

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

Location:	City Hall	Date:	July 15, 2020
	834 Main Street	Time:	6:00 pm
	Ferndale CA 95536	Posted:	July 8, 2020

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor’s Emergency Declaration related to COVID-19, and the Governor’s Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the City Council, City staff, and the public by teleconference, videoconference, or both.

We are strongly recommending that public comments for this meeting be submitted prior to the meeting. Public comments should be submitted to cityclerk@ci.ferndale.ca.us by 4:00pm on Wednesday, July 15, please be sure to put “Public Comment “in the subject line, and include the agenda item if applicable. All public comments received by 4pm will be read into the record (limit to 5 minutes) during the regular meeting.

To provide public comment during the meeting, you will need to join the Zoom meeting.

To Join the Zoom Meeting use the following link:

<https://us02web.zoom.us/j/85862224188?pwd=VzliQUtMSHIvUFltVHRjQi9ja0V1dz09>

or go to Zoom.us and input the following information when prompted

Meeting ID: 858 6222 4188

Password: 312812

You may also join by telephone:

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 858 6222 4188

Password: 312812

Find your local number: <https://us02web.zoom.us/u/kcyWmmE6FS>

MICROPHONES AND VIDEO WILL AUTOMATICALLY BE MUTED WHEN YOU JOIN THE MEETING. PUBLIC WILL BE PLACED IN THE WAITING ROOM DURING CLOSED SESSION DISCUSSIONS. ONCE CLOSED SESSION IS RECONVENED YOU WILL BE ALLOWED BACK IN THE MEETING

1. CALL CLOSED SESSION TO ORDER – Mayor
2. PUBLIC COMMENT ON CLOSED SESSION ITEMS
3. ADJOURN TO CLOSED SESSION
 - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Humboldt County Assessor Parcel Number 101-051-001-000 and 101-051-024-000; Agency negotiator: Jay Parrish, City Manager and Ryan Plotz, City Attorney; Negotiating parties: Richard Conway; Under negotiation: price and terms of payment.

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

Location:	City Hall	Date:	July 15, 2020
	834 Main Street	Time:	7:00 pm
	Ferndale CA 95536	Posted:	July 8, 2020

To Join the Zoom Meeting use the following link:

<https://us02web.zoom.us/j/85862224188?pwd=VzliQUtMSHIvUFltVHRjQi9ja0V1dz09>

or go to Zoom.us and input the following information when prompted

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+1 346 248 7799 US (Houston)

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Password: 312812

Find your local number: <https://us02web.zoom.us/u/kcyWmmE6FS>

MICROPHONES AND VIDEO WILL AUTOMATICALLY BE MUTED WHEN YOU JOIN THE MEETING.

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 – None
5. CEREMONIAL – None
6. MODIFICATIONS TO THE AGENDA
7. STUDY SESSION - None
8. PUBLIC COMMENT. (This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3^{rds} of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes’ total for all speakers, with each speaker given no more than five minutes.)
9. CONSENT CALENDAR. (All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Council Member, staff or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately under “Call Items.”)
 - a. Approval of Minutes of the June 17, 2020 Regular City Council Meeting.....

<i>b.</i> Approval of Minutes of the June 22, 2020 Special City Council Meetings	Page 10
<i>c.</i> Acceptance of Checkbook Register for June 1-30, 2020	Page 11
<i>d.</i> Acceptance of Financial Statements for June 1-30, 2020	Page 14
<i>e.</i> Resolution 2020-15 Drainage Assessment to County	Page 36
<i>f.</i> Resolution 2020-13 Gann Limit	Page 37
10. CALL ITEMS REMOVED FROM CONSENT CALENDAR	
11. PRESENTATION	
<i>a.</i> RCEA – Microgrid Technology	Page 42
12. PUBLIC HEARING	
<i>a.</i> Second Reading, by title only, of Ordinance 2020-03, Prohibiting Smoking in Certain Places and Regulating Smoking within the City	Page 65
<i>b.</i> Sewer Rate Increase and Accept Letters of Protest	Page 75
13. BUSINESS	
<i>a.</i> Resolution 2020-16 & Resolution 2020-17 City’s Sewer Rate Increase Proposal.....	Page 81
<i>b.</i> COVID 19 Update and Discussion	Page 85
<i>c.</i> Diversity and Inclusion in the City of Ferndale	Page 87
14. CORRESPONDENCE	Page 89
15. COMMENTS FROM THE COUNCIL	
16. REPORTS	
<i>a.</i> City Manager Report	Page 98
<i>b.</i> Commission and Committee Reports	
<i>i.</i> Planning Commission Minutes	
<i>ii.</i> Design Review Committee Minutes.....	Page 106
<i>c.</i> Minutes from Joint Power Authorities (JPAs) and Reports	
<i>i.</i> Humboldt County Association of Government (May 2020)	Page 107
<i>ii.</i> Humboldt Waste Management Authority (June 2020)	Page 110
<i>iii.</i> Redwood Coast Energy Authority (May 2020)	Page 112
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
August 19, 2020 at 7:00 pm via Zoom.**

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 June 17, 2020

Mayor Michael Sweeney called the Regular City Council Meeting to order at 7:00 pm via Zoom Video Conference. Those present did the flag salute. Present were Mayor Sweeney, Council Members Stephen Avis, Kathleen Bullard, Jenny Fisk-Becker, and Robin Smith, along with staff: City Manager Jay Parrish, Police Chief Bret Smith, City Engineer Brian Ontiveros, Finance Manager Donna Johnson, and City Clerk Kristene Hall.

Report out of Closed Session: None

Ceremonial: None

Modifications to the Agenda: None:

Report out of Study Session: None

Public Comment: There were no comments.

Consent Calendar: There were five items on the Consent Calendar for approval. There were no questions or comments. **MOTION:** to approve the consent calendar. **(Bullard/Fisk-Becker) 4-0-1** (Smiths internet “froze” and he was unable to vote)

Call Items Removed from Consent Calendar: None

Presentation: None

Public Hearing: None

Business:

Introduction & 1st Reading of Ordinance 2020-03 Prohibiting Smoking in Certain Places and Regulating Smoking within the City: City Manager Jay Parrish turned the discussion over to Dian Kiser of the Health and Social Policy Institute (HASPI). Kiser stated that her organizations had been working in Humboldt County since 2013 and had been active in the passage of local smoke-free housing and community policies in the City of Eureka, Arcata, Fortuna, and Ferndale’s Naval Housing. Kiser added that by passing this Ordinance Ferndale would join other cities in Humboldt County and many other cities and counties in California to pass a comprehensive secondhand smoke-free Ordinance. Councilman Avis questioned Kiser on the difference between this ordinance and the current state regulations. Kiser stated that while California is a strict state on smoking, this ordinance would provide addition regulations for additional outdoor areas like sidewalks, parks, recreation areas, and multi-family housing. Councilwoman Fisk-Becker questioned the multi-family housing. Kiser stated that there is usually only a certain designated area that would be away from windows and doors. Mayor Sweeney stated that there were not many multifamily residences in Ferndale. Sweeney also stated that A member of the public questioned single-family residences. Kiser stated this would not affect single dwellings. Another public member questioned the impact on police force for enforcement. Kiser stated in other communities there has been no impact on police. Another

public member questioned smoking on the sidewalk outside a bar or restaurant. Kiser stated it would be recommended to step to the curb. The public member also questioned businesses with residences on top of them. Kiser stated there had not been any issues of people stepping to the curb and smoking and the smoke reaching second stories. Kiser added that “no smoking” signage would be provided and could be shown the signage if they are violating the no-smoking ordinance. A member of the public stated his concerns on making visitors feel unwelcome by pointing to a sign. Councilwoman Fisk-Becker stated that possibly our Health Officer, Vanessa would be a good point of contact for complaints. Fisk-Becker also added the possibility of a protocol for enforcement. A member of the public added that he has never really seen anyone being disrespectful while smoking. Councilman Avis stated that Ferndale is already pretty compliant and does not see enforcement as an issue. Avis added the Ordinance would essentially just be symbolic and help keep Ferndale smoke-free in public areas. Public Members also questioned signage and costs. Kiser stated that money for signs and other cessation programs are paid for by tobacco tax initiatives. Councilwoman Bullard suggested instead of No Smoking signs, maybe signs that say “enjoy our smoke-free town”. **MOTION:** to approve the 1st reading, by title only, of Ordinance 2020-03 Prohibiting Smoking in Certain Enclosed and Unenclosed Places Within the City and Otherwise Providing for the Regulation of Smoking. **(Sweeney/Avis) Unanimous**

Resolution 2020-14 Authorizing the City Manager to Move Forward with the Washington Street Drainage Project: City Engineer Brian Ontiveros explained the project. Ontiveros stated this project was to replace the storm drain pipe between Schley and Nichols Way. Ontiveros added the additional problems with the drainage in that area. Ontiveros explained the scope of the project. Ontiveros stated the base project would be to replace the collapsed pipe and repave the area to help the flow. Ontiveros added that if the bids came in nicely, they have included added alternatives. Ontiveros stated the alternative addition to the project would allow for the addition of two new pipes on the south side right across from Nichols Way. The second added alternative would be to do some added paving to assist in the flow. Councilman Avis questioned the time frame and anticipated start of the project. Ontiveros stated they were putting the project out to bid in the next month with the possibility of August or September time frame for construction. Ontiveros added it would most likely take 2-3 weeks for completion. Councilwoman Fisk-Becker questioned the new pipes and if there would be any new open drainage or open culverts. Ontiveros stated there is no plans for any new open culverts. Mayor Sweeney stated he was glad to see this project moving forward. **MOTION:** to authorize the City Manager to move forward with the bid process and construction as well as execute a contract for drainage improvements for Washington St and authorize the submittal of the Notice of CEQA Exemption. **(Bullard/Avis) Unanimous**

Resolution 2020-12 Approving the Fiscal Year 2020-21 Operating Budget: City Manager Jay Parrish stated that staff and the finance committee had been working on this budget. Parrish added that due to the pandemic the city has a deficit. Parrish stated that the shortfall would be split over this year and next year. Parrish also added that there is a bill that could help cities with populations under 50,000 receive a \$50,000 non-competitive payment which would really help. Parrish added the shortfall will come out of the cities reserve funds. Councilwoman Bullard stated she was comfortable with the budget and stated the Finance Committee would be reviewing the budget periodically and adjust if needed. Bullard added that she was appreciative

to staff and their work put into it. Councilwoman Fisk-Becker stated she was pleased to see there was no reduction in staff. Mayor Sweeney stated he was also pleased with the budget. **MOTION:** to approve Resolution 2020-12 adopting the Fiscal Year 2020-21 Operating Budget. **(Avis/Bullard) Unanimous**

COVID-19 Update and Discussion: City Manager Jay Parrish went over current conditions. Parrish went over the importance of social distancing, wearing masks, and washing hand frequently. Parrish added that there has been a lot of controversy and disagreements over wearing a mask but stated in the end, nobody wants to spread the virus or give it to a family member. Parrish also stated it is important for the community to work together and to be unified which includes businesses and community members. Parrish added that there was talk about a banner being placed over highway 211 to the entrance of town about wearing a mask. Parrish stated that this was only an idea and assured the public that nothing would be placed without public input. Chief Smith added that the police departments efforts are consistent with the counties. Smith added they are trying to educate the community and not penalize them. Councilman Avis stated his appreciation to "The Covid Minute". Avis stated it was a great outreach to the community. Avis added that he is pleased with the community efforts. Councilwoman Bullard stated she would like to see the city supply businesses with masks free of charge for individuals that may not have one or may have forgotten theirs. Councilwoman Fisk-Becker stated she was extremely disappointed in letters that were included in the packet that named certain businesses on compliance with the masking order. Fisk-Becker added that she would like to see a compliance protocol to help with this. Councilman Smith stated his concerns on visitors from out of the area. Smith added that he feels strongly on the importance of testing. Mayor Sweeney stated that we are still under guidelines that include staying at home, limiting travel, wearing a mask, and maintaining a 6ft social distance. A member of the public stated her concerns on the letters in the packet pertaining to businesses and the mandatory masks. She also stated her concerns of the proposed banner. She added the importance of communicating to business owners and understanding the impact this is having on the business community. A member of the public questioned how often police were checking on businesses and also questioned the Ferndale High Graduation. Chief Smith stated they have limited staff and do as much education as possible. Chief Smith added he was not sure on the graduation. Mayor Sweeney added that the City Manger had been working with the Chamber of Commerce to help and maintain communication.

