, these customers would see an increase of 1.8%.

Another category of nonbundled customers is Departing Load. These customers do not receive electric generation, transmission or distribution services from PG&E. However, these customers are required to pay certain charges by law or CPUC decision. These customers will not be impacted by this application.

Detailed rate impacts are being sent directly to customers in February and March 2020. Actual impacts will vary depending on usage.

How will the application affect gas rates?

Bundled gas customers receive transmission, distribution, and procurement services from PG&E.

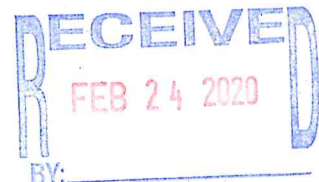
Based on rates currently in effect, the gas bill for a typical residential customer averaging 32 therms per month would increase from \$50.88 to \$52.68, or 3.5%.

Detailed rate impacts are being sent directly to customers in February and March 2020. Actual impacts will vary depending on usage.

How do I find out more about PG&E's proposals?

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TTY, call **1-800-652-4712**. Para más detalles llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company
WEMA Application (A.20-02-004)
P.O. Box 7442
San Francisco, CA 94120



A copy of PG&E's filing and exhibits is also available for review at the CPUC's Central Files office by appointment only. For more information, contact aljcentralfilesid@cpuc.ca.gov or **1-415-703-2045**. PG&E's application (without exhibits) is available on the CPUC's website at www.cpuc.ca.gov.

CPUC process

This application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related information necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings (EHs) may be held where parties will present their testimony and may be subject to cross-examination by other parties. These EHs are open to the public, but only those who are formal parties in the case can participate.

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted on at a scheduled CPUC Voting Meeting that is open to the public.

The California Public Advocates Office (CalPA) may review this application. CalPA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. CalPA has a multidisciplinary staff with expertise in economics, finance, accounting and engineering. For more information about CalPA, please call **1-415-703-1584**, email PublicAdvocatesOffice@cpuc.ca.gov or visit CalPA's website at www.publicadvocates.cpuc.ca.gov.

Stay informed

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at: <http://subscribecpuc.cpuc.ca.gov>. If you would like to learn how you can participate in the proceeding, have informal comments about the application or have questions about the CPUC processes, you may access the CPUC's Public Advisor's Office (PAO) webpage at <http://consumers.cpuc.ca.gov/pao/>.

You may also contact the PAO as follows:

Email: public.advisor@cpuc.ca.gov

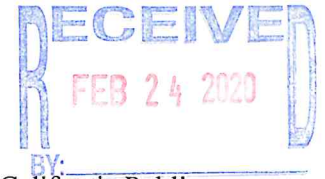
Mail: CPUC
Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

Call: **1-866-849-8390** (toll-free) or **1-415-703-2074**

TTY: **1-866-836-7825** (toll-free) or **1-415-703-5282**

Please reference **PG&E's WEMA Application (A.20-02-004)** in any communications you have with the CPUC regarding this matter. All public comments will become part of the public correspondence file for this proceeding and made available for review by the assigned Judge, Commissioners and appropriate CPUC staff.

Del Oro Water Company, Inc.
Statewide Stabilization General Rate Case
Ferndale District
 Advice Letter No. 516-A



NOTICE OF PROPOSED RATE INCREASE

Del Oro Water Company, Inc. (DOWC), has filed Supplemental Advice Letter No. 516-A with the California Public Utilities Commission (CPUC) on behalf of all DOWC districts (DOWC DISTRICTS) for a Statewide Stabilization General Rate Case (SSGRC) to increase its Annual General Metered Service Rate Readiness to Serve Charges.

BACKGROUND

On November 9, 2018, DOWC established the Lost Revenue Memorandum Account. The memorandum account was established to track, for 12 months, the following factors associated with the November 2018 Camp Fire:

- lost revenues,
- cost savings associated with lower sales on volume-related items such as power,
- funding from any governmental source, and
- any insurance or litigation proceeds received by DOWC for the specific purpose of offsetting lost revenue.

The Lost Revenue Memorandum Account became the Lost Revenue Balancing Account¹. DOWC was authorized to collect a \$10.54 surcharge, per customer, per monthly billing (across all of its districts) for 12 months. The surcharge will expire May 31, 2020. The proposed SSGRC will provide the CPUC an opportunity to review the surcharge collection.

Following the catastrophic Camp Fire in which four of DOWC’s DISTRICTS sustained heavy losses, DOWC needs to adjust previously authorized sales forecasts for the affected districts. Statewide and regional operating expenses for the previous 8,548 customers need to be readjusted for the remaining 6,470 customers. DOWC proposes that the fair distribution of costs is to charge all customers throughout the 20 DOWC DISTRICTS the same additional Statewide Stabilization Rate of \$20.00.

REQUEST

In Advice Letter No. 516-A, dated February 14, 2020, DOWC has requested authority from the CPUC to increase its overall statewide revenue by \$1,528,190, or 30.62%, in 2020. DOWC proposes to increase only the Readiness to Serve Charge component of each district’s rates and specifically for the Ferndale District as follows:

Readiness to Serve Charge:	<u>Per Meter, Per Month</u>	
	<u>Present Rates</u>	<u>Proposed Rates</u>
For 5/8 x 3/4 inch meter	22.30	42.30
For 3/4 inch meter	33.46	53.46
For 1 inch meter	55.76	75.76
For 1-1/2 inch meter	111.52	131.52
For 2 inch meter	178.44	198.44
For 4 inch meter	577.62	597.62
For 6 inch meter	1,115.25	1,135.25
For 8 inch meter	1,784.40	1,804.40

The Readiness to Serve Charge is applicable to all metered service.

CPUC staff will thoroughly review the utility’s request. Following the review, the CPUC may grant the utility’s request in whole or in part, or deny it. It may also order the utility to charge rates different from those shown in this notice.

¹ Resolution W-5193, dated May 30, 2019, changed the account into the Lost Revenue Balancing Account

~~Customers are encouraged to contact Del Oro at (530) 717-2506 with any questions regarding the rate case.~~ A copy of DOWC's filing may be reviewed at: 426 Broadway, Ste. 303, Chico, CA 95928. You may request a copy be mailed to you by calling 530-717-2506. You will be billed \$0.10 per page for copies.

PROTESTS AND RESPONSES:

Anyone may respond to or protest this filing. A response supports the filing and may contain information that proves useful to the CPUC in its evaluation. A protest objects to the filing in whole or in part and must set forth the specific grounds on which it is based. A protest shall also provide citations or proof where available to allow CPUC staff to properly consider the protest. The grounds for protests are:

1. The utility did not properly serve or give notice of the filing.
2. The relief requested in the filing would violate statute or CPUC order; or is not authorized by statute or CPUC order on which the utility relies.
3. The analysis, calculations, or data in the filing contains material errors or omissions.
4. The relief requested in the filing is pending before the CPUC in a formal proceeding, or
5. The relief requested in the filing requires consideration in a formal hearing, or is otherwise inappropriate for the filing process, or
6. The relief requested in the filing is unjust, unreasonable, or discriminatory (provided that such a protest may not be made where it would require re-litigating a prior order of the CPUC).

If you wish to respond or protest this advice letter filing, you may do so by writing the CPUC's Water Division no later than March 10, 2020 which is 20 calendar days from the mail date of this notice. Please include "Advice Letter No. 516-A for DOWC Ferndale, 2020 Statewide Stabilization General Rate Case" in any response or protest you submit. The CPUC address for mailing (or emailing) a response or protest is:

CPUC, Water Division
505 Van Ness Avenue, Room 3200
San Francisco, California 94102
Fax: (415) 703-2481
E-Mail: water_division@cpuc.ca.gov

On the same date the response or protest is submitted to the CPUC, the respondent or protestant must send a copy by mail (or e-mail) to the utility at:

DOWC, Director of Community Relations
Drawer 5172
Chico, CA 95927
(530) 717-2506 / Fax: (530) 894-5405
E-Mail: communityrelations@corporatecenter.us (*E-mail Preferred*)

If you have not received a reply to your protest from the utility within 10 business days, you may contact DOWC at 530-717-2506. Further information may be obtained from the utility at its business office or from the CPUC at the above address.

Mailed: February 19, 2020

DATE: March 3, 2020

TO: STATE, CITY AND LOCAL OFFICIALS

NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE RATES FOR ITS ENERGY RESOURCE RECOVERY ACCOUNT COMPLIANCE APPLICATION (A.20-02-009)

Summary

On February 28, 2020, Pacific Gas and Electric Company (PG&E) filed its 2019 Energy Resource Recovery Account (ERRA) Compliance application with the California Public Utilities Commission (CPUC).

Each year PG&E forecasts its fuel and purchased power costs for the following year in the ERRA and Portfolio Allocation Balancing Account (PABA). PG&E recovers these costs with no mark up for return or profit.

The application also includes a request to increase rates to recover \$3.996 million in costs related to the seismic (earthquake) studies performed at Diablo Canyon Power Plant.

Background

The purpose of this ERRA Compliance proceeding is to review PG&E's costs associated with obtaining energy for customers and to review program costs noted above. The CPUC will review PG&E's costs to ensure compliance with the previously approved forecast and energy purchasing plans.

How will the application affect electric rates?

Most customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission and distribution services.