Correspondence: Councilwoman Fisk-Becker questioned the letter regarding weeds and if everyone receives them. City Clerk Hall stated letters go out when it is observed by city staff or a complaint from citizens come in. Fisk-Becker also thanked everyone for the town clean-up

Comment from the Council: Councilwoman Fisk-Becker stated the library was going to start offering curbside pickup. Councilman Avis thanked everyone for attending and was thankful for this technology that allows us to meet.

Reports:

City Managers Report: Councilwoman Fisk-Becker questioned the wetlands and the swale. Parrish stated that the city is working on a grant would help with the drainage. Parrish added that including the wetland would help obtain the grant. Parrish went over the parties involved in

the project. Fisk-Becker questioned if all properties affected had been notified. Fisk-Becker also questioned a letter received was not available in the packet.

Other Reports: No questions or comments

Mayor Sweeney adjourned the meeting at 8:45 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 June 22, 2020

Mayor Michael Sweeney called the Special City Council Meeting to order at 2:00 pm via Zoom Video Conference. Those present did the flag salute. Present were Mayor Sweeney, Council Members Stephen Avis, Kathleen Bullard, Jenny Fisk-Becker, and Robin Smith, along with staff: City Manager Jay Parrish, Police Chief Bret Smith, and City Clerk Kristene Hall.

Modifications to the Agenda: None

Business:

Reaffirm Local Emergency Declaration: City Manager Jay Parrish went over the declaration of the local emergency due to the ongoing COVID-19 pandemic. Parrish went over businesses reopening, the importance of masks being worn and social distancing. Parrish added the importance of continuing to extend the local emergency until the county rescinds their emergency declaration. Councilwoman Fisk-Becker questioned if the declaration of an emergency helps with the city receiving funding. Parrish stated that it does help with funding, and if the city was to rescind the order soon, it could lose out of needed funding. Councilman Smith stated that there had been an uptick in the amount of cases in many states and the need to extend the emergency now more than ever. Mayor Sweeney agreed with Smith adding that the disease hasn't left. A member of the public stated her concerns of continuing the emergency and the effect it is having on the local businesses. She also added that Ferndale had not seen any cases as of yet. Another public member added that he lives on Main Street and sees people and businesses complying with the masking order. Councilman Avis questioned the difference between having the emergency declaration and not having it. Parrish stated that there may not be any difference, but the virus is just as contagious as it was 8 weeks ago. Parrish added that staff would recommend to continue the local emergency declaration. Councilman Smith stated that from a medical perspective, the city should not abandon the emergency declaration and then decide in two weeks that we need it again. Smith stated it was wise to continue with the local emergency. Councilwoman Fisk-Becker stated she would like to see a protocol for compliance on the masking order. Fisk-Becker requested that be put on the July regular agenda. Fisk-Becker added that she would submit a draft to staff for review. Mayor Sweeney added that even if we did not have a local emergency declaration, the city would still have to comply with the county guidelines and restrictions. **Motion:** to reaffirm the local emergency due to COVID-19. **(Avis/Fisk-Becker)** Unanimous.

Public Comment on Closed Session Items: None

Adjourn into Closed Session: 2:25pm

Report Out of Closed Session: There was no actionable item to report

Mayor Sweeney adjourned the meeting at 2:43 pm

Respectfully submitted

Kristene Hall
City Clerk

Bank Account Register

General Checking

June 1, 2020 - June 30, 2020

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
			Beginning Balance			534,497.46
06/01/20		JAY PARRISH	JAY PARRISH	400.00		534,097.46
06/01/20			6/1/20 deposit		2,224.48	536,321.94
06/01/20		ALL LINES	ALL-LINES LEASING	950.45		535,371.49
06/01/20	54070	CITFO	CITY OF FORTUNA	1,950.00		533,421.49
06/01/20	54071	MIRRE	MIRANDA'S RESCUE	450.00		532,971.49
06/01/20	54072	SCOUTS	SCOUTS	450.00		532,521.49
06/01/20	54073	VANESSA	VANESSA HUERTA	200.00		532,321.49
06/02/20	54077	DELOR	DEL ORO WATER CO., FDLE. DIST.	390.04		531,931.45
06/02/20	54078	ARNKE	ARNOLD C. KEMP	4,943.60		526,987.85
06/02/20	54079	CAMPE	CAMPBELL PET COMPANY	128.80		526,859.05
06/02/20	54080	EEL SCRAP	EEL RIVER SCRAP & SALVAGE	85.00		526,774.05
06/02/20	54081	FRONT	FRONTIER	503.23		526,270.82
06/02/20	54082	HORBU	HORIZON BUSINESS SERVICES	67.23		526,203.59
06/02/20	54083	MISLI	MISSION LINEN & UNIFORM SERVICE	18.20		526,185.39
06/02/20	54084	PARS1	PARSAC	19.09		526,166.30
06/04/20	1001		PARRISH, JAY D	2,558.05		523,608.25
06/04/20	1002		HALL, KRISTENE M	1,622.67		521,985.58
06/04/20	1003		JOHNSON, DONNA J	1,475.20		520,510.38
06/04/20	1004		SMITH, BRET A	1,561.18		518,949.20
06/04/20	1005		LINDGREN, ROBERT C	1,358.63		517,590.57
06/04/20	1006		FIELDER, CHARLES COSMAS	26.00		517,564.57
06/04/20	1007		DIAS, TIMOTHY G	1,537.45		516,027.12
06/04/20	1008		MENDES, ALAN SCOTT	122.08		515,905.04
06/04/20	1009		COPPINI, STEVE L	2,433.31		513,471.73
06/04/20	1010		GARDNER, SHAWN C	1,736.38		511,735.35
06/04/20	1011		LIU, CARSON B	376.89		511,358.46
06/04/20	1012		HOPPIS, JOHNNY F	1,738.74		509,619.72
06/04/20	54074		BALCH, DYLAN C	1,243.06		508,376.66
06/04/20	54075		CERVANTES, CESAR E	1,282.75		507,093.91
06/04/20	54076		Franceschi, David A	1,382.48		505,711.43
06/04/20	54085	CHOPPIS	CHELCI HOPPIS	126.92		505,584.51
06/04/20	54086	DVLNO	DAVE LENARDO	295.00		505,289.51
06/04/20	54087	FEPEA	FEPEA	82.50		505,207.01
06/09/20		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,380.13		503,826.88
06/09/20		USTREASURY	UNITED STATES TREASURY	7,319.28		496,507.60
06/09/20	54088	A RENNER	ALAYNA RENNER	50.00		496,457.60
06/09/20	54089	ALTBU	ALTERNATIVE BUSINESS CONCEPTS	108.16		496,349.44
06/09/20	54090	CLYDES	CLYDE'S TOWING, INC.	300.00		496,049.44
06/09/20	54091	CRYST	CRYSTAL SPRINGS BOTTLED WATER CO.	34.00		496,015.44
06/09/20	54092	L CROZIER	LINDA CROZIER	50.00		495,965.44
06/09/20	54093	M DRAKE	MORGAN DRAKE	50.00		495,915.44
06/09/20	54094	NILCO	NILSEN COMPANY	259.09		495,656.35
06/09/20	54095	NORCO	NORTH COAST LABORATORIES LTD.	195.00		495,461.35
06/09/20	54096	PACGA	PACIFIC GAS & ELECTRIC	1,059.67		494,401.68
06/09/20	54097	RSLIV	R & S LIVESTOCK SUPPLY	240.39		494,161.29
06/09/20	54098	EELRI	RECOLOGY HUMBOLDT COUNTY	311.77		493,849.52
06/09/20	54099	SUDDEN	SUDDENLINK	751.06		493,098.46
06/09/20	54100	TIPMO	TIPPLE MOTORS, INC.	16.50		493,081.96
06/09/20	54101	TOWCO	TOWN & COUNTRY REFRIGERATION	181.72		492,900.24
06/09/20	54102	USBANK	US BANK	310.85		492,589.39
06/09/20	54103	VALLU	VALLEY LUMBER	319.83		492,269.56
06/09/20	54104	VERZN	VERIZON WIRELESS	257.52		492,012.04
06/09/20	54105	WILSA	WILDWOOD SAW	113.90		491,898.14
06/16/20	54109	CRMST	CRIMESTAR CORPORATION	600.00		491,298.14
06/16/20	54110	DEPJU	DEPARTMENT OF JUSTICE	70.00		491,228.14
06/16/20	54111	HUMTE	HUMBOLDT TERMITE & PEST	49.00		491,179.14

Bank Account Register

General Checking

June 1, 2020 - June 30, 2020

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
06/16/20	54112	PACGA	PACIFIC GAS & ELECTRIC	7,427.19		483,751.95
06/16/20	54113	PLANWEST	PLANWEST PARTNERS, INC.	3,214.00		480,537.95
06/16/20	54114	POSTM	POSTMASTER	70.00		480,467.95
06/16/20	54115	SEQGA	SEQUOIA GAS COMPANY	330.12		480,137.83
06/16/20	54116	WHITCHURCH	WHITCHURCH ENGINEERING, INC.	280.00		479,857.83
06/18/20	1001		PARRISH, JAY D	2,558.06		477,299.77
06/18/20	1002		HALL, KRISTENE M	1,549.64		475,750.13
06/18/20	1003		JOHNSON, DONNA J	1,475.20		474,274.93
06/18/20	1004		ALAMEDA, RENAE MARY	246.83		474,028.10
06/18/20	1005		SMITH, BRET A	1,561.18		472,466.92
06/18/20	1006		LINDGREN, ROBERT C	1,294.65		471,172.27
06/18/20	1007		DIAS, TIMOTHY G	1,530.24		469,642.03
06/18/20	1008		MENDES, ALAN SCOTT	241.23		469,400.80
06/18/20	1009		COPPINI, STEVE L	2,243.00		467,157.80
06/18/20	1010		GARDNER, SHAWN C	1,716.52		465,441.28
06/18/20	1011		LIU, CARSON B	228.37		465,212.91
06/18/20	1012		HOPPIS, JOHNNY F	1,738.75		463,474.16
06/18/20	54106		BALCH, DYLAN C	1,139.29		462,334.87
06/18/20	54107		CERVANTES, CESAR E	1,178.98		461,155.89
06/18/20	54108		Franceschi, David A	1,274.81		459,881.08
06/18/20	54117	CHOPPIS	CHELCI HOPPIS	126.92		459,754.16
06/18/20	54118	DVLNO	DAVE LENARDO	505.00		459,249.16
06/18/20	54119	FEPEA	FEPEA	77.50		459,171.66
06/22/20			6/22/20 deposit		1,864.27	461,035.93
06/23/20		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,307.87		459,728.06
06/23/20		USTREASURY	UNITED STATES TREASURY	7,057.77		452,670.29
06/23/20	54120	DELOR	DEL ORO WATER CO., FDLE. DIST.	416.05		452,254.24
06/23/20	54121	BRETSMITH	BRET SMITH	32.21		452,222.03
06/23/20	54122	HUM PLAN	COUNTY OF HUMBOLDT	280.00		451,942.03
06/23/20	54123	EEL SCRAP	EEL RIVER SCRAP & SALVAGE	85.00		451,857.03
06/23/20	54124	FDAC	FDAC EBA	11,520.97		440,336.06
06/23/20	54125	FRONT	FRONTIER	513.14		439,822.92
06/23/20	54126	K-OHERN	KELLY-O'HERN ASSOCIATES	750.00		439,072.92
06/23/20	54127	MERFR	MERCER FRASER COMPANY	123.53		438,949.39
06/23/20	54128	PARS1	PARSAC	33.00		438,916.39
06/23/20	54129	SDRMA	SPECIAL DISTRICT RISK MGMT AUTHORITY	723.39		438,193.00
06/23/20	54130	FEREN	THE FERNDAL ENTERPRISE	338.00		437,855.00
06/23/20	54131	VAPAC PETRO	VALLEY PACIFIC PETROLEUM SERVICES, INC.	1,469.77		436,385.23
06/23/20	54132	WELF(\$106)	WELLS FARGO FINANCIAL LEASING	106.46		436,278.77
06/23/20	54133	WELLS(\$206)	WELLS FARGO VENDOR FIN SERV	206.76		436,072.01
06/23/20	54134	ONTIV	ONTIVEROS & ASSOCIATES, INC.	1,883.75		434,188.26
06/24/20			6/24/20 deposit		8,207.31	442,395.57
06/26/20			6/26/20 deposit		1,703.25	444,098.82
06/27/20		TRICOUNTIES	TRI COUNTIES BANK	1,129.58		442,969.24
06/29/20			6/29/20 deposit		21,097.16	464,066.40
06/29/20			6/29/20 deposit		415,915.66	879,982.06
06/30/20	54138	PHIAY	AYCOCK & EDGMON	425.00		879,557.06
06/30/20	54139	BRETSMITH	BRET SMITH	55.00		879,502.06
06/30/20	54140	EEL SCRAP	EEL RIVER SCRAP & SALVAGE	14.46		879,487.60
06/30/20	54141	PACGA	PACIFIC GAS & ELECTRIC	1,059.67		878,427.93
06/30/20	54142	SUDDEN	SUDDENLINK	1,025.26		877,402.67
06/30/20	54143	USBANK	US BANK	605.93		876,796.74
			Totals	<u>108,712.85</u>	<u>451,012.13</u>	<u>876,796.74</u>

Transaction count = 108

JUNE 2020 Deposit Recap	6.1.20	6.22.20	6.24.20	6.26.20	6.29.20	6.29.20	TOTAL-JUN 20
RETAIL TAX			8,207.31				8,207.31
HIGHWAY USER TAX/VEHICLE LICENSE FEES	2,224.48	1,864.27		1,703.25	72,541.00		78,333.00
BUSINESS LIC						3,680.00	3,680.00
ANIMAL LIC						650.00	650.00
BUILDING RENTS						350.00	350.00
PERMITS						45.00	45.00
TOT						1,908.23	1,908.23
HEALTH INSPECTIONS							-
HCAOG - RSTP							-
RECYCLING GRANT						5,000.00	5,000.00
PARSAC - GRANT / OTHER							-
COUNTY OF HUMBOLDT-STREETS & ROADS							-
SEPTIC DUMPS / SEWER REVENUE						9,445.50	9,445.50
FRANCHSE FEES							-
HUMBOLDT CTY - COPS							-
DONATIONS							-
POLICE SERVICES					4,596.02		4,596.02
SMALL MISC					512.30	18.43	530.73
DRAINAGE FEES					7,212.50		7,212.50
COUNTY OF HUMBOLDT-PROPERTY TAXES					68,613.33		68,613.33
COUNTY OF HUMBOLDT-SEWER					262,168.78		262,168.78
COUNTY OF HUMBOLDT-INTEREST INCOME					271.73		271.73
STATE - CAL TRANS - STREET SWEEP							-
MISC: CREAM CITY - PAVING (RMRA)							
DENTAL INS DIVIDENDS - SDRMA							
MISC: COUNTY OF HUMBOLDT-MEASURE Z							-
	2,224.48	1,864.27	8,207.31	1,703.25	415,915.66	21,097.16	451,012.13

City of Ferndale
Balance Sheet
Fund 10 - General Fund
As of June 30, 2020

Assets

Current Assets	
Cash	\$ 505,011.41
Restricted Cash	15,150.00
Accounts Receivable	<u>35,417.25</u>
 Total Current Assets	 <u>555,578.66</u>
 Total Assets	 <u>\$ 555,578.66</u>

Liabilities and Fund Balance

Current Liabilities	
Accounts Payable	\$ 36,491.30
Accrued Liabilities	7,852.44
Other Current Liabilities	<u>155.52</u>
 Total Current Liabilities	 <u>44,499.26</u>
 Total Liabilities	 <u>44,499.26</u>
Fund Balance	
Retained Earnings	<u>511,079.40</u>
 Total Fund Balance	 <u>511,079.40</u>
 Total Liabilities and Fund Balance	 <u>\$ 555,578.66</u>

City of Ferndale
Balance Sheet
Fund 22-Gas Tax
As of June 30, 2020

Assets

Current Assets	
Cash	\$ <u>17,055.77</u>
Total Current Assets	<u>17,055.77</u>
Total Assets	\$ <u><u>17,055.77</u></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>17,055.77</u>
Total Fund Balance	<u>17,055.77</u>
Total Liabilities and Fund Balance	\$ <u><u>17,055.77</u></u>

City of Ferndale
Balance Sheet
Fund 23 - RSTP Fund
As of June 30, 2020

Assets

Current Assets		
Cash	\$	73,669.84
Total Current Assets		73,669.84
Total Assets	\$	73,669.84

Liabilities and Fund Balance

Current Liabilities		
Total Current Liabilities	\$	0.00
Total Liabilities		0.00
Fund Balance		
Retained Earnings		73,669.84
Total Fund Balance		73,669.84
Total Liabilities and Fund Balance	\$	73,669.84

City of Ferndale
Balance Sheet
Fund 24 - Transportation Development Act
As of June 30, 2020

Assets

Current Assets	
Cash	\$ <u>257,935.80</u>
Total Current Assets	<u>257,935.80</u>
Total Non Current Assets	<u> </u>
Total Assets	<u><u>\$ 257,935.80</u></u>

Liabilities and Fund Balance

Current Liabilities	
Total Current Liabilities	\$ <u>0.00</u>
Fund Balance	
Retained Earnings	<u>257,935.80</u>
Total Fund Balance	<u>257,935.80</u>
Total Liabilities and Fund Balance	<u><u>\$ 257,935.80</u></u>

City of Ferndale
Balance Sheet
Fund 26 - Drainage Fund
As of June 30, 2020

Assets

Current Assets	
Cash	\$ <u>14,716.37</u>
Total Current Assets	<u>14,716.37</u>
Total Assets	<u>\$ 14,716.37</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>14,716.37</u>
Total Fund Balance	<u>14,716.37</u>
Total Liabilities and Fund Balance	<u>\$ 14,716.37</u>

City of Ferndale
Balance Sheet
Fund 25 - Integrated Waste Mgt
As of June 30, 2020

Assets

Current Assets		
Cash	\$	55,592.71
Total Current Assets		55,592.71
Total Assets	\$	55,592.71

Liabilities and Fund Balance

Current Liabilities		
Total Current Liabilities	\$	0.00
Total Liabilities		0.00
Fund Balance		
Retained Earnings		55,592.71
Total Fund Balance		55,592.71
Total Liabilities and Fund Balance	\$	55,592.71

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

Assets

Current Assets	
Cash	\$ <u>587,573.58</u>
Total Current Assets	<u>587,573.58</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>11,162,882.27</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>131,851.65</u>
Total Fund Balance	<u>6,780,944.25</u>
Total Liabilities and Fund Balance	<u>\$ <u>11,162,882.27</u></u>

City of Ferndale
Balance Sheet
GASB 34 ASSETS AND LIABILITIES
As of June 30, 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 June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
REVENUES				
Revenues - Taxes				
10014102 Property tax-secured	\$ 0.00	\$ 147,898.34	\$ 143,000.00	\$ 4,898.34
10014104 Property tax-unsecured	0.00	6,189.19	5,500.00	689.19
10014106 Property tax-prior	0.00	25.03	2,000.00	(1,974.97)
10014107 Supplemental role	0.00	1,887.22	2,400.00	(512.78)
10014110 Sales and use tax	0.00	128,823.13	160,000.00	(31,176.87)
10014111 Trash franchise	0.00	5,930.33	5,000.00	930.33
10014112 PG&E franchise	0.00	11,984.43	7,200.00	4,784.43
10014114 Cable franchise	0.00	17,703.64	25,000.00	(7,296.36)
10014116 Business license tax	3,680.00	16,365.25	12,000.00	4,365.25
10014118 Real Property Transfer tax	0.00	3,408.91	6,000.00	(2,591.09)
10014120 Transient lodging tax	0.00	109,388.91	200,000.00	(90,611.09)
10014121 TOT Humboldt Lodging Authority	0.00	20,314.84	40,000.00	(19,685.16)
Total Revenue - Taxes	\$ 3,680.00	\$ 469,919.22	\$ 608,100.00	\$ (138,180.78)
Revenues - Licenses and Permits				
10024132 Construction permits	\$ 45.00	\$ 52,821.22	\$ 40,800.00	\$ 12,021.22
10024164 Health protection	0.00	3,325.00	3,850.00	(525.00)
10024166 Encroachment permits	0.00	385.00	225.00	160.00
10024278 Animal license fees	650.00	1,882.50	1,400.00	482.50
Total Revenue - Licenses and Permits	\$ 695.00	\$ 58,413.72	\$ 46,275.00	\$ 12,138.72
Revenues - Use of Money and Property				
10044182 Interest	\$ 0.00	\$ 12,496.78	\$ 16,650.00	\$ (4,153.22)
10044285 Bocce ball revenue	0.00	150.00	0.00	150.00
10044297 Town Hall Rent	(150.00)	2,365.00	3,000.00	(635.00)
10044297.1 Community Center rents	50.00	600.00	600.00	0.00
Total Revenue -Use of Money and Property	\$ (100.00)	\$ 15,611.78	\$ 20,250.00	\$ (4,638.22)
Revenues - Fines				
10034283 Court fines	\$ 0.00	\$ 1,803.34	\$ 1,500.00	\$ 303.34
Total Revenue - Fines	\$ 0.00	\$ 1,803.34	\$ 1,500.00	\$ 303.34
Revenues - Intergovernmental				
10054204 Motor vehicle in-lieu tax	\$ 0.00	\$ 73,626.11	\$ 133,000.00	\$ (59,373.89)
10054222 Home owners prop. tax relief	0.00	1,478.93	1,200.00	278.93
10054286 Street sweeping	0.00	16,364.16	16,364.00	0.16
10054289 RMRA	0.00	55,994.48	22,532.00	33,462.48
10054300 Public safety 1/2 cent	0.00	5,232.68	4,500.00	732.68
10054310 COPs Program	0.00	156,345.89	145,000.00	11,345.89
Total Revenue - Intergovernmental	\$ 0.00	\$ 309,042.25	\$ 322,596.00	\$ (13,553.75)