Based on rates currently in effect, the bill for a typical residential nonCARE customer using 500 kWh per month would increase from \$124.08 to \$124.10, or 0.02%.

Direct Access and Community Choice Aggregation are unbundled electric service customers who only receive electric transmission and distribution services from PG&E. On average, these customers would see an increase of 0.04%.

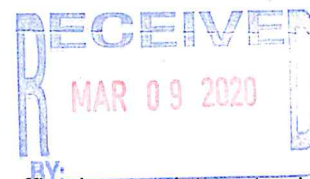
Another category of nonbundled customers is Departing Load. These customers do not receive electric generation, transmission or distribution services from PG&E. However, these customers are required to pay certain charges by law or CPUC decision. The impact of PG&E's application on these customers is an average increase of 0.4%.

Actual impacts will vary depending on usage.

How do I find out more about PG&E's proposals?

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TTY, call **1-800-652-4712**. Para más detalles llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company
2019 ERRA Compliance Application (A.20-02-009)
P.O. Box 7442
San Francisco, CA 94120



A copy of PG&E's filing and exhibits is also available for review at the CPUC's Central Files office by appointment only. For more information, contact aljcentralfilesid@cpuc.ca.gov or **1-415-703-2045**. PG&E's application (without exhibits) is available on the CPUC's website at cpuc.ca.gov.

CPUC process

This application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related information necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings (EHs) may be held where parties will present their testimony and may be subject to cross-examination by other parties. These EHs are open to the public, but only those who are formal parties in the case can participate.

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an

alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted on at a scheduled CPUC Voting Meeting that is open to the public.

The Public Advocates Office (CalPA) has reviewed this application. CalPA is the independent consumer advocate within the CPUC with a statutory mandate to represent customers of investor-owned utilities to obtain the lowest possible rate for service consistent with safe and reliable service and the state's environmental policy goals. CalPA has a multidisciplinary staff with expertise in economics, finance, accounting and engineering. For more information about CalPA, please call **1-415-703-1584**, email **PublicAdvocatesOffice@cpuc.ca.gov**, or visit CalPA's website at **www.publicadvocates.cpuc.ca.gov**.

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You may also contact the PAO as follows:

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Mail: CPUC

Public Advisor's Office

505 Van Ness Avenue

San Francisco, CA 94102

Call: **1-866-849-8390** (toll-free) or **1-415-703-2074**

TTY: **1-866-836-7825** (toll-free) or **1-415-703-5282**

Please reference **2019 ERRR Compliance Application (A.20-02-009)** in any communications you have with the CPUC regarding this matter. All public comments will become part of the public correspondence file for this proceeding and made available for review by the assigned Judge, Commissioners and appropriate CPUC staff.



COVID-19

California: State of Preparedness

3/5/20

New information in blue.

California is Prepared:

- Given our connectedness to rest of the world and our sheer size, we have always understood that a fast-spreading and novel infectious disease could show up here first, in California, before anywhere else in the country.
- In recent years we have had a plan for a flu-like pandemic – one that has built on our knowledge and experience with previous flu-strains and infectious diseases.
- Our public health infrastructure and our expertise is second to none. We have been preparing for this particular virus since it was discovered last year, and we have been in deep and daily coordination with the CDC, local government and our health system as it spread.
- We're perhaps the most prepared state in the country for tackling this threat. That is why the federal government chose California as the destination for six repatriation flights of U.S. Citizens from China and the Diamond Princess cruise ships.

COVID-19 Numbers at a Glance:

- As of the morning of **March 5, 2020**, there were a total of **60** positive cases in California: 24 cases are from repatriation flights, and the other 19 confirmed cases include:
 - **18** - travel related;
 - 10 - person-to-person
 - 4 - community transmissions (one in Solano County, two in Santa Clara County, and one in San Mateo County).
 - **4** – currently under investigation
 - 1 – death
 - As of **March 5, 2020**, there have been **ten** deaths reported in the United States from COVID-19.
 - **9,400+** individuals who traveled on commercial flights through SFO or LAX are self-monitoring across 49 local health jurisdictions. This is



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precautionary and these individuals are not displaying symptoms at this time.

- 15 – labs with test kits
- From the international data we have, of those who have tested positive for COVID-19, approximately 80 percent do not exhibit symptoms that would require hospitalization.

Actions Taken by the State

- On March 5, under the direction of Governor Gavin Newsom, the Department of Managed Health Care directed all commercial and Medi-Cal health plans regulated by the Department to immediately reduce cost-sharing to zero for all medically necessary screening and testing for the COVID-19.
- On March 5, the California Department of Insurance issued similar direction providing cost free medically necessary testing for an additional 2 million Californians. Combined these announcements ensure that 24 million more Californians are eligible to receive testing, should their health care provider deem it medically necessary.
- On March 5, the California Employee Development Department announced support services to individuals affected by COVID-19 in California. For faster and more convenient access to those services, the use of online options is encouraged.
 - Individuals who are unable to work due to having or being exposed to COVID-19 (certified by a medical professional) can file a Disability Insurance claim.
 - Californians who are unable to work because they are caring for an ill or quarantined family member with COVID-19 (certified by a medical professional) can file a Paid Family Leave claim.
 - Employers experiencing a slowdown in their businesses or services as a result of the Coronavirus impact on the economy may apply for the UI Work Sharing Program.
- On March 4, Governor Newsom declared a State of Emergency.



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OF EMERGENCY SERVICES

CHHS
California Health & Human Services Agency

California Department of
PublicHealth

- The order streamlines processes to allow California to more rapidly address the impacts of suspected or confirmed COVID-19 cases throughout the state. These measures include:
 - Waiving unnecessary contracting requirements for state agencies;
 - Facilitates the use of out-of-state resources to provide assistance in California;
 - Extends price gouging protections for emergency and medical supplies statewide, including, but not limited to, antibacterial products, hygiene products, prescription and over-the-counter medications, and personal protective equipment;
 - Ensures the availability of all state properties as well as state and local fairgrounds;
 - Facilitates the sharing of anonymized information to facilitate monitoring, investigation and control, and treatment and coordination of care;
 - Ensures appropriate dissemination of COVID-19 guidance;
 - Relaxes regulations governing licensing and use of facilities under the purview of CDPH;
 - Relaxes regulations governing licensing and use of facilities under the purview of the Department of Social Services;
 - Allows for the transportation of patients to facilities as necessary to address the impacts of COVID-19;
 - Suspends requirements for local governments to periodically renew local emergencies and local health emergencies; and
 - May provide for the assistance to local governments that have demonstrated extraordinary or disproportionate impacts.



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- On March 3, CDPH announced that it has received approval from the Centers for Disease Control and Prevention (CDC) and the National Institute of Occupational Safety and Health (NIOSH) to use some of its emergency planning reserves of 21 million N95 filtering facepiece masks in certain situations.
 - The emergency planning reserves of N95 masks, some of which are past their manufacturer use-by date, have been stored in climate-controlled conditions that preserved the masks' efficacy. The way the masks have been stored will prevent the degradation of elastic that slips around the ears, a key factor in the CDC and NIOSH's approval.
 - These masks are approved for use only in limited, low-risk circumstances, thus relieving pressure on the supply chain of unexpired masks for health care providers caring for confirmed COVID-19 patients and other high-risk situations for infectious diseases. On March 2, Governor Gavin Newsom requested the Legislature make up to \$20 million available for state government to respond to the spread of COVID-19. This will be an early action item for the 2020-2021 budget. (CORRECTED)
- On March 2, Governor Newsom activated the State Operations Center (SOC) in Mather, California, to its second highest level to support state, federal and local emergency managers, public health officials and first responders.
 - The SOC will provide operational and logistical support to the California Department of Public Health's Medical and Health Coordination Center (MHCC).
 - The MHCC has been activated since January to coordinate California's public health response to COVID-19.
- California has been an active partner with the federal government on helping impacted Americans get home from China and other areas. We have been deeply engaged in the planning work. We have been the first in the nation to support local testing. And we have extensive experience with managing individuals with symptoms and test-confirmed novel coronavirus.



Cal OES
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- We have been actively and extensively planning with our local public health and health care delivery systems. Here are some of the things we are already doing:
 - California continues to prepare and respond in coordination with federal and local partners, hospitals and physicians.
 - We are providing information, guidance documents, and technical support to local health departments, health care facilities, providers, schools, universities, colleges, and childcare facilities across California.
 - We are coordinating with federal authorities and local health departments that have implemented screening, monitoring and, in some cases quarantine of, over 8,000 passengers returning to the U.S. from China.
 - In coordination with state and local health departments, we are actively engaged in managing suspect and confirmed cases of COVID-19 patients over the past several weeks.
 - We are supporting hospitals and local public health laboratories for collection and shipment of specimens for testing at CDC for novel coronavirus.
 - 11 California public health labs have already received CDC test kits and have begun testing.
 - These labs include CDPH's Laboratory in Richmond, Alameda, Contra Costa, Sacramento, San Francisco, Santa Clara, Tulare, Ventura, Los Angeles, Orange, and San Diego County labs.
 - The CDPH Laboratory will provide diagnostic testing within a 48-hour turnaround time.
 - More public health labs will soon be able to test, ramping up to a total of 20 public health labs in California in the coming weeks.