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 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	0.00	1,905.00	300.00	1,605.00
10084298 Fair racing revenue	<u>18.43</u>	<u>2,403.53</u>	<u>2,400.00</u>	<u>3.53</u>
Total Revenue - Fees for Service	\$ <u>18.43</u>	\$ <u>11,906.65</u>	\$ <u>9,550.00</u>	\$ <u>2,356.65</u>
Revenues - Other Revenue				
10094284 Donations - Library	\$ 0.00	\$ 100.00	\$ 100.00	\$ 0.00
10094307 Miscellaneous	300.00	51,178.76	3,600.00	47,578.76
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>300.00</u>	\$ <u>61,833.50</u>	\$ <u>12,900.00</u>	\$ <u>48,933.50</u>
TOTAL REVENUES	\$ <u>4,593.43</u>	\$ <u>928,530.46</u>	\$ <u>1,021,171.00</u>	\$ <u>(92,640.54)</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
EXPENDITURES				
Expenditures - City Council				
10115012 Office expense	\$ 27.92	\$ 95.89	\$ 200.00	\$ (104.11)
10115013 Advertising	338.00	1,819.53	300.00	1,519.53
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	\$ 365.92	\$ 4,492.06	\$ 4,140.00	\$ 352.06
Expenditures City Manager				
10105002 Salary - permanent	\$ 2,512.46	\$ 31,968.89	\$ 31,106.08	\$ 862.81
10105006 SSI tax	191.63	2,499.02	2,490.49	8.53
10105007 Medical insurance	662.24	7,908.03	8,211.30	(303.27)
10105009 Workers comp. insurance	0.00	1,797.11	1,866.36	(69.25)
10105010 Deferred retirement	0.00	1,948.51	2,488.49	(539.98)
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	\$ 47,597.51	\$ 47,655.81	\$ (58.30)
Expenditures - City Clerk				
10125002 Salary - permanent	\$ 5,872.00	\$ 76,800.32	\$74,768.18	\$ 2,032.14
10125006 SSI tax	466.27	6,483.10	6,217.04	266.06
10125007 Medical insurance	1,057.58	12,926.83	12,334.56	592.27
10125009 Workers comp. insurance	0.00	4,319.62	4,486.09	(166.47)
10125010 Deferred retirement	0.00	4,872.67	5,980.72	(1,108.05)
10125012 Office expense	217.65	7,168.77	3,900.00	3,268.77
10125022 IT support	0.00	1,013.15	500.00	513.15
10125044 Meetings and dues	0.00	1,277.40	1,100.00	177.40
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	\$ 7,613.50	\$ 118,409.53	\$ 112,875.46	\$ 5,534.07

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - City Attorney				
10145052 Professional services	\$ 4,613.00	\$ 18,983.72	\$ 9,000.00	\$ 9,983.72
Total Expenditures - City Attorney	\$ 4,613.00	\$ 18,983.72	\$ 9,000.00	\$ 9,983.72
Expenditures - Government Buildings				
10155002 Salary - permanent	\$ 270.20	\$ 2,294.69	\$ 2,995.36	\$ (700.67)
10155006 SSI tax	30.67	273.80	372.93	(99.13)
10155009 Workers comp. insurance	0.00	173.05	179.72	(6.67)
10155012 Office expense	0.00	1,659.12	1,500.00	159.12
10155020 Building and ground maint.	261.10	8,116.10	6,000.00	2,116.10
10155030 Trash service	35.16	421.92	400.00	21.92
10155031 Gas	330.12	4,037.52	4,800.00	(762.48)
10155032 Utilities	183.23	1,896.73	2,500.00	(603.27)
10155033 Water	37.14	4,058.61	3,980.00	78.61
10155034 Telephone/internet	390.79	4,442.83	3,850.00	592.83
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	\$ 1,538.41	\$ 30,471.50	\$ 30,571.79	\$ (100.29)
Expenditures - Non departmental				
10165015 Property tax admin. fees	\$ 0.00	\$ 4,356.00	\$ 3,600.00	\$ 756.00
10165054 Audit and accounting	0.00	19,998.00	17,900.00	2,098.00
10165054.1 Accounting services	0.00	9,575.00	10,100.00	(525.00)
10165055 Contractual services	180.00	720.00	720.00	0.00
10165078 Copy machine expense	314.92	4,226.49	4,000.00	226.49
10165099 Miscellaneous	450.00	4,404.59	1,800.00	2,604.59
10165200 Car allowance	400.00	4,800.00	4,800.00	0.00
Total Expenditures - Nondepartmental	\$ 1,344.92	\$ 48,080.08	\$ 42,920.00	\$ 5,160.08
Expenditures - Community Promotion				
10175020 Building and ground maint.	\$ 0.00	\$ 72.77	\$ 0.00	\$ 72.77
10175024 Special department supply	0.00	52.82	0.00	52.82
10175028 Public restroom	18.20	1,967.11	3,600.00	(1,632.89)
10175032 Utilities	17.64	56.03	310.00	(253.97)
10175033 Water	59.37	1,429.06	1,440.00	(10.94)
10175072 Chamber of commerce	0.00	37,549.16	37,549.00	0.16
10175072.1 Donation - Visitors & Conv.	0.00	1,500.00	1,500.00	0.00
10175072.2 Employee appreciation	0.00	100.00	150.00	(50.00)
10175072.3 TOT 2% HLA QTRLY	0.00	19,968.98	33,000.00	(13,031.02)
Total Expenditures - Community Promotion	\$ 95.21	\$ 62,695.93	\$ 77,549.00	\$ (14,853.07)

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Police				
10215002 Salary - permanent	\$ 19,445.06	\$ 242,930.17	\$ 270,611.66	\$ (27,681.49)
10215004 Salary - reserve	442.61	17,968.37	1,986.00	15,982.37
10215005 Salary - overtime	239.53	4,808.28	7,000.00	(2,191.72)
10215006 SSI tax	1,544.75	22,945.65	21,946.93	998.72
10215007 Medical insurance	5,138.92	56,062.78	54,898.08	1,164.70
10215009 Workers comp. insurance	0.00	19,599.25	15,799.80	3,799.45
10215010 Deferred retirement	0.00	7,739.94	16,352.29	(8,612.35)
10215012 Office expense	87.21	2,449.63	6,150.00	(3,700.37)
10215014 Vehicle expense	991.72	13,468.55	8,000.00	5,468.55
10215016 Fuel	778.98	10,474.40	7,500.00	2,974.40
10215020 Building and ground maint.	65.00	8,555.23	11,100.00	(2,544.77)
10215022 IT support	600.00	1,030.45	9,190.00	(8,159.55)
10215024 Special department supply	0.00	2,169.97	5,000.00	(2,830.03)
10215026 Uniform expense	0.00	618.00	1,100.00	(482.00)
10215026.1 Uniform allowance	0.00	3,000.00	3,000.00	0.00
10215029 Water/sewer	47.16	1,422.58	1,400.00	22.58
10215032 Utilities	150.46	1,792.78	2,700.00	(907.22)
10215034 Telephone/internet	598.07	4,281.85	3,600.00	681.85
10215035 Dispatch service	1,950.00	23,400.00	23,400.00	0.00
10215044 Meetings and dues	0.00	272.09	1,520.00	(1,247.91)
10215048 Training	0.00	2,062.04	1,500.00	562.04
10215051 Physical exams	0.00	242.00	900.00	(658.00)
10215052 Professional services	70.00	658.00	600.00	58.00
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	1,326.22	1,300.00	26.22
10215088 Equipment repair other	0.00	321.95	200.00	121.95
10215098 Background expense	0.00	3,463.00	1,650.00	1,813.00
10215201 Lexipol services	0.00	4,493.00	2,300.00	2,193.00
Total Expenditures - Police	\$ 32,255.93	\$ 471,226.41	\$ 494,444.59	\$ (23,218.18)
Expenditures - Animal Control				
10225096 Animal control	\$ 450.00	\$ 5,528.80	\$ 5,400.00	\$ 128.80
Total Expenditures - Animal Control	\$ 450.00	\$ 5,528.80	\$ 5,400.00	\$ 128.80
Expenditures - Health				
10245052 Professional services	\$ 200.00	\$ 2,400.00	\$ 2,400.00	\$ 0.00
Total Expenditures - Health	\$ 200.00	\$ 2,400.00	\$ 2,400.00	\$ 0.00

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Streets and Roads				
10315002 Salary - permanent	\$ 1,472.48	\$ 17,901.65	\$ 17,372.16	\$ 529.49
10315005 Salary - overtime	108.20	814.10	0.00	814.10
10315006 SSI tax	117.47	1,507.08	1,463.37	43.71
10315007 Medical insurance	403.00	4,812.60	4,996.94	(184.34)
10315009 Workers comp. insurance	0.00	1,003.65	1,042.33	(38.68)
10315010 Deferred retirement	0.00	647.64	942.66	(295.02)
10315011 Bldg/property insurance	0.00	448.00	0.00	448.00
10315014 Vehicle expense	960.20	12,308.49	11,406.00	902.49
10315020 Building and ground maint.	0.00	3,888.30	2,000.00	1,888.30
10315021 Street maintenance	0.00	7,033.86	8,000.00	(966.14)
10315024 Special department supply	0.00	874.04	1,500.00	(625.96)
10315026.1 Uniform allowance	0.00	267.20	0.00	267.20
10315034 Telephone/internet	77.75	923.31	840.00	83.31
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>0.00</u>	<u>751.88</u>	<u>1,000.00</u>	<u>(248.12)</u>
Total Expenditures - Streets and Roads	\$ <u>3,139.10</u>	\$ <u>54,545.09</u>	\$ <u>51,947.32</u>	\$ <u>2,597.77</u>
Expenditures - Planning				
10415052 Professional services	\$ 280.00	\$ 23,823.22	\$ 23,400.00	\$ 423.22
10415053 Reimbursable Fees	750.00	17,223.25	10,000.00	7,223.25
10415055 Contractual services	0.00	12,942.50	14,500.00	(1,557.50)
10415059 Special Planning Projects	<u>0.00</u>	<u>5,160.50</u>	<u>0.00</u>	<u>5,160.50</u>
Total Expenditures - Planning	\$ <u>1,030.00</u>	\$ <u>59,149.47</u>	\$ <u>47,900.00</u>	\$ <u>11,249.47</u>
Expenditures - City engineer				
10425052 Professional services	<u>\$ 0.00</u>	<u>\$ 30,593.85</u>	<u>\$ 18,000.00</u>	<u>\$ 12,593.85</u>
Total Expenditures - City engineer	\$ <u>0.00</u>	\$ <u>30,593.85</u>	\$ <u>18,000.00</u>	\$ <u>12,593.85</u>
Expenditures - Building Regulation				
10435024 Special department supply	\$ 0.00	\$ 1,401.28	\$ 0.00	\$ 1,401.28
10435052 Professional services	<u>0.00</u>	<u>35,195.82</u>	<u>32,400.00</u>	<u>2,795.82</u>
Total Expenditures - Building Regulation	\$ <u>0.00</u>	\$ <u>36,597.10</u>	\$ <u>32,400.00</u>	\$ <u>4,197.10</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY 2019/2020 Budget	Over/(Under) Budget
Expenditures - Library				
10615002 Salary - permanent	\$ 0.00	\$ 4,100.03	\$ 5,000.00	\$ (899.97)
10615006 SSI tax	0.00	485.35	622.50	(137.15)
10615009 Workers comp. insurance	0.00	288.87	300.00	(11.13)
10615012 Office expense	0.00	318.73	250.00	68.73
10615020 Building and ground maint.	65.00	332.27	250.00	82.27
10615024 Special department supply	0.00	1,696.67	2,500.00	(803.33)
10615031 Gas	0.00	2,031.99	3,360.00	(1,328.01)
10615032 Utilities	85.13	1,441.49	2,100.00	(658.51)
10615033 Water	33.77	417.76	310.00	107.76
10615034 Telephone/internet	138.41	1,641.46	1,500.00	141.46
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	\$ 322.31	\$ 14,182.86	\$ 17,882.50	\$ (3,699.64)
Expenditures - Parks				
10625002 Salary - permanent	\$ 234.22	\$ 4,772.83	\$ 6,215.82	\$ (1,442.99)
10625006 SSI tax	17.89	459.20	662.04	(202.84)
10625007 Medical insurance	60.36	720.87	748.52	(27.65)
10625009 Workers comp. insurance	0.00	359.11	372.95	(13.84)
10625010 Deferred retirement	0.00	123.81	169.67	(45.86)
10625020 Building and ground maint.	326.66	4,302.18	5,500.00	(1,197.82)
10625024 Special department supply	0.00	254.52	300.00	(45.48)
10625032 Utilities	35.44	370.27	750.00	(379.73)
10625033 Water	134.62	1,614.63	1,200.00	414.63
10625061 Liability Insurance	0.00	294.93	298.37	(3.44)
10625065 Russ Park expenditures	0.00	73.52	800.00	(726.48)
Total Expenditures - Parks	\$ 809.19	\$ 13,345.87	\$ 17,017.37	\$ (3,671.50)
Expenditures -Community Center				
10635020 Building and ground maint.	\$ 0.00	\$ 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	\$ 0.00	\$ 5,778.65	\$ 3,300.00	\$ 2,478.65
TOTAL EXPENDITURES	\$ 57,143.82	\$ 1,024,078.43	\$ 1,015,403.84	\$ 8,674.59
REVENUES OVER (UNDER) EXPENDITURES	\$ (52,550.39)	\$ (95,547.97)	\$ 5,767.16	\$ (101,315.13)

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
22314210.1 Gas tax (2105)	\$ 388.33	\$ 6,993.60	\$ 7,614.00	\$ (620.40)
22314210.2 Gas tax (2106)	618.11	9,554.91	10,062.00	(507.09)
22314210.3 Gas tax (2107)	552.68	8,830.75	9,945.00	(1,114.25)
22314210.4 Gas tax (2107.5)	0.00	1,000.00	1,000.00	0.00
22314210.5 Gas Tax (2103)	144.13	10,994.85	11,808.00	(813.15)
22314210.6 Loan repay & road maint	<u>0.00</u>	<u>0.00</u>	<u>1,546.00</u>	<u>(1,546.00)</u>
Total Revenue	<u>1,703.25</u>	<u>37,374.11</u>	<u>41,975.00</u>	<u>(4,600.89)</u>
EXPENDITURES				
22315002 Salary - permanent	1,724.78	21,231.37	19,527.55	1,703.82
22315005 Salary - overtime	113.62	861.77	0.00	861.77
22315006 SSI tax	140.63	1,764.87	1,668.64	96.23
22315007 Medical insurance	441.23	5,268.86	5,533.30	(264.44)
22315009 Workers comp. insurance	0.00	1,128.18	1,203.32	(75.14)
22315010 Deferred retirement	0.00	1,041.10	1,092.72	(51.62)
22315057 Street signs	0.00	2,521.67	0.00	2,521.67
22315058 Street lighting	1,091.46	12,678.06	15,240.00	(2,561.94)
22315061 Liability Insurance	<u>0.00</u>	<u>926.56</u>	<u>962.67</u>	<u>(36.11)</u>
TOTAL EXPENDITURES	<u>3,511.72</u>	<u>47,422.44</u>	<u>45,228.20</u>	<u>2,194.24</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (1,808.47)</u>	<u>\$ (10,048.33)</u>	<u>\$ (3,253.20)</u>	<u>\$ (6,795.13)</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 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	467.12	5,756.56	5,501.42	255.14
23315006 SSI tax	35.77	457.47	454.46	3.01
23315007 Medical insurance	111.12	1,327.09	1,413.87	(86.78)
23315009 Workers comp. insurance	0.00	317.84	330.08	(12.24)
23315010 Deferred retirement	0.00	281.08	373.04	(91.96)
23315061 Liability Insurance	0.00	261.04	264.07	(3.03)
TOTAL EXPENDITURES	<u>614.01</u>	<u>8,401.08</u>	<u>8,336.94</u>	<u>64.14</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (614.01)</u>	<u>\$ 2,318.92</u>	<u>\$ 1,163.06</u>	<u>\$ 1,155.86</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 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	1,548.64	19,048.97	19,776.30	(727.33)
24315005 Salary - overtime	64.92	507.88	0.00	507.88
24315006 SSI tax	123.68	1,591.39	1,610.26	(18.87)
24315007 Medical insurance	406.40	4,853.60	5,120.18	(266.58)
24315009 Workers comp. insurance	0.00	1,142.55	1,154.90	(12.35)
24315010 Deferred retirement	0.00	704.22	1,313.80	(609.58)
24315014 Vehicle expense	0.00	241.51	250.00	(8.49)
24315016 Fuel	514.42	6,772.94	5,600.00	1,172.94
24315020 Building and ground maint.	0.00	2,400.55	300.00	2,100.55
24315021 Street maintenance	0.00	441.45	1,000.00	(558.55)
24315024 Special department supply	0.00	549.93	1,000.00	(450.07)
24315032 Utilities	235.70	2,692.28	3,300.00	(607.72)
24315033 Water	34.61	481.72	385.00	96.72
24315034 Telephone/internet	77.76	923.30	840.00	83.30
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>3,006.13</u>	<u>43,690.25</u>	<u>43,124.36</u>	<u>565.89</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (3,006.13)</u>	<u>\$ (13,690.25)</u>	<u>\$ 19,255.64</u>	<u>\$ (32,945.89)</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
26314230 Drainage fund	\$ 0.00	\$ 14,546.65	\$ 4,500.00	\$ 10,046.65
26314240 Drainage district fees	<u>0.00</u>	<u>18,672.99</u>	<u>19,000.00</u>	<u>(327.01)</u>
Total Revenue	<u>0.00</u>	<u>33,219.64</u>	<u>23,500.00</u>	<u>9,719.64</u>
EXPENDITURES				
26315002 Salary - permanent	1,405.46	17,151.18	16,719.33	431.85
26315005 Salary - overtime	91.98	698.55	0.00	698.55
26315006 SSI tax	114.62	1,442.57	1,403.34	39.23
26315007 Medical insurance	373.17	4,456.44	4,662.91	(206.47)
26315009 Workers comp. insurance	0.00	965.93	1,003.16	(37.23)
26315010 Deferred retirement	0.00	675.39	957.49	(282.10)
26315019 Creek maintenance	23.13	1,527.45	500.00	1,027.45
26315023 Drain project	0.00	0.00	200.00	(200.00)
26315024 Special department supply	0.00	697.45	500.00	197.45
26315052 Professional services	1,750.00	2,875.00	0.00	2,875.00
26315061 Liability Insurance	0.00	793.31	802.53	(9.22)
26315194 Interest expense	<u>1,129.58</u>	<u>13,554.96</u>	<u>13,555.00</u>	<u>(0.04)</u>
TOTAL EXPENDITURES	<u>4,887.94</u>	<u>44,838.23</u>	<u>40,303.76</u>	<u>4,534.47</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ (4,887.94)</u>	<u>\$ (11,618.59)</u>	<u>\$ (16,803.76)</u>	<u>\$ 5,185.17</u>

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

	1 Month Ended June 30, 2020 Actual	12 Months June 30, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
25314288 Tipping fee (int. waste mgt.)	\$ 0.00	\$ 933.28	\$ 3,200.00	\$ (2,266.72)
25314600 Recycling grant	<u>5,000.00</u>	<u>5,000.00</u>	<u>5,000.00</u>	<u>0.00</u>
Total Revenue	<u>5,000.00</u>	<u>5,933.28</u>	<u>8,200.00</u>	<u>(2,266.72)</u>
EXPENDITURES				
25315002 Salary - permanent	380.68	4,843.79	4,713.04	130.75
25315006 SSI tax	29.04	370.31	377.35	(7.04)
25315007 Medical insurance	100.35	1,198.30	1,244.14	(45.84)
25315009 Workers comp. insurance	0.00	272.29	282.78	(10.49)
25315010 Deferred retirement	0.00	295.23	377.04	(81.81)
25315061 Liability Insurance	0.00	223.63	226.23	(2.60)
25315600 Recycling grant expenditures	<u>23.16</u>	<u>149.00</u>	<u>236.00</u>	<u>(87.00)</u>
TOTAL EXPENDITURES	<u>533.23</u>	<u>7,352.55</u>	<u>7,456.58</u>	<u>(104.03)</u>
REVENUES OVER (UNDER) EXPENDITURES	<u>\$ 4,466.77</u>	<u>\$ (1,419.27)</u>	<u>\$ 743.42</u>	<u>\$ (2,162.69)</u>