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How Can People Protect Themselves:

Every person has a role to play. So much of protecting yourself and your family comes down to common sense – things you learned as a kindergartner:

- Washing hands with soap and water.
- Avoiding touching eyes, nose or mouth with unwashed hands.
- Avoiding close contact with people who are sick.
- Follow guidance from public health officials.
- It is also important that anyone experiencing symptoms of COVID-19, call their health care provider first before seeking medical care so that appropriate precautions can be taken.
- Staying away from work, school or other people if you become sick with respiratory symptoms like fever and cough.

About the Disease

- The family of coronaviruses has been around for some time. Some coronavirus are common, like the ones that cause the common cold. Coronavirus Disease 2019, or COVID-19, is a new a kind of coronavirus.
- The most common symptoms include fever cough and respiratory symptoms. Our experience to date is that most people, more than 80%, have mild or no symptoms, but some have more complicated course, including pneumonia.
- We are learning more about its transmission, but the most common symptoms are respiratory, so its primary mode of transmission is through coughing and sneezing.

Q&A:

Question: Do you have materials on COVID-19 in other languages?

Both the CDPH and the CDC websites have information in Spanish, Chinese, and English.



Question: What is the status of the future repatriation flights coming to California?

The U.S. State Department and U.S. Department of Health and Human Services serve as the lead authorities for repatriation missions and are best equipped to address questions around this mission.

Question: What is the status of the federal quarantine?

The federal government is responsible for repatriation efforts and quarantine procedures for travelers returning from China. The federal government is best equipped to address this question.

Question: Who is paying for the quarantine? Will the state and counties have to foot the bill?

The federal government has reassured the state that it will cover the costs related to repatriation and the federal quarantine.

Question: What is CDPH's role in transporting individuals to hospitals?

CDPH will work through the Public Health and Medical System to ensure appropriate transportation is arranged. CDPH has a state contact in place in order to transport passengers identified at SFO or LAX that need to be in federal quarantine at one of the air force bases.

Question: Tell me more about how California got approval to do testing here and how it works.

California now has the ability to test for novel coronavirus in-state at the Public Health Department's lab in Richmond using the same test as the CDC uses for passengers that are part of the federal repatriation efforts. This means California public health officials will get test results sooner, so patients can get the best care.

Question: What is the status of using Fairview Developmental Center for federal quarantine?

On Friday, February 28, the federal government informed the state that it has determined it does not need to use the Fairview Development Center site for the isolation of passengers from the Diamond Princess Cruise ship given the imminent end of the isolation for those passengers and the small number of persons who ended up testing positive for COVID-19.

The initial estimates the CDC had provided were that as many as 50% of the passengers would test positive within the isolation period but the actual results have been substantially lower, changing current needs for isolation. The



temporary restraining order prevented Fairview from being available at a time when it was critically needed.

Having people who are not sick occupying available hospital beds places a burden on the health care system and limits critical access for patients in a time of great need.

Question: Should public events be cancelled?

The California Department of Public Health is not recommending the cancellation of public events. There is no evidence of sustained person-to-person transmission of the virus in in the U.S. The health risk from COVID-19 to the general public remains low at this time.

California's state and local health officials are actively working to protect the health of Californians. California has a limited number of confirmed cases of COVID-19 and we don't have indication of it spreading widely in our communities at this time.

Other Resources and Press Releases

[CDC Webpage](#)

[Frequently Asked Questions About Use of Stockpiled N95 Filtering Facepiece Respirators for Protection from COVID-19](#)

[Interim Guidance for Protecting Health Care Workers from Exposure to 2019 Novel Coronavirus \(2019-nCoV\)](#)

[State Health & Emergency Officials Announce Latest COVID-19 Facts](#)

[Governor Newsom, State Health Officials Announce More than 22 Million Californians Now Eligible for Free Medically Necessary COVID-19 Testing](#)

###

**Coronavirus Briefing by California Office of Emergency Services (CalOES)
and Department of Public Health (DPH) for Local Government**

Thursday, March 5 at 4:00pm

Call Overview

CalOES and DPH will be convening semiweekly (Tuesday/Thursday afternoon) calls until further notice utilizing existing League of California Cities and California State Association of Counties communication networks and member contacts. This will help provide up-to-date information to local officials. CalOES and DPH will provide updates each call and then open the call for questions.

Department of Public Health Update – Dr. Chavez

- There are many unknowns with a new virus and they are learning more about it as time progresses. The more knowledge received about this virus may cause the information DPH is disseminating to change.
- This virus is a respiratory in nature and is mainly transmitted through interacting with droplets from an infected person usually due to coughing or touching surfaces that have the droplets on them.
- This virus has a fairly high level of contagion.
- Current situation in California: 1 person in Placer County has died from the virus. There are 60 cases of the virus and 24 of them are from repatriating residents from abroad.
- The risk to California's general public remains low at this time. Not all parts of the state are affected and different regions can have different experiences with exposure and transmission.
- Strongly encourages cities and counties need to be coordinating with their local health officers.
- Governor Newsom declared a state of emergency following the death of the Placer County resident yesterday. This declaration is not reflective of the severity of the exposure or situation, but allows for expedited state and federal funding and procurement procedures for the state.
- The state has a robust system of labs across the state that can test for COVID-19. The state has a lab in Richmond and 10 regions labs, with four more coming online soon.
- DPH has received thousands of test kits from the Centers for Disease Control and Prevention (CDC) and is ramping up statewide testing.
- Currently a cruise ship is moored offshore in San Francisco that may have inflected passengers.
- Cities can check the Dept. of Public Health's website for more info:
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Immunization/ncov2019.aspx>
- Steps to prevent the spread or infection of COVID-19:
 - Wash hands with soap and water for 20 seconds frequently.
 - Wash hands before eating or after touching common area surfaces like doorknobs.
 - Avoid work or large groups of people if you are sick.
 - If you or someone you know has a fever or respiratory issues, call ahead to a hospital or urgent care before you arrive for them to prepare.

CalOES (State Operations Center) Update – Jen Hogan

- CalOES is coordinating with local stakeholders as needed, along with the US Coast Guard (assisting with the cruise ship), National Guard, DPH and Health and Human Services Agency.

Comments by President John Dunbar, Mayor of Yountville

Thanked CalOES, DPH, fellow League officers, board members, and division presidents, and the counties for all being on the phone and for coordinating.

Questions and Answers

- **What is the state doing regarding city continuity plans in the event the whole city staff is sick and no one can operate the city?**
All cities and counties should already have continuity plans and as elected officials should coordinate with their city staff.
- **Is there a preference between washing hands or using alcohol-based hand sanitizer?**
This virus does not appear to be super hardy, so either will work if done properly.
- **If a county health officer declares a county public health state of emergency, does that cover the cities within that county?**
There are 61 health officers in CA - all 58 counties and 3 cities (Pasadena, Long Beach, and Berkeley). Health officers have the power to declare these emergencies. With the exception of those three cities who have public health departments, if a county declares a public health emergency, all the cities within that county are also covered.
- **If someone is infected in an office, do you recommend to close the whole office? And how do we clean that office?**
No. DPH does not blanket recommend closing the whole office but rather that the entity coordinate with your local public health officer. They will have information and resources/materials to help guide you with the clean-up and planning.
- **What happens if a college student is infected and lives in a dormitory?**
Same answer as the office scenario - coordinate with your local public health officer.
- **What is your advice on large public events and if cities/counties should cancel them?**
DPH is in the final stages of releasing guidance on this topic and be released shortly.
- **What is the state doing about vulnerable populations (for example, Yountville Veterans Home)?**
CalOES is coordinating daily with Veteran Affairs and other state facilities with vulnerable populations. The state is developing guidance for vulnerable populations.

**Coronavirus Briefing by the California Office of Emergency Services (CalOES) and
Department of Public Health (DPH) for City and County Elected Officials**

Tuesday, March 10 at 4:00pm

Call Overview

CalOES and DPH held a call for local elected officials to give brief updates and take questions.

Department of Public Health Update – Dr. Gil Chavez, Center for Infectious Disease at DPH

- The DPH is acting very quickly to protect public health and safety.
- California is working closely with state, local, and federal officials to address this epidemic.
- Their goal is to minimize the introduction on new cases to California, and slow/mitigate their spread within California.
- Current Statistics for COVID-19 in California:
 - 157 lab confirmed cases in California;
 - 24 are repatriations from other countries;
 - 133 are not related to repatriation flights:
 - 50 are travel related;
 - 30 are from person to person transmission; and
 - 29 cases are due to community transmission.
- Statewide Data - Age of cases:
 - There are only 2% cases in children 0-7;
 - 59% cases for those aged 18-64 years old; and
 - 39% cases for those aged over 65.
 - Risk varies by community so work closely with your local public health officials.
- Risk populations are older people, aged over 65.
- Since the last call, DPH has issued numerous guidance documents to help address various issues; this includes the [guidance](#) on mass gatherings on March 7. Also issued guidance on [school](#) and [higher education](#).
- DPH is recommending some non-essential events may need to be modified.

CalOES (Response Operations) Update – Eric Lamoureux (Acting) Deputy Director

- The State Operations Center is operating at its highest level, and has since last Monday.
- DPH is embedded with CalOES at the State Operations Center to be appropriately coordinating.
- CalOES is continuing to work with local and federal partners on the Grand Princess cruise ship in Oakland and ensuring the passengers and community are safe and cared for.

John Greene, Director, Emergency Management and Medical Operations, Deputy Assistant Secretary, US Dept. of Health and Human Services:

- The debarking of the Grand Princess ship still continues. All Californians have been removed from the ship. 100 or so non-Californians are still being removed to be sent to facilities out of state.

CalOES announced a customer service line for information regarding the Grand Princess Cruise passengers for family members: 888-358-8055

Questions and Answers

- **Grand Princess passengers, where are people being taken if they are not being transported to Travis Air Force Base?**
Only individuals that are not showing symptoms and have not tested positive that can go to Travis Air Force Base. There are some passengers being transported to hospitals if they need medical care and/or symptomatic.
- **Current state guidelines on teleconferencing are not adequate for folks who are self-quarantining. Can the Governor waive this requirement under his emergency declaration?**
They are considering that and will get back with more information.
- **Will the government do something to help small businesses?’**
The President has introduced an economic package to help small businesses, and the Small Business Administration is looking into this issue. Go-Biz created a [resources page](#) on their website today with more information for employees and employers.
- **What about folks who have arenas and convention centers? Will those employees be covered? What will the guidelines be for cities? Will cities be asked to not continue with those?**
DPH has issued [guidance](#) on this for mass gatherings. Different communities are experiencing different levels of transmission, so consult the guidance and your local public health officer.

Coronavirus Briefing by the California Governor's Office of Business and Economic Development (GO-Biz), California Office of Emergency Services (CalOES) and Department of Public Health (DPH) for Business Leaders

Tuesday, March 10 at 11:00am

Call Overview

Go-Biz, CalOES, and DPH held a call for local business leaders to give brief updates and take questions. These agencies reminded the members of the call that they are relying on the most accurate science-based info from DPH and CalOES.

Department of Public Health Update – Dr. Gil Chavez, Center for Infectious Disease at DPH

- California is well aware and has anticipated being exposed to a virus that is transmitted by international travel and visitors, given that California is the hub of international travel and commerce in the country.
- The state says they are well prepared for this and has been working on planning for this type of scenario for a long time.
- Current Statistics for COVID-19 in California:
 - 157 lab confirmed cases in California;
 - 24 are repatriations from other countries;
 - 133 are not related to repatriation flights:
 - 50 are travel related;
 - 30 are from person to person transmission;
 - 29 cases are due to community transmission;
- Age of cases:
 - There are only 2 cases in children less than 2;
 - 80 cases for those aged 18-64 years old;
 - 44 cases for those aged over 65; and
 - People who are older than 65 are at the highest risk. But anyone is susceptible to contracting the virus.
 - The numbers seem low statewide as of now, but the numbers could increase as more testing becomes available.
- Not all communities in California are affected equally. Some communities have significant exposures and some have little to no cases.
- Stressed the importance that everyone listen to their specific local health officials.
- The goal of DPH is to continue to curb the introduction of new cases into the state. They are also now mitigating the impact to our communities as well. They want to reduce the overall numbers of cases in the state.
- By doing this, it will ensure that Californians do not have an over impacted health care system and it will give California time for the development of a vaccine or treatment.
- DPH has [issued guidance](#) last Saturday on mass gatherings. It outlines things communities might do to mitigate the risk to the community.

CalOES Update – Abby Browning

- The State Operations Center is operating at its highest level.
- CalOES is working on getting information out to the public as soon as they can.

Lenny Mendonca, Governor Newsom's Chief Economic and Business Advisor (Go-Biz)

- Thanked the folks on the call for communicating with their networks and employees on this epidemic.
- Economically, this is a fluid situation and are monitoring this closely. The state is committed to having the employers and employees get information quickly and accurately.
- The state has resiliency built into in, including the state's reserves and the Governor declaring a state of emergency.
- DPH has released guidance for large events and for employers.
- Urged common sense and practical tactics to limit the spread of the disease.
- Reinforcing California's open for business message and attitude once it is appropriate to do so again.
- Go-Biz has created a business, employee, and employer [resources page](#) for those impacted by COVID-19.

Julie A. Su, Secretary, California Labor and Workforce Agency

- Promoting reducing the risk by instituting social distancing. This can mean workers not coming to work if they are sick or if they are at risk.
- There are safety nets in California for workers. California has paid sick leave policy. This is not just for sickness but also for preventative care and preventative care for an employee's family members. The sick leave policy already encompasses this.
- They have created some guidance to review and share. Available on the Labor and Workforce Development [website](#).
- CalOSHA is working on standards for health and safety in the workplace. Working with DPH and CalOES on this.
- All guidance is "point in time" and check back regularly for the most up to date information.

Kevin Matulich, Assistant Director for Policy and External Affairs at the Employment Development Department

- If employees have questions about benefits, they can go to their website for guidance.
- 50 to 60% of wages. Can range from \$50-130 dollars a week for up to 6 weeks.
- Can file a paid family leave claim if they or their family is sick.
- Unemployment insurance - workers can file a claim if they lost their job through no fault of their own.
- Employer side - contact the EDD taxpayer assistance center to see how they can be helpful if your business is severely impacted.
- 60 day extensions - upon written request to EDD.
- Unemployment insurance workshare program.
- Rapid response team to help advert layoffs - contact local workforce development board.

Isabel Guzman, Director of the Office of the Small Business Advocate

- Fund and manage 80 centers throughout the state to help with training for small businesses.
- Have a networks of community based lenders to help small businesses.
- They are continuing to work to develop new ways to support small businesses.
- They have their own COVID-19 resources page.

Questions and Answers

- **What credible information is there on the recovery process from COVID-19?**
Most of their experience is coming from counties that have had more experience than the US, particularly in China. We are still learning from the cases in the US. We will have more robust evidence later on from our own cases. Has some very characteristic symptoms: Fever and cough. This is when folks are the most infectious. Usually takes 4-5 days for a person to get well. Shortness of breath is a symptom where a patient needs to go to the hospital. About 80% of people get sick and then get well, and 20% develop shortness of breath.
- **What is the advice on managing funds given the volatility in the market?**
Have a range of scenarios and a plan to develop/implement them as the situation arises. Having a "playbook" is the best practice for being in a highly volatile environment.
- **What are the key opportunities to partner with the state?**
This is a statewide effort and is unlike how CalOES normally operates in a disaster. Help your local communities and partner with them. Help the most vulnerable folks in the community.

Section 15
COMMENTS FROM THE COUNCIL

Section 16
REPORTS

City Manager's Report
Commissions and Committee Reports
Minutes from JPAs and Reports

City Manager's Report
for March, 2020 City Council Meeting

CITY MANAGER (Reporting February 13, 2020-March 11, 2020)

Meetings

- Kiwanis meeting 1st Tuesday of the month at 4:30 pm
- Undergrounding meeting with PG&E representative 10:00-12:00- February 8th: Transformer placement and easements, related to the Undergrounding project on end of Francis Creek.
- Drainage Committee Meeting- February 6th and March 12, 3:00-5:00 pm
- Salt River Watershed Council (SRWC) Meeting combined with Resource Conservation District (RCD) meeting: Feb 13th – 9:00- 12:00 pm
- City Council Study session- 218 process for sewer rate analysis- Feb 19 6:00-7:00 pm
- City Council meeting– Feb 19th – Regular meeting from 7:00 – 9:30 pm
- City Manager Meeting January 20th- 3:00-5:00 pm
- Study Session on Equivalent Dwelling Units- February 4th- 3:15-5:00 pm
- Emergency Response Committee: Salt River Restoration Project Update: The City hosted the last RCD meeting on February 13th which was meant to allow for Ferndale community and SRWC to attend and hear about RCD's plans on plans and construction on the Salt River Ecosystem Restoration Project. The Humboldt County Resource Conservation District (HCRCD) is continuing to work towards implementing a phase of Salt River Ecosystem Restoration Project construction during the 2020 construction season. Project design engineers and hydrologists continue to develop channel design plan options for 2020 construction season, and the design team and HCRCD continue meeting with key landowners to work through design plans. In addition, HCRCD is completing an Alternatives Analysis of potential restoration designs on Williams Creek (upstream of the Salt River project), which is anticipated to be completed in March. The design team and HCRCD have been meeting with key landowners continue to be held to review restoration options, including citing of a potential sediment management area (SMA). A meeting with regulatory agencies was held February 3rd to update the agencies on completing Salt River project, introduce representatives to the Williams Creek project, and discuss phasing the remaining Salt River construction work. The HCRCD Board will be holding a Special Meeting on February 13th in Ferndale, and the HCRCD staff and the design team will present on the status of the project to update the community.
- Public Works: Focused on vegetation removal in drainage ditches and street sweeping. Have completed most of the drainage ditches and cleaning out drainage culverts. Public Works did a great job cleaning out most of the drainage easements throughout town and some of the ditches. We try to do all the easements and ditches at least every two years. Public Works worked on smoothening out Shaw and 4th with cold patch, but it will need to be attended to a few times this winter and spring before our project to fix this intersection goes out to bid and is completed.
- City Engineer: Numerous meetings to relay City projects and priorities. Met numerous times going over on-going projects and relaying information to bring engineer up to date on projects and needed infrastructure improvements. He has some priority projects such as Washington Street drainage improvement and 4th and Shaw