City of Ferndale
INCOME STATEMENT
FUND 30 - SEWER FUND

	1 Month Ended June 30, 2020 Actual	12 Months Ended June 30, 2020 Actual	FY2019/2020 Budget	Over/(Under) Budget
Revenues				
30514274 Sewer service charge	\$ 0.00	\$ 667,550.72	\$ 700,000.00	\$ (32,449.28)
30514275 Sewer connection fees	0.00	21,120.59	15,000.00	6,120.59
30514303 Septic discharge	7,701.25	76,568.25	88,800.00	(12,231.75)
30514325 State Water Board Grant	<u>10,559.00</u>	<u>79,151.24</u>	<u>300,000.00</u>	<u>(220,848.76)</u>
Total Revenue	<u>18,260.25</u>	<u>844,390.80</u>	<u>1,103,800.00</u>	<u>(259,409.20)</u>
EXPENSES				
30515002 Salary - permanent	16,619.02	215,634.54	212,501.65	3,132.89
30515005 Salary - overtime	861.66	10,925.64	9,877.40	1,048.24
30515006 SSI tax	1,354.25	18,595.71	18,466.87	128.84
30515007 Medical insurance	3,651.85	43,778.65	45,926.08	(2,147.43)
30515009 Workers comp. insurance	0.00	12,847.61	13,342.74	(495.13)
30515010 Deferred retirement	0.00	12,420.13	16,232.86	(3,812.73)
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	176.37	2,757.43	2,000.00	757.43
30515024 Special department supply	0.00	978.22	2,500.00	(1,521.78)
30515030 Trash service	276.61	5,666.70	5,000.00	666.70
30515032 Utilities	6,687.80	70,508.77	74,000.00	(3,491.23)
30515033 Water	69.38	1,905.27	1,800.00	105.27
30515034 Telephone/internet	513.14	6,118.34	5,800.00	318.34
30515044 Meetings and dues	0.00	612.00	900.00	(288.00)
30515048 Training	0.00	1,024.53	850.00	174.53
30515050 IT Support	0.00	2,159.34	250.00	1,909.34
30515055 Contractual services	840.00	7,330.00	6,700.00	630.00
30515061 Liability Insurance	33.00	10,613.66	10,674.19	(60.53)
30515063 Building and Property Insurance	0.00	1,675.00	2,950.00	(1,275.00)
30515092 Permits	0.00	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	948.19	50,951.87	68,000.00	(17,048.13)
30515122 Sewer line maintenance	0.00	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	210.00	11,546.50	33,000.00	(21,453.50)
30515160 Postage & Shipping	0.00	307.53	2,000.00	(1,692.47)
30515170 State Water Planning Grant Expenses	0.00	78,580.91	300,000.00	(221,419.09)
30515190 USDA loan	<u>0.00</u>	<u>193,958.74</u>	<u>194,000.00</u>	<u>(41.26)</u>
TOTAL EXPENSES	<u>32,241.27</u>	<u>843,029.32</u>	<u>1,109,546.79</u>	<u>(266,517.47)</u>
NET INCOME (LOSS)	<u>\$ (13,981.02)</u>	<u>\$ 1,361.48</u>	<u>\$ (5,746.79)</u>	<u>\$ 7,108.27</u>

City of Ferndale
Cash Balances

As of June 30, 2020

Cash Balances

Current Assets	
General Fund	\$ 505,011.41
Restricted Cash	15,150.00
Gas Tax	17,055.77
RSTF	73,669.84
TDA	257,935.80
IWM	55,592.71
Drainage	14,716.37
Sewer	<u>587,573.58</u>
 Total	 \$ <u><u>1,526,705.48</u></u>
Checking	\$ 876,796.74
LAIF	649,758.74
Petty cash	<u>150.00</u>
Total	<u>\$ 1,526,705.48</u>

RESOLUTION 2020-15
A RESOLUTION OF THE CITY OF FERNDALE AUTHORIZING THE CITY MANAGER
TO COLLECT THE DRAINAGE ASSESSMENT

- A. **WHEREAS**, At the general election held on November 4, 1997, Measure V (“Measure V”) appeared on the ballot presented to the voters of the City of Ferndale; and
- B. **WHEREAS**, Measure V posed the following question to the voters of the City of Ferndale: “Shall the City create a storm drain utility within the City of Ferndale and assess \$25.00 per fiscal year per parcel, for the purpose of providing funding for storm drain maintenance, repairs and improvements?” Yes No ; and
- C. **WHEREAS**, Based on the certified election results for the November 4, 1997 general election, 336 voters in the City of Ferndale voted “Yes” on Measure V (72.26%), and 129 voters voted “No” (27.24%); and
- D. **WHEREAS**, From 1997 through calendar year 2012, the Lytel Foundation generously donated the sum of \$25,000.00 per fiscal year to offset funds needed by the City of Ferndale for drainage purposes, and donated this sum on the condition that the City of Ferndale not collect the per parcel assessment authorized by Measure V so long as the Lytel Foundation contributed this annual donation; and
- E. **WHEREAS**, On November 19, 2012, the Lytel Foundation notified the City of Ferndale that it would no longer donate the sum of \$25,000.00 per fiscal year to offset the Measure V assessment; and
- F. **WHEREAS**, In order to partially fund drainage maintenance costs and expenses, the City of Ferndale must commence collection of the Measure V assessment; and
- G. **WHEREAS**, The City Attorney and separately retained legal counsel have both opined that Measure V constitutes a special tax, subject to collection pursuant to California Government Code § 53750(h)(2)(B); and
- H. **WHEREAS**, The City Manager seeks authorization to initiate collection of the per parcel assessment authorized by Measure V, and authorization to notify the Humboldt County Tax Assessor to continue collection of said assessment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FERNDALE DOES HEREBY ADOPT THE FINDINGS RECITED ABOVE AND AUTHORIZES THE CITY MANAGER TO COLLECT THE ASSESSEMENT AUTHORIZED BY THE VOTERS OF THE CITY OF FERNDALE PURSUANT TO MEASURE V, AND TAKE ALL ACTIONS NECESSARY TO INSTRUCT THE HUMBOLDT COUNTY TAX ASSESSOR TO CONTINUE COLLECTION OF THE ASSESSEMENT.

PASSED, APPROVED AND ADOPTED this 15th day of July, 2020 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

Meeting Date:	July 15, 2020		Agenda Item Number	9. f	
Agenda Item Title:	Approve Resolution 2020-13 Adoption of Gann Appropriations Spending Limitation for Fiscal Year 2020-21				
Presented By:	City Manager				
Type of Item:	X	Action		Discussion	Information
Action Required:		No Action	x	Voice Vote	Roll Call Vote

RECOMMENDATION

Approve Resolution number 2020-13 Adoption of Gann Appropriations Spending Limitation for Fiscal Year 2020-21.

BACKGROUND:

Pursuant to California Constitution Article XIII (B) (Proposition 4), public entities are required to conform to budgetary guidelines set forth in the Gann Initiative. The purpose of Article XIII (B) is to constrain fiscal growth in government by limiting the proceeds of taxes that may be appropriated each year. Each year's limit may be adjusted for increase in cost of living (California per capita income) and population. For special districts, if the district is located entirely within one county, the county's population change factor is to be used. The limit may also be changed in the event of a transfer of fiscal responsibility. The California Department of Finance is mandated to provide the requisite price and population change data for local jurisdictions to calculate their appropriations limit.

DISCUSSION:

Each year the City Council is required to pass a resolution with the finding that the annual budget for the fiscal year is within the appropriations limit. This resolution must be passed by the end of calendar year.

FINANCIAL IMPACT: None

ATTACHMENTS:

1. Gann Schedule
2. Resolution 2020-13

CITY OF FERNDALE

Gann Appropriation Limits Schedule

For the year ending June 30, 2021

	<u>Amount</u>	<u>Source</u>
A. Appropriations limit for the year ending June 30, 2020	\$890,674	Prior year schedule
B. Calculation Factors:		
1. Population Increase % (0.29)	1.0029	State Department of Finance
2. Inflation % (3.73)	1.0373	State Department of Finance
3. Total adjustment factor	<u>1.0403</u>	B1 x B2
C. Annual Adjustment Increase	35,901.44	[(B3-1)A]
D. Other Adjustments		
Loss Responsibility (-)	N/A	
Transfers to Private (-)	N/A	
Transfers to fees (-)	N/A	
Assumed Responsibility (+)	N/A	
E. Total Adjustments	<u>35,901</u>	(C+D)
F. Appropriations limit for the year ending June 30, 2021	\$926,575	(A+E)

GANN LIMIT 2020-21 FY

Property Tax	\$147,290.00
Home Owner Exemption	\$1,200.00
Sales Tax	\$144,000.00
Recology Franchise Fees	\$5,600.00
PG & E Franchise Fees	\$11,000.00
Suddenlink Franchise Fees	\$24,000.00
Real Property Transfer Tax	\$3,000.00
TOT	\$118,111.00
Public Safety 1/2 cent	\$2,000.00
Drainage Assessment	\$19,570.00
Motor Vehicle In-Lieu Tax	\$133,000.00
Tipping Fees	\$0.00
TOTAL GANN LIMIT	\$608,771.00

RESOLUTION NO. 2020-13**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE
ESTABLISHING THE ADJUSTED APPROPRIATION LIMITATIONS OF THE CITY OF FERNDALE
FOR FISCAL YEAR 2020-21**

WHEREAS, The City Council of the City of Ferndale adopted a budget for Fiscal Year 2020-21;
and

WHEREAS, as required by Section 7910 of the Governmental Code, the City Council of the City of Ferndale does resolve as follows:

Section 1. The City Council of the City of Ferndale hereby establishes the appropriation limitation for the City of Ferndale for fiscal year 2020-21 to be \$926,575 which exceeds the estimated actual appropriations subject to limit of \$608,771.

Section 2. The compound factor used in calculating the 2020-21 limitation was 1.0403, which represents the change in City population and California per capita income.

INTRODUCED, PASSED AND ADOPTED this 17th day of June 2020, by the following vote:

AYES:

NOTES:

ABSENT:

ABSTAIN:

Michael Sweeney, Mayor

Kristene Hall, City Clerk

Section 10

CALL ITEMS

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

Section 11

PRESENTATION

a. RCEA - Microgrid Technology

Summary of Ferndale's Solar, Storage and Energy Efficiency Options July 2020

The City of Ferndale has been working with Redwood Coast Energy Authority's (RCEA's) Public Agency Solar Program (PASP) since May of 2018. As part of that work, RCEA performed an analysis of the energy consumption, efficiency opportunities, and solar photovoltaic installation opportunities at several locations owned by the City of Ferndale including the Wastewater Treatment Plant (WWTP), Fireman's Hall, City Hall, The Police Station, and the Corporation Yard. RCEA worked with City staff to complete LED lighting upgrades at all of those facilities except the WWTP and Fireman's Hall in the fall of 2018.

RCEA presented the results of our analysis to city staff in February of 2020. RCEA was scheduled to make an informational presentation to Ferndale City Council in March of 2020 when the County's shelter in place order changed that plan. At the same time, the City Manager asked RCEA to perform an assessment of a Battery Energy Storage System (BESS) at Ferndale's Wastewater Treatment Plant. The City of Ferndale is one of the first public agencies to work with RCEA to estimate the potential costs and benefits of a BESS for City facilities.

RCEA's analysis indicates that a potential BESS system, paired with a solar array at the City of Ferndale's Wastewater Treatment Plant would provide resiliency benefits to the City and to the community by providing emergency backup power to WWTP for 2-24 hours during grid outage events depending on state of charge, contribution from solar and site load management choices. A BESS would be eligible for incentives and would provide energy cost savings over the life of the project from utility rate savings, load shifting and demand charge reductions.

RCEA was asked to present a summary of its findings to City Council at their Council meeting in July of 2020. The table below represents a summary of the potential energy related project options identified by RCEA. RCEA has provided copies of the two reports we prepared for the City as reference and we encourage Council members to read those detailed reports. For the purposes of reporting out to City Council, RCEA has summarized the potential projects that we identified and have presented those results in Table 1 below.