- intersection improvement project that he is putting together a bid package to accomplish these projects this year. That may be about all we can do with available funds this year.
- 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.
 - Employee meetings and personnel issues.
 - Numerous one-on-one meetings and discussions and updates with council members regarding current issues and projects. Continuing outreach program with Council to give institutional background on City projects, policies and programs. Each council member has individual items of interest and we try to fill in as much information as we can so that each council member feels like they have a strong base of understanding of the history of City policies so they can make informed decisions in the future.
 - Library Mandated Improvement for Safety and ADA compliance: We have completed the first round of barriers to the Library. Improvements will now continue with a second list of necessary ADA and Safety improvements. The architect has signed off on our initial ADA project and now we will continue our collaboration with the Friends of the Library (Friends) and the County to comply with their remaining requirements to remain a facility that is open to the public and staff, that is fully compliant with current regulations and California building code. We received the second list of necessary improvements from the county as to the state architect inspection report. we are going through it and have found a number of things that the City will not be responsible fiscally to replace or renovate. There were some items for improvement on Main Street and this was moved off our list to Caltrans as their responsibility. The County is going to be responsible for a number of signs in the inside of the building. There is about 80 pages of improvements that we are analyzing with the Friends of the Library representatives and will then go over with county representatives who will oversee the plan of action we have to make sure we will be compliant with architects' requirements.
 - Climate Action Plan: Met with Fortuna, Rio Dell and County Representatives on March 9th to go over county and city plans. We are in the final stages of the Climate Action Plan (CAP). Our planner and I have been attending and having conversations with county representatives developing and participating in a state mandated Climate Action Plan. The county is offering to include the cities of Humboldt in their plan with just minimal financial support. We have begun this process and have had meetings already and we have been offered a grant by RCEA, and the county will be covering most of the cost of our participation. We have agreed to join this plan and I will attend and participate in monthly meetings to develop this plan as our part in the funding requirements. The plan will be focusing on reducing greenhouse gas emissions by 40% by 2030. We have a near completed list of GHG reduction policies, and completed final drafts of the inventories and forecasts. Overall, we hope to have a completed draft by the end of this year. We're preparing a list of around 50 detailed measures informed largely by one-on-one meetings with city staff and the discussions we've had as a group. Many of these draft measures include a GHG reduction potential, cost/savings analysis and implementation strategies. Once the committee settles on a plan, we will bring it to the council for approval. I will meet with the

- county's representative, Connor McGuigan on the 20th of February, and then we have a group meeting on February 24th.
- Continuing discussions with Chief Wastewater Operator with wastewater issues and replacement of wastewater facility components as our plant is more than eight years old now and things are starting to pass their peak performance and need replacing. We also have a grant that is looking at the appropriate rate for our sewer system and we have had a number of study sessions regarding this study and the need for a rate increase. The State has approved our Fiscal Sustainability Plan which is one of the requirements. We have had several study sessions going over rate structure, our facility, which includes our collection system, and the plants current condition and ability to maintain it.
 - Numerous conversations with staff regarding non-compliance issues on fences and vegetation. Our Zoning Ordinance needs to be amended to included new products that are available for construction as well as more clarity as to what we allow and to include permitting for fences so that we can monitor fences being built. Part of the reason behind this is that we have different regulations for fences in different areas. Council member Avis and council member Smith have taken on the task of amending our Ordinance and will be bringing to the council their suggestions soon. We have had a study session where we have gone over most of the amendments to the Nuisance Ordinance, and are planning on have another study session in February to go over amendments that cover some of the proposed changes to allowed fencing configurations. Ryan Plotz (attorney) is working on a nuisance abatement ordinance amendment.
 - Numerous conversations and discussions with the Fire Department and Emergency Response Committee to improve readiness for natural disasters and the new situation with power shut-off possibilities because of PG&E's new policy to reduce fires due to weather events.
 - We were not successful in getting a grant from Cal- OES for generator and communication center. None of the other cities in Humboldt were successful either.
 - Numerous communications with county emergency response officials, league of cities representatives, and local emergency response representatives regarding the Coronavirus related events, conditions and best practices. At this point we are focusing on personal hygiene: wash your hands after being in an environment where other people have been, cough into elbow, try not to be in crowded events.
 - Numerous conversations with Rick Hill regarding possible grants. Conference call with rick and Paul Gregson and Brian Ontiveros the week of council meeting.
 - Negotiating with US Bank for easement for undergrounding project.

Staff Reporting February 1-29, 2020

CITY CLERK ACTIVITY

Meetings

- Meetings with City Manager regarding work activities and council agenda.
- Attended:
 - City Council Regular Meeting 02/19/2020
 - City Council Study Session 02/04/2020
 - City Council Special Meeting 02/25/2020
 - Planning Commission Meeting 02/05/2020

- Wrote agenda items and compiled packets for:
 - Regular City Council Meeting 02/19/2020
 - City Council Study Sessions 02/04/2020
 - City Council Special Meeting 02/25/2020
 - Planning Commission Meeting 02/05/2020
 - Drainage Committee Meeting 02/06/2020
 - Began agenda compilation for City Council Meeting 02/19/2020
- Transcribed, drafted meeting minutes and uploaded meeting videos for:
 - Regular City Council Meeting 02/19/2020
 - Special City Council Meeting 02/25/2020
 - Planning Commission Meeting 02/05/2020
- Posted all meeting agendas and public notices on the City Hall and Post Office bulletin boards, at the library, and on the City Website.
- Uploaded meeting packets to City Website.
- Met with office staff regarding office issues
- Numerous Phone Meetings with Planner regarding Ferndale Planning Projects
- Had monthly performance review with City Manager

Projects

- Worked the front counter and telephones assisting the public, answering questions and information requests.
- On-going communications with contract Engineers and City Planner about agenda items before the City Council and Planning Commission Meetings.
- Communications with City Attorney regarding Ordinance updates
- Calculated and collected fees for building permits and sent completed applications to Arnie to be checked
- Met with Building Inspector to review plans and finals on projects
- Sent and received emails daily.
- Pick up and distribute City correspondence daily.
- Organized and filed paperwork.
- Worked with City Planner on multiple Ordinances.
- Filed approved City Council, Planning Commission, and Design Review minutes.
- Inventoried and ordered office supplies
- Processed checks, created revenue spreadsheet and deposit checks into the bank.
- Responded to Public Records Act requests.
- Processed Parade and Encroachment Permits
- Maintained minute, resolution, ordinance and agenda binders.
- Contacted Mayor re: upcoming agenda
- Read weekly ERMA bulletins
- Updated 2019 Possessory Interests Spreadsheet.
- Sent Building Permit reports to Assessors office and Construction Industry Research Board.
- Processed Town Hall Rental Applications

FINANCE OFFICER ACTIVITY

Tasks:

- Meetings with City Manager – re: office issues and financial reports

- Assisted City Manager with HR/personnel issues and filings
- Processed Payroll/Payroll Tax Payments
- Processed Accounts Payable
- Processed Accounts Receivables
- Reviewed ERMA and HR bulletins
- Assisted at the front desk and answered phones

CITY PLANNER ACTIVITY:

General Planning Services (Tasks 1-8)

Task 1 Response to Public Request for Info

- Community inquiry responses – none
- City Code interpretations – none

Task 2 CEQA Compliance - none.

Task 3 Community Planning – Hazard Mitigation Plan, Transportation Planning, Reporting

- State Transportation Funds Expenditure Report Clarification, documentation of general maintenance and repair project expenditures.
- Hazard Mitigation Plan – Reviewed County Hazard Mitigation Plan and researched AB 2140 compliance related to CA Disaster Assistance Act (CDAA) funding.
- Reviewing and compiling data for HCD housing reporting requirements

Task 4 Meetings & Hearings, and Materials:

- Planning Commission – Attended February 5 meeting.
- City Council – Did not attend Feb. Meeting.
- City Manager & City Clerk: meetings, calls, emails, research.
- Drainage Committee – Coordinated with City staff and provided written update of easements and potential LiDAR data availability.
- HCAOG Technical Advisory Committee – Attended February 6 TAC meeting

Task 5 GIS Mapping – spatial database updates including drainage data, LIDAR research. Prepared City drainage map (including east and west drainage areas).

Task 6 Grant Writing/Funding Coordination – City received SB2 funding contract. Tracked eligible expenses and coordinated with City Finance Dept. regarding SB2 funding reimbursement guidelines.

Task 7 Wastewater Planning/ Environmental Analysis – None.

General Plan Review (Task 8)

- Land Use Element Update – Conducted Planning Commission Land Use Element information session, including goals and overall content review. Continued to compile and prepare background info. and Land Use Element update document. Planning for community outreach.

Reimbursable Fees:

- Budwig Minor Subdivision – no action.
- Anderson Subdivision – no action.
- Adams Subdivision – no action.
- Cream City Investments – no action.