Table 1 Summary of Costs and Benefits for a BESS at Ferndale's Wastewater Treatment Plant.

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
100 kW/400kWh Battery Energy storage System at WWTP	-	\$500,000	\$360,000	\$140,000	-	\$19,500	26%	7.2
Rate Change from E-19-S to B-19 Storage rate at WWTP	-	\$0	\$0	\$0	-	\$1,040	1.4%	-
Totals	145.8	\$1,097,960	\$361,680	\$736,280	194,654	\$57,691	75%	12.8

Battery Storage Analysis for Ferndale's Wastewater Treatment Plant

June 2020

1 EXECUTIVE SUMMARY

The City of Ferndale has been working with Redwood Coast Energy Authority's (RCEA's) Public Agency Solar Program (PASP) since May of 2018. As part of that work, RCEA performed an analysis of the energy consumption, efficiency opportunities, and solar photovoltaic installation opportunities at several locations owned by the City of Ferndale including the Wastewater Treatment Plant (WWTP). RCEA presented the results of that work to city staff in February of 2020. RCEA was scheduled to make an informational presentation to Ferndale City Council in March of 2020 when the County's shelter in place order changed plans. At the same time, the City Manager asked RCEA to perform an assessment of a Battery Energy Storage System (BESS) at Ferndale's Wastewater Treatment Plant. The City of Ferndale is one of the first public agencies to work with RCEA to estimate the potential costs and benefits of a BESS for their WWTP. RCEA's analysis indicates that a potential BESS system, paired with a solar array at the City of Ferndale's Wastewater Treatment Plant would provide resiliency benefits to the agency and to the community by providing emergency backup power to WWTP for 2-24 hours during grid outage events depending on state of charge, contribution from solar and site load management choices. A BESS would be eligible for incentives and would provide energy cost savings over the life of the project from utility rate savings, load shifting and demand charge reductions. While BESS pricing is hard to estimate and has varied widely in RCEA's recent experience, a BESS could save the city as much as \$55,000 over the life of the project after system payback. Table 1 below shows a summary of RCEA's findings.

Table 1 Summary of Costs and Benefits for a BESS at Ferndale's Wastewater Treatment Plant.

Battery Energy Storage System Summary for Ferndale Wastewater Treatment Plant	
Power Capacity (kW)	100
Energy Capacity (kWh)	400
Emergency Back Up (Hours)	2-24
Estimated Installed Cost (\$)	\$500,000
Estimated Total Incentive Payment (\$)	\$360,000
Lifetime Avoided Costs from Demand Charge Reduction/Rate Arbitrage (\$)	\$195,000
Total Lifetime Cost Savings (\$)	\$55,000

2 SITE ENERGY USE

RCEA performed an electric load analysis of City of Ferndale's WWTP using 12 months of electric utility data based on electric demand data recorded at 15-minute increments. The site consumed just over 400,000 kilowatt hours (kWh) in 2019 at a cost of roughly \$74,000 annually. Table 2 below shows a summary of site-wide electricity use.

Table 2 City of Ferndale's WWTP electric consumption

Summary of Electric Consumption	
Annual Electric Consumption (kWh)	417,911
Maximum Electric Demand (kW)	134
Average Daily Load (kWh)	1,148
Annual Electricity Cost (\$)	\$74,296
Average Electricity Cost (\$/kWh)	\$0.18

City of Ferndale's WWTP is currently on PG&E's E-19 time-of-use (TOU) rate. All E-19 customers will be transferred to PG&E's B-19 TOU rate schedule starting March 2021. RCEA's analysis is based on the B-19 S (for Storage) rate as the system would likely be installed and begin operation after this rate change. The B-19 Storage rate is only available to customers with on site energy storage systems and would save the City of Ferndale over \$8,000 a year in demand charges.

3 BATTERY ENERGY STORAGE SOLUTIONS

During the shortest month of the year, the proposed solar PV array will contribute approximately 230 kWh per day that would offset site usage under normal operating conditions; during power outages this output would be routed to the battery storage system. The combination of solar generation and battery storage would be able to provide reliable emergency backup to the WWTP during future grid outages. RCEA's analysis indicates that a 200-kW storage system with a 400-kWh capacity would be able to meet the site's peak demand and would provide between 2 and hours of emergency backup. Table 3 shows specifications for a storage system that would meet the Wastewater Treatment Plant's needs; RCEA has identified commercially available battery storage products that could meet these specifications.

Table 3 Storage system specifications to back-up WWTP loads

Potential Battery Solution	
Power Capacity (kW)	200
Rated Energy Capacity (kWh)	400
Warranted Life (years)	10
Round Trip Efficiency (%)	90%
Depth of Discharge (%)	90%
Total Available Energy (kWh)	360
Operational Modes	Backup Power, Solar Shifting and Energy Management/Peak Load Reduction

4 BATTERY ENERGY MANAGEMENT STRATEGIES

RCEA analyzed the consumption data to help approximate an ideal charge and discharge regime for this site keeping in mind that the top priority for such a system would be emergency backup for the facility. RCEA's analysis attempts to maximize 4 priorities:

1. Reserve minimum of 30% battery capacity at all times for emergency backup and resiliency
2. Maximize the potential state incentives for battery systems
3. Maximize economic benefits using energy management/rate arbitrage
4. Maximize greenhouse gas abatement potential

4.1 EMERGENCY BACKUP AND RESILIENCY

In order to be adequately prepared for PSPS events in the future, the combined daily potential output of the storage and solar PV needs to exceed the electric demand of the on-site loads, particularly during months where PSPS events are most likely to occur. As stated above, during the least solar-productive month of the year, the estimated solar PV daily output would be approximately 230 kWh. Pairing the proposed solar array with a 400-kWh capacity storage system and maintaining system state of charge greater than 30%, could provide adequate emergency backup for the City of Ferndale's WWTP. RCEA estimates that such a system would be able to operate in "island mode" parallel, but disconnected, to PG&E's utility grid for at least 2 hours in the worst case scenario and up to 27 hours if the battery were full and there was one full day of solar contribution. RCEA

estimated the emergency backup potential for each month under different conditions. RCEA was unable to perform a Critical Loads (those electric loads deemed essential during an emergency) analysis of Wastewater Treatment Plant, for the purposes of this report RCEA assumed that the facility could operate Critical Loads only at 50% of the normal rate of power. Table 5 below shows the battery backup potential under different conditions.

Table 4 Estimated hours of emergency backup potential based on several system conditions.

System Condition	Hours of Emergency Backup
Battery Discharged, No Solar Contribution, Full Load, Winter	2
Battery Discharged, No Solar Contribution, Critical Loads Only, Winter	4
Full Battery, Full Solar Contribution, Full Load, Summer	27
Full Battery, Full Solar Contribution, Critical Loads Only, Summer	54

4.2 SGIP INCENTIVE

The City of Ferndale's Wastewater Treatment Plant, located at 606 Port Kenyon Rd., Ferndale, is in an AB 1550 designated low-income community. This designation qualifies the WWTP for California's Self-Generation Incentive Program (SGIP) Equity Budget. Because the WWTP experienced two or more discrete PSPS events in 2019, and because WWTP provides critical resiliency services to the community, the site also qualifies for the SGIP's Resiliency Adder. A California Public Utilities Commission (CPUC) decision recently increased the SGIP incentives for Equity Resiliency customers to \$1,000/kWh for energy storage projects. 50% of the incentive will be paid upon project completion and verification. The remaining 50% will be paid as a performance-based incentive (PBI) and is structured such that the performance payments, will be paid annually for five years. Table 5 below shows an estimation of the potential SGIP incentive based on a 200 kW, 400 kWh storage system.

Table 5 Example of Potential SGIP Incentives for Battery Storage at Ferndale's WWTP.

SGIP Calculation	
Rated Capacity (kWh)	400
Usable Capacity (kWh)	360
Eligible SGIP Incentive (\$/kWh)	\$1,000
First Year Incentive	\$180,000
Annual PBI Incentive	\$36,000
Total PBI Incentive at Year 5	\$180,000
Total SGIP Incentive	\$360,000

4.3 DEMAND CHARGE REDUCTION AND RATE ARBITRAGE BENEFITS

To meet SGIP requirements while maintaining 30% of the storage system capacity in reserve, the remaining 70% would be discharged approximately 300 times per year. RCEA performed an analysis of potential rate arbitrage benefits at the WWTP based on a daily discharge regime during the Peak periods of the B-19 Storage electric rate. RCEA's estimate is that this could save the City of Ferndale about \$10,000 a year in energy costs. RCEA also looked at the benefits of switching to the B-19 Storage rate and our analysis estimates that the City could save over \$8,000 a year from demand charge reductions associated with the new rate.

4.4 GREENHOUSE GAS ABATEMENT (GHG) POTENTIAL

SGIP requires that non-residential projects reduce GHGs by a minimum of 5 kgCO₂/kWh annually during the PBI period to recoup full payment. Based on the proposed discharge schedule described above, a storage system at

Wastewater Treatment Plant would discharge energy during the peak periods (4 PM – 9 PM), when potential to reduce GHGs is highest, satisfying SGIP GHG abatement requirements.

4.5 PROPOSED CHARGE AND DISCHARGE REGIME

To be eligible for SGIP incentives, the battery storage system must discharge to site loads at least 104 times per year with a total annual discharge of 37,440 kWh. The SGIP allows this total annual discharge to be spread out over multiple discharge cycles. RCEA's analysis assumes that roughly 30% of the battery's useable capacity will be reserved for emergency backup. By charging the battery during off peak times and discharging to site loads during peak periods, the system would maximize both rate arbitrage values and GHG benefits. The proposed charge and discharge regime described in Table 6 below would meet both the SGIP incentive requirements and achieve resilient backup power while maximizing avoided energy costs and GHG abatement.

Table 6 Potential charge and discharge regime and utility cost savings.

Proposed Energy Discharge Regime	
Discharge Cycles to Site Loads	297
Discharge per Cycle (kWh)	250
Annual Discharge (kWh)	73,888
Average Peak vs Off Peak Price Difference (\$)	\$0.16
Annual Avoided Cost from Rate Arbitrage (\$)	\$10,529
Annual Avoided Cost from Demand Charge Reductions	\$8,706
Lifetime Avoided Costs from Rate Arbitrage and Demand Savings (\$)	\$195,000

5 BATTERY ENERGY STORAGE FINANCIAL SUMMARY

RCEA based its financial summary on a total installed battery system cost of \$1,250/kWh of storage capacity. BESS pricing is hard to estimate and has varied widely in RCEA's recent experience and actual pricing in Humboldt County will likely vary. The system would qualify for the state's SGIP Resiliency incentives. Systems receive ½ of their incentive upon completion of installation, the other ½ of the incentive would be paid out over five (5) annual payments, the annual payments are a Performance Based Incentive (PBI). The total estimated cost of the proposed system would be \$500,000, the total upfront incentive payment would be \$180,000 leaving a net installed cost of approximately \$320,000 for the City of Ferndale. The 5-year PBI payments would provide add an additional \$180,000 of incentive over the first 5 years of operation. Over the 10-year life of the battery system the lifetime avoided costs from energy arbitrage and demand charge reductions is estimated to be \$195,000. The total benefit to the City of Ferndale over the life of the system after all upfront costs, incentives, rate arbitrage and demand charge reductions could be as much as \$55,000. Table 7 below shows a summary of this analysis.