CITY ENGINEER ACTIVITY

General City Engineering Services:

- Meetings / phone calls with the City Manager regarding various City items.
- Attended February Drainage Committee Meeting
- Attended February City Council Meeting
- Shaw & 4th Street Intersection Project
 - Continued work on construction documents.
 - Plans ready for Bid.
- Washington Street Storm Drain Replacement
 - Continued work on construction documents.
- Berding & Washington and Berding & Brown Intersection Projects
 - Discussions with City Manager regarding the potential of reconstructing typical intersections within the City.
 - Prepare preliminary cost estimate for intersection reconstruction.
- 2020 Census Map
 - Review official census map for the City of Ferndale in preparation for the upcoming census and make adjustments.
 - Multiple conversations with the Census Bureau regarding the changes to the mapping to include the Russ park annexation that occurred in the 1970's.
- Drainage Master Plan Update
 - Began work on reviewing the existing drainage master plan in anticipation of updating the DMPU.
 - Perform preliminary drainage calculations.

Reimbursable Project Services:

- Anderson Lot Split – Grant Street
 - Road paving completed in February.
 - Construction completed on this project in February.
 - Project is ready for Parcel Map to be recorded. Awaiting Parcel Map to be submitted from Applicant.
- Adams Minor Subdivision – Fifth Street
 - Received comments from Del Oro Water and forwarded onto the applicant's engineer.
 - Discussions with the applicant's engineer regarding the Parcel Map.
- Cream City Investments Minor Subdivision – Fifth St. & Arlington
 - Construction continued on this project in February.
 - Had a preconstruction conference with contractor doing the work (DCI Builders).
 - Performed construction inspections which included Curb & Gutter, Sidewalk and sewer lateral installations. Del Oro Water inspected the water lateral installations.

WASTEWATER OPERATIONS

- Monthly samples prepared and sent to North Coast Labs
- Operators perform lab tests daily to measure efficiency of plant
- Yearly report submitted to state water board

- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- Repair break in line on Van Ness
- Monthly no spill verification report completed on CIWQS website
- Submitted annual emissions report to Air Quality
- Front gate chain oiled each Monday
- Trim grass at discharge site
- Bulking clarifiers monitored around the clock, adjustments to treatment made
- Repair siding on sludge building
- Inspect manholes throughout town weekly
- Toxicity samples taken and sent to Pacific Ecorisk
- Dewater for total of 12 hours. Sludge dried at old site
- Spray weeds around pond
- Operators cleaned walls and catwalk
- Clean disc filters
- Meet with Paul Gregson about current INI grant and future camera schedule
- Pull weeds from pond with backhoe
- Turned sludge at old site weekly
- Backhoe towed to Farm Shop for repair of E brake
- Scrubbed launders in clarifier
- Removal of duck weed from clarifiers on weekly basis
- Billed RotoRooter, Taylor Enterprises, Steve's Septic and Wyckoff a total of \$3,996 for the month of January. 16 total dumps for total of 22,200 gallons.
- Total flow through the plant in February was 12.4 MGD. Of that, .15 MGD was pumped to retention pond. Average discharge to Francis Creek was .412 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.
- Spoke with homeowner at Milky way about storm drain issues.
- Cleaned curb and sidewalk drain on 5th and Milky way.
- Removed an obstruction in the ditch on Market St.
- Repaired leak at Main St bathrooms.
- Trained on workplace safety.
- Performed traffic control operations for sewer dept on Main st for sewer plug.
- Installed new see thru office door at public works shop.
- Ordered and receive new roll up doors for public works shop.
- Picked up trash up the wild cat.
- As per CM request p/w patched east side of Rose Ave.
- Replaced stop sign on Grant and Schley.
- Picked up and disposed used oil behind the PD.
- Spread new gravel behind Valley Lumber alley way.
- Temporarily patched intersection of 4th and Shaw.

POLICE DEPARTMENT

- Officers attended range training.

- Sgt. Tim Dias attended a POST 40-hour Field Officer Training course.
- Chief Smith attended the Emergency Preparedness meeting.
- Staff continues to work on the Measure Z project regarding a new records management system.
- Staff obtained grant funding for the purchase of new body armor for four officers.
- Chief Smith attended Kiwanis meetings/functions.
- The police department continues targeted enforcement of peripheral areas impacting the Ferndale quality of life.

Police Statistics – for February 2020

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape (Attempted)	0	
Robbery	0	
Larceny	0	
Assault	1	
Burglary	0	
Vehicle Theft	0	
TOTAL	1	
SECONDARY CRIMES	5	
Calls for Service	256	
Reports Written	11	
Traffic Citations	12	
Other Citations	0	
Parking Citations	2	
Warnings	75	
ARRESTS	3	
AGENCY ASSISTS	16	
TRAFFIC COLLISIONS	0	

City of Ferndale, Humboldt County, California USA
Minutes for Planning Commission Meeting of February 5, 2020

Call to Order —Vice-Chair Jerry Rocha called the Planning Commission Meeting to order at 7:00 pm. Commissioners Paul Gregson and Laura Olson were present along with City Planners Vanessa Blodgett and Krystle Heaney and City Clerk Kristene Hall. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial – City Clerk Kristene Hall swore in new Planning Commissioner Stuart Altschuler. Commissioner Altschuler took his seat at the dais.

3.0 Modifications to the Agenda – None

4.0 Approval of Previous Minutes – **Motion:** To approve the minutes of the January 8, 2020 Regular Planning Commission Meeting. **(Gregson/Olson) Unanimous**

5.0 Public Comment- None

6.0 Public Hearing- None

7.0 Business

7.1 Review and Discuss Update on Land Use Element - City Planners Vanessa Blodgett and Krystle Heaney went over the background of the Land Use Element. Blodgett did a PowerPoint presentation on the outline of the update process which went over what the land use element consists of, the public input and outreach, funding of the update, Land Use Designations, and the updating timeline. Commissioner Olson inquired on obtaining the research data and video the HSU students did in 2018. Staff will provide that information via email. Commissioner Gregson stated his concerns over the preparation of pre-approved Additional Dwelling Unit (ADU) plans. Commissioner Altschuler inquired on length of time between updates and how to determine how climate change and ocean rise may impact areas before the next update would be done. Commissioner Rocha questioned any major differences from the previous update. Planner Heaney stated there would be focus on affordable housing designations. Commissioner Gregson questioned designation for cannabis processing. Commissioner Altschuler stated he would like to see more hemp manufacturing. Commissioner Rocha stated his concerns over both cannabis and hemp and the overproduction and saturation of the market on both.

7.2 Building and Land Use January 2, 2020 – January 30, 2020: There were no comments

8.0 Correspondence- None

9.0 Commissioner Comments- Commissioner Altschuler commented he was excited to be on the Planning Commission and was excited to work with everyone. Commissioner Altschuler also commented on his ability to attend Design Review Meetings when needed.

10.0 Staff Comments- City Clerk Kristene Hall stated she would send links to Commissioner Olson and Altschuler to complete their ethics training.

Meeting Adjourned at 7:48pm

Respectfully Submitted

Kristene Hall
City Clerk



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS
Regional Transportation Planning Agency
Humboldt County Local Transportation Authority
Service Authority for Freeway Emergencies
 611 I Street, Suite B
 Eureka, CA 95501
 (707) 444-8208
 www.hcaog.net

BOARD OF DIRECTORS
MEETING RECORD

Regular Meeting
 January 16, 2020, 4:00 p.m.
 Eureka City Hall, Council Chambers
 531 K Street, Eureka CA 95501

Present:

Councilmember Susan Ornelas (Vice-Chair)	City of Arcata
Mayor Adelene Jones	City of Blue Lake
Mayor Susan Seaman	City of Eureka
Councilmember Stephen Avis	City of Ferndale
Councilmember Mike Johnson	City of Fortuna
Councilmember Jack West	City of Trinidad

Policy Advisory Committee Members:

Kevin Tucker	Caltrans District 1
Paul Pitino	Humboldt Transit Authority

Staff:

Marcella May	Executive Director
Oona Smith	Senior Planner
Debbie Egger	Fiscal Administrative Officer
Christie Smith	Executive Assistant

Absent:

Supervisor Estelle Fennell (Chair)	County of Humboldt
Councilmember Susan Strahan	City of Rio Dell

1. Call to Order

Vice-Chair Susan Ornelas called the meeting to order at 4 p.m.

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

The PAC convenes to include representation from Caltrans and the Humboldt Transit Authority Board for items specific to transportation.

3. Public Participation

There was no public participation for items not on the agenda.

4. Approval of the Meeting Record – November 21, 2019

Motion was made (Jones/West) to approve the November 21, 2019, meeting record as presented.

Motion carried unanimously.

5. Report on Eureka-Arcata 101 Safety Corridor Supplemental Patrols

Sergeant Gary Whitmer of the Eureka Police Department provided a report on the supplemental patrols. Sergeant Whitmer noted that speeders tend to be local drivers, some driving 38 mph over the posted speed limit. There was discussion regarding painting a 50-mph speed limit on the road and discussion about a moveable sign.

6. Consent Calendar

Motion was made (Avis/West) to approve the following consent items:

- a. Approval of the City of Arcata's FY 2019-20 Local Transportation Fund Claim
- b. Approval of the City of Blue Lake's FY 2019-20 Local Transportation Fund Claim
- c. FFY 2020 Federal Transit Administration Section 5311 Program of Projects
- d. FFY 2020 Federal Transit Administration Section 5311(f) Rural Intercity Bus Program Applications

Motion carried unanimously.

7. Items Removed from Consent Calendar

No items were removed from the consent calendar.

8. PAC Action Items

a. Local Government Planning Support Grants Program (Early Action Planning Grants Program) – 25% Advance Allocation

Motion was made (Avis/Seaman) to recommend the HCAOG Board adopt Resolution 20-01 and direct staff to apply to the California Department of Housing and Community Development for an advance funding allocation from the Local Government Planning Support Grants Program in the amount of \$60,000.

Motion carried unanimously.

b. Support Letter for Complete Streets Act of 2019 (U. S. House of Representatives Bill 3663 and Senate Bill 2077)

Oona Smith provided a report on the item, noting that Representative Huffman recently introduced the *Generating Resilient, Environmentally Exceptional National* (GREEN) Streets Act. Staff drafted a revised letter to Representative Huffman for the Board's consideration to include support for the GREEN Streets Act. The Board also discussed street trees, which aesthetically enhance city streets, create space between pedestrians and streets, and sequester carbon. Staff informed the Board that street trees could be defined in the Regional Transportation Plan.

Motion was made (Jones/Avis) to recommend the HCAOG Board submit to Congress members Huffman, Feinstein, and Harris a letter of support for the Complete Streets Act of 2019 (House of Representatives Bill 3663 and Senate Bill 2077) and include support for the GREEN Streets Act introduced by Representative Huffman.

Motion carried unanimously.

9. Reconvening of the HCAOG Board

Motion was made (West/Seaman) to reconvene as the HCAOG Board and approve the PAC recommendations.

Motion carried unanimously.

10. HCAOG Staff and PAC Member Reports

This agenda item is reserved for matters that members of the PAC and staff may wish to present.

a. Councilmember Avis and Caltrans Report on Last Chance Grade

Councilmember Avis provided PowerPoint presentation on Last Chance Grade. Kevin Tucker reported that Phase 2A is 70% complete and drilling for Phase 2b will begin in October 2020. Caltrans hired a consultant for the environmental phase.

b. Blue Lake Rancheria Transit Study

Marcella May provided a report on the transit study.

Councilmember Avis announced that Councilmember Robin Smith will be representing the City of Ferndale at future HCAOG Board meetings.

11. Adjournment

The meeting adjourned at 5:23 p.m.

Respectfully submitted,
Christie Smith, Executive Assistant

**BOARD OF DIRECTORS**

Sofia Pereira, City of Arcata
 Frank Wilson, City of Rio Dell, Vice-Chair
 Leslie Castellano, City of Eureka
 Elaine Hogan, City of Blue Lake
 Michael Sweeney, City of Ferndale, Chair
 Rex Bohn, County of Humboldt

Minutes

Thursday, January 9, 2020 at 5:30 PM
Eureka City Council Chambers
531 K Street, Eureka, CA

Present: Michael Sweeney, Sofia Pereira, Frank Wilson, Rex Bohn, Elaine Hogan
 Absent: Leslie Castellano
 Staff: Jill Duffy, Tyler Egerer, Eric Keller-Heckman
 Legal Counsel: Nancy Diamond

1. Call to Order and Roll Call at 5:30 PM

Chairman Sweeney called the meeting to order at 5:30 p.m. A quorum was present and acting.

2. Consent Calendar

- a. Approve Minutes from the November 14, 2019 HWMA Board of Directors Meeting
- b. Financial Reports for First Quarter FY 2019-20
- c. Financial Reports for October 2019
- d. Financial Reports for November 2019
- e. Approve Amendment No. 3 to Agreement between HWMA and Executive Director Jill Duffy

Chairman Sweeney opened the floor to public comment regarding the Consent Calendar. No comment was received.

Chairman Sweeney closed the floor to public comment.

Motion: Director Pereira moved and Director Wilson seconded the motion to approve the Consent Calendar.

Action: Approve the Motion as made by Director Pereira and seconded by Director Wilson by the following vote:

Ayes: Sweeney, Pereira, Wilson, Hogan, Bohn

Nays: None

Absent: Castellano

3. Oral and Written Communications

Chairman Sweeney opened the floor to public comment regarding items not on the Agenda. No comment was received.

Chairman Sweeney closed the floor to public comment.

4. Receive Presentation Outlining Independent Auditor's Report for Fiscal Year 2018-2019 to be Filed with Authority Archives, State Comptroller, and required Financial Institutions

Executive Directory Duffy presented the Independent Auditor's Report with commentary from Director of Finance and Administrative Services Egerer.

Chairman Sweeney opened the floor to public comment regarding the Independent Auditor's Report. No comment was received.

Chairman Sweeney closed the floor to public comment.

5. Fiscal Year 2019-20 Mid-Year Review; Receive Report and Approve Recommended Adjustments.

Chairman Sweeney opened the floor to public comment regarding the Mid-Year Review. No comment was received.

Chairman Sweeney closed the floor to public comment.

Motion: Director Pereira moved and Director Hogan seconded the motion to approve the Consent Calendar.

Action: Approve the Motion as made by Director Pereira and seconded by Director Hogan by the following vote:

Ayes: Sweeney, Pereira, Wilson, Hogan, Bohn

Nays: None

Absent: Castellano

6. Receive Curbside Recycling Presentation by Linda Wise, Recology- Humboldt General Manager

Chairman Sweeney opened the floor to public comment regarding the presentation by Linda Wise. Comment was received by the following members of the public:

Maggie Gainer, of Zero Waste Humboldt, requested clarification on slide 13 of the presentation materials, regarding plastic; the purpose of the slide was to highlight problems of material distribution, not problems with management of the material itself.

Chairman Sweeney closed the floor to public comment.

7. Board Member Reports

There were no board member reports.

8. Executive Director's Report

Director of Operations Keller-Heckman provided information on the new materials reuse policy in effect at the Hazardous Waste facility.

9. Adjourn

Chairman Sweeney adjourned the meeting at 6:43 p.m.

Next Meeting: March 12, 2020 at 5:30 p.m. at Eureka City Hall Council Chambers



Redwood Coast Energy Authority

633 3rd Street, Eureka, CA 95501

Phone: (707) 269-1700 Toll-Free (800) 931-7232 Fax: (707) 269-1777

E-mail: info@redwoodenergy.org Web: www.redwoodenergy.org

BOARD OF DIRECTORS MEETING DRAFT MINUTES

Humboldt Bay Municipal Water District Office
828 7th Street, Eureka, CA 95501

January 23, 2020
Thursday, 3:30 p.m.

Chair Michael Winkler called a regular meeting of the Board of Directors of the Redwood Coast Energy Authority to order on the above date at 3:29 p.m. Notice of this meeting was posted on January 16, 2020. PRESENT: Vice Chair Austin Allison, Stephen Avis, Chris Curran, Estelle Fennell (arrived 3:31 p.m.), Dean Glaser, Dwight Miller, Frank Wilson, Chair Michael Winkler, Sheri Woo (arrived 3:38 p.m.). STAFF AND CONSULTANTS PRESENT: Business Planning and Finance Director Lori Biondini, RCEA General Counsel Nancy Diamond, Acting Executive Director Richard Engel, Acting Clerk of the Board Lexie Fischer, Power Resources Manager Jocelyn Gwynn, Account Services Manager Mahayla Slackerelli, and The Energy Authority Client Services Manager Jaclyn Harr.

REPORTS FROM MEMBER ENTITIES

Director Glaser spoke about household appliance damage during the recent power outages and stressed the importance of high-quality power surge protection equipment. He requested that Board meeting discussion of biomass cogeneration plant climate change impacts be broadened to include volcanic particulate emission impacts on climate change.

ORAL COMMUNICATIONS

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

CONSENT CALENDAR

- 3.1 Approve Minutes of December 21, 2019, Board Meeting.
- 3.2 Approve Disbursements Report.
- 3.3 Accept Financial Reports.
- 3.4 Approve the 2020 RCEA Board Meeting Calendar.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

M/S: Miller, Glaser: Approve consent calendar items.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler. Absent: Woo.

COMMUNITY CHOICE ENERGY (CCE) BUSINESS

Chair Winkler confirmed a quorum was present to conduct CCE business.

OLD CCE BUSINESS

5.1. Energy Risk Management Quarterly Report

Acting Director Richard Engel presented a staff report on the Energy Risk Management Quarterly Report. Director Woo arrived at 3:38 p.m.

The Energy Authority Client Services Manager Jaclyn Harr made a presentation of the energy risk management updates since the last quarterly report to the Board in October, providing an overview of RCEA net revenues over time and emerging risk factors including updates to California's Renewable Portfolio Standard (RPS) compliance requirements.

The directors discussed:

- Clarification for some of the acronyms used in the presentation
- How RCEA might strategize to hedge against our risk of failing to meet compliance requirements in the case of a drought year, considering RCEA's only long-term contract for renewable energy is with a small-hydro plant
- How RCEA's needs for renewables, and in particular renewables in long-term contracts, will rise significantly in compliance period 4 (2021-2024)
- The nuances of procuring long-term renewable energy contracts at competitive prices while all the other California Community Choice Aggregators (CCAs) have similar goals and tasks
- How the compliance requirements and specific MW values were determined by the State
- How incremental Resource Adequacy (RA) is calculated differently than other energy products
- How the reopening of Direct Access opportunities will add an element of RCEA revenue uncertainty.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

M/S: Allison, Miller: Accept Energy Risk Management quarterly report.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

5.2. CCE Program Rate Adjustment (Information only)

Manager of Account Services Mahayla Slackerelli presented a staff report detailing the recent rate adjustment, noting that the adjustment was extremely minor, but that staff decided to continue with the task of changing RCEA rates when prompted by a PG&E rate change.

Director Allison inquired whether RCEA should track and publicize how much carbon the agency is saving in its procurement practices compared to PG&E.

The directors discussed the staff time and resources needed to execute a rate change and whether RCEA should consider making some procedural changes to nullify the need for an RCEA rate change when a PG&E rate change is quite insignificant, as was experienced this month.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

5.3. Report from Public Safety Power Shutoff (PSPS) Ad Hoc Subcommittee (Information only)

Acting Executive Director Richard Engel invited Chair Winkler to give a report from the ad hoc subcommittee meeting. Chair Winkler spoke about the meeting discussion, particularly about obtaining access to PG&E staff with technical expertise and authority to answer pressing questions such as what areas the community can rely on to be energized during subsequent PSPS events.

The Directors discussed the need for more reliable communication with PG&E and the possible reasons for increased numbers of PG&E tree-trimming contractors over the last couple months, and received an update that the subcommittee is awaiting a response to the letter they sent to PG&E.

Chair Winkler invited public comment.

A member of the public stated that microgrids will help fix this larger problem.

A member of the public stated that a huge source of frustration and misinformation during the last outage was the label of "Humboldt" referring to areas outside of Humboldt County. Staff confirmed that this was communicated to PG&E and PG&E staff stated this would be clarified prior to the next PSPS season.

Member of the public Jesse Noell inquired about the impact of a resident installing a 10 kW residential solar system on RCEA's 2021 5.4 MW resource adequacy procurement share, and whether this residential system created any reduction in demand. Director Engel described some complexities of counting distributed, behind-the-meter solar energy towards state resource adequacy requirements, including the need to aggregate small resources to a minimum grouping of 100 kW. Only 15% of solar nameplate capacity can be counted toward the state RA value requirement, which means that about 800 kW of residential solar nameplate capacity would need to be aggregated to meet the minimum 100 kW of RA.

Chair Winkler closed public comment.

NEW CCE BUSINESS

6.1. Energy Risk Management Policy

Acting Director Richard Engel presented a staff report, noting that there are two substantive changes to the policy in response to regulatory and RA market value changes. Staff proposes increases in procurement decision-making limits to address these changes.

The directors discussed the decision-making and potential public feedback impacts of removing the hedging strategy's quantitative component, the current decision before the Board to approve which body decides different sized transactions, and RCEA's relative transparency compared with other CCEs in disclosing market-sensitive information in individual power purchase agreements.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

M/S: Allison, Miller: Adopt Resolution 2020-1 of the Redwood Coast Energy Authority adopting updates to the Energy Risk Management Policy.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

6.2. Development of New Local Utility-Scale Renewable Energy Projects

Acting Director Richard Engel presented a staff report, detailing the current state of local energy project planning and the significant shortfall in meeting projected energy load demands. He requested Board guidance on prioritizing the agency's RePower strategic plan strategies to meet state-required renewable energy procurement goals.

The directors discussed:

- Their continued support for RCEA to pursue a mix of local on- and off-shore wind generation, in addition to solar generation
- A general request for more categories of information, such as projected generation capacity, for the different types of potential renewable generation projects, to help the directors prioritize and focus their support
- The desire for public direction on suitable areas for onshore wind development
- The possibility of updating the original RePower Humboldt renewable energy strategic plan
- How RCEA would need to issue a new Request for Proposals (RFP) in order to receive any new local renewable project proposals
- How local, small-scale energy developers can apply now to sell up to 1 MW of renewable, including solar, energy to RCEA through a feed-in tariff program. Staff clarified that RCEA policy allows multiple projects under 1 MW at one site to qualify for the feed-in tariff, but PG&E would not allow these systems to connect as separate generators.

Chair Winkler invited public comment.

Member of the public Michael McKaskle stated that the opposition to the onshore wind project was specific to issues on land, and that he wouldn't anticipate a similar type of opposition for offshore wind projects. Mr. McKaskle suggested looking at the total carbon equation and forest carbon sequestration when supporting biomass. He thanked the Board for the Public Agency Solar Program.

Member of the public Ken Miller stated that he doesn't like to hear prejudice against solar and suggested that RCEA budget for attending solar conferences, leave local solar feasibility to marketplace experts, and promote a County solarization policy. He described the Tesla rooftop solar lease program and noted that our community does not need to do all the projects ourselves. He mentioned other areas that have utilized a mixture of public and private distributed solar projects.

Member of the public Jesse Noell asked why the State puts up roadblocks for community members to combine solar systems to contribute to meeting California renewable power and resource adequacy procurement goals and why load reduction is not factored in to state requirements. He mentioned that he was at UPS yesterday and asked why there is no solar- and low-carbon transportation in their fleet and asked for some answers on these matters.

Schatz Energy Research Center Senior Managing Engineer Jim Zoellick stated that RCEA should certainly continue to support rooftop solar but noted that other utility-scale projects will move RCEA much further toward renewable energy goals and requirements. He also commented that increasing RCEA's conference attendance is not as effective in attracting developers to our area as issuing RFPs, which RCEA has already done with only one local response. He noted the complexities and timing of adding distributed solar to the grid. He stated that local floating offshore wind is not a certainty and could face many hurdles before coming to fruition. He stated the need for renewable energy diversity, that local onshore wind remains promising, and the community's need to find a viable local onshore wind project site.

Member of the public Ken Miller stated that encouraging entrepreneurs to offer diverse marketplace options to individual Humboldt residents is what he suggested, rather than the RFP method of attracting large development projects. He added that Monument Ridge development also has negative biological and cultural impacts.

Member of the public Michael McKaskle stated that Terra Gen did not want to develop Monument Ridge because they would only obtain a 4.5% return on investment there.

A member of the public described negative rooftop solar leasing experiences in Southern California.

Chair Winkler closed public comment.

The directors discussed:

- How RCEA can support development of both small- and large-scale renewable energy generation projects to meet goals
- How the Public Safety Power Shutoffs spurred interest in new residential rooftop solar and how providing landlords support for rental property solar and small solar energy producer aggregation support may be program development areas
- How RCEA may consider prioritizing staff time in the future specifically towards vehicle-to-grid and solar-plus-storage initiatives.

END OF COMMUNITY CHOICE ENERGY (CCE) BUSINESS

OLD BUSINESS

Airport Microgrid Critical Facility Islanding Project Update (Information only)

Schatz Energy Research Center Senior Managing Engineer Jim Zoellick presented a report, providing background about the Airport Microgrid Project as well as the project timeline, major milestones and details about the current status of the project.

The directors discussed the construction timeline that schedules ground-breaking in July and conclusion by the end of the calendar year. The directors also discussed the timeline for Federal Aviation Administration review and approval.

Chair Winkler invited public comment.

Upon inquiry by member of the public Deborah Dukes about the airport EV charging stations, Mr. Zoellick responded that the chargers will be level 2.

Chair Winkler closed public comment.

NEW BUSINESS

8.1 Election of Officers

Acting Director Richard Engel presented a staff report.

The directors discussed their interests and nominations for the Chair seat, and broadly discussed their support to rotate the seats annually.

M/S: Woo, Fennell: Appoint Director Allison as RCEA Board Chair for a one-year term.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

The directors discussed their interests and nomination for the vice chair seat.

M/S: Woo, Wilson: Appoint Director Fennell as RCEA Board Vice Chair for a one-year term.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

M/S: Avis, Wilson: Authorize Chair Allison and Vice Chair Fennell as signers on RCEA bank accounts.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

8.2 Finance Subcommittee

Director Lori Biondini presented a staff report about the finance subcommittee.

The directors discussed their interests and nominations for the appointments to the subcommittee.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

M/S: Allison, Fennell: Appoint Director Woo, Director Winkler, and Director Curran to the Finance Subcommittee for one-year terms ending on the first regular Board meeting of 2021.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

8.3 Community Advisory Committee

Acting Director Richard Engel presented a staff report.

Chair Winkler invited public comment. No one came forward to speak. Chair Winkler closed public comment.

M/S: Allison, Wilson: Appoint Director Avis as Board Liaison to the Community Advisory Committee to serve through December 2020.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

M/S: Allison, Avis: Appoint Director Winkler as alternate Board Liaison to the Community Advisory Committee to serve through December 2020.

The motion passed with a unanimous vote. Ayes: Allison, Avis, Curran, Fennell, Glaser, Miller, Wilson, Winkler, Woo. Absent: None.

CLOSED SESSION

Director Winkler invited public comment on the closed session items. There being no public comment, the directors adjourned to closed session at 6:29 p.m. to discuss the following:

- 11.1. Closed Session to meet with legal counsel per Government Code Section 54956.9(d)(4), in re PG&E, Bankruptcy Court, 19-30088, Northern District of California.
- 11.2. Public Employee Performance Evaluation, pursuant to Government Code Section 54957(b)(1): Executive Director.

The directors reconvened to open session at 7:12 p.m. Director Winkler stated there was nothing to report from closed session.

Director Winkler adjourned the meeting at 7:12 p.m.

Section 17

ADJOURN