Table 7 Summary of estimated costs and benefits for Ferndale WWTP battery storage system.

Estimated System Costs, Incentives and Avoided Costs	
Eligible SGIP Incentive Rate (\$/kWh)	\$1,000
Estimated Installed Cost (\$)	\$500,000
Estimated First Year Incentive Payment (\$)	\$180,000
Performance Based SGIP Payment over 5 years	\$180,000
Lifetime Avoided Costs from Rate Arbitrage and Demand Charge Reductions (\$)	\$195,000
Total Storage System Lifetime Savings (\$)	\$55,000



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



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.

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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

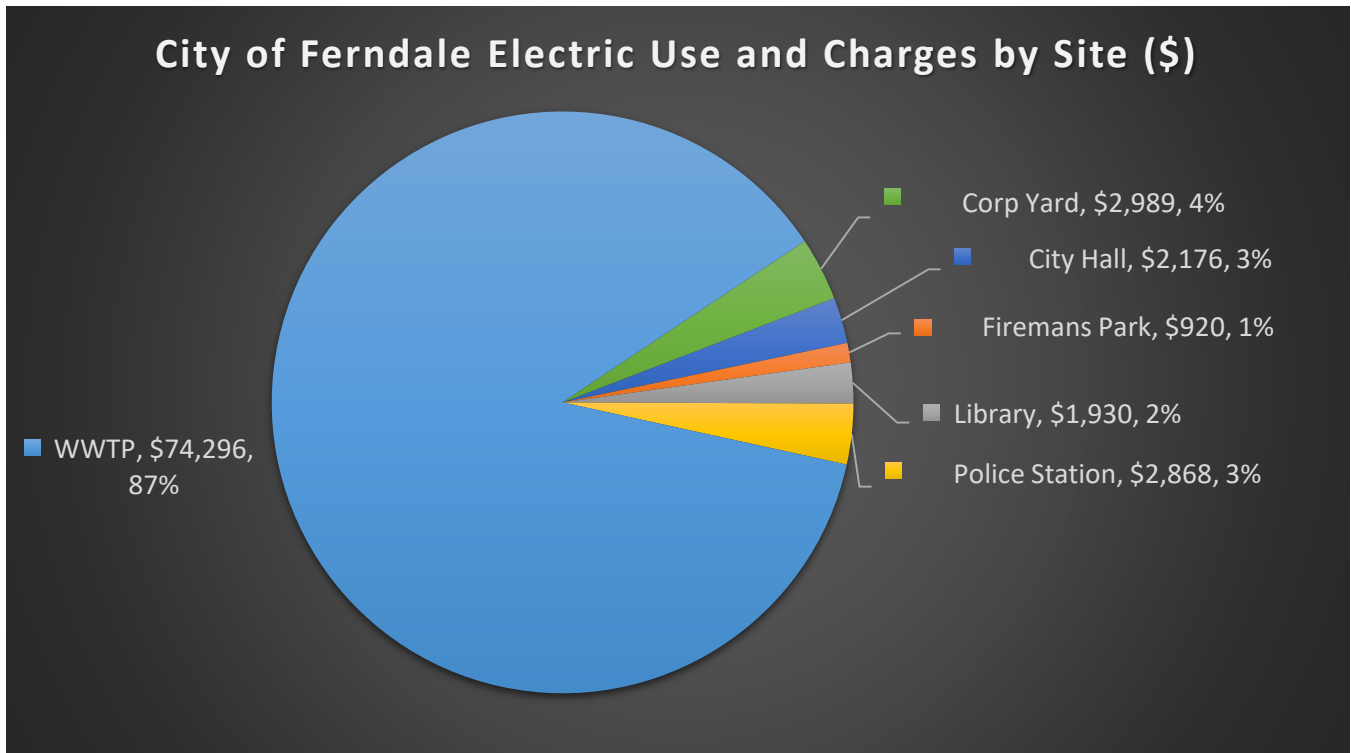


Figure 1 City of Ferndale monthly electric use and bill amounts.

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.

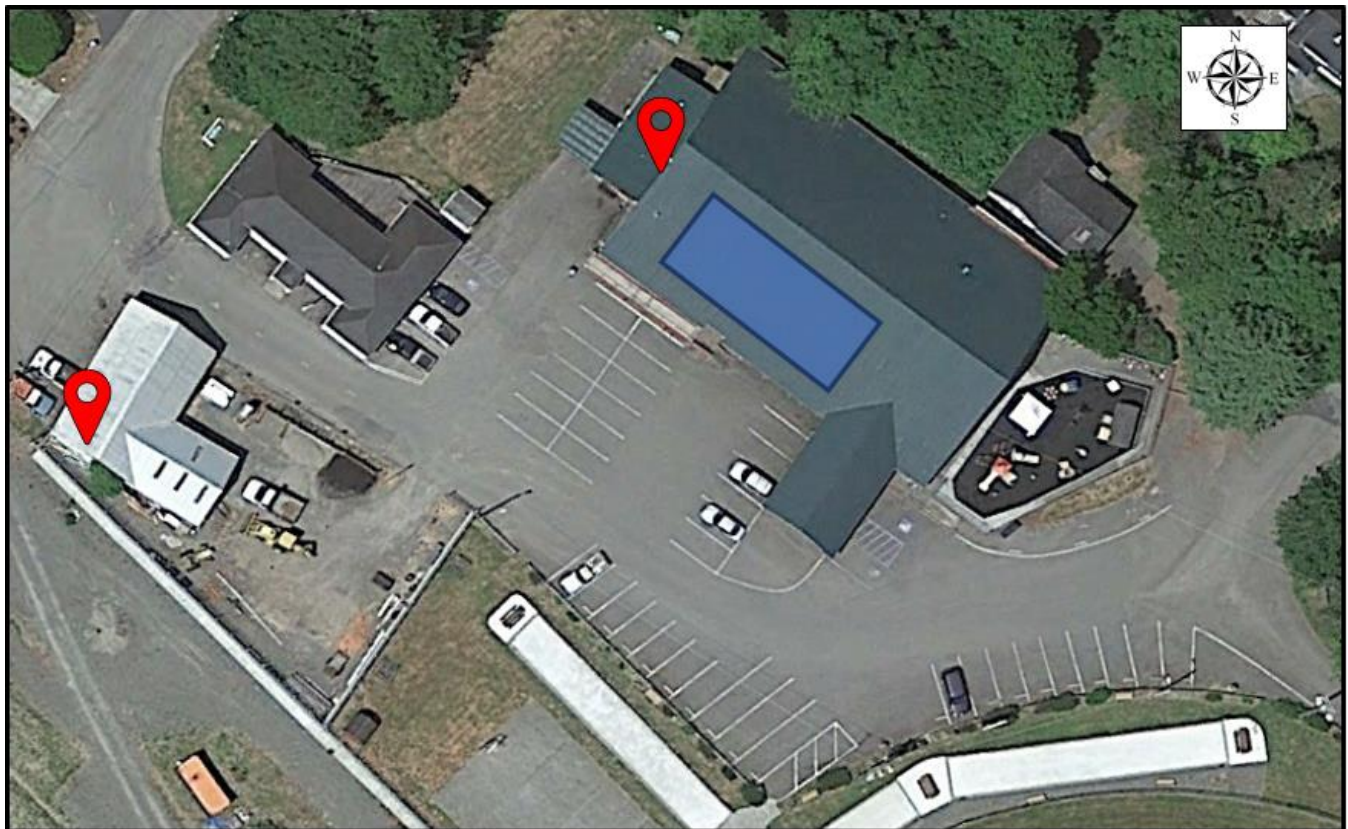


Figure 2 Available roof area for solar PV installation at Ferndale's Fireman's Park.

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.

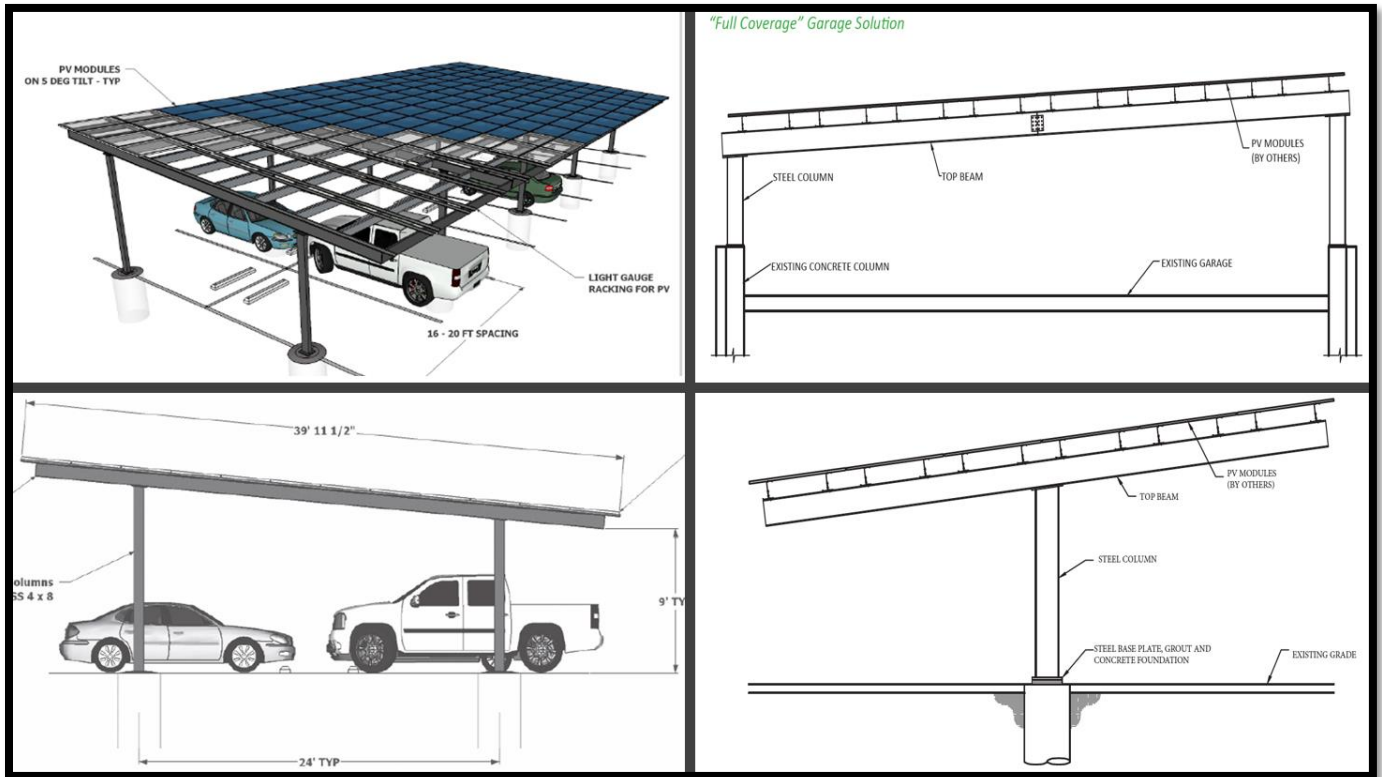


Figure 4 Examples of carport structures for mounting solar panels that could be used at Ferndale’s WWTP.

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.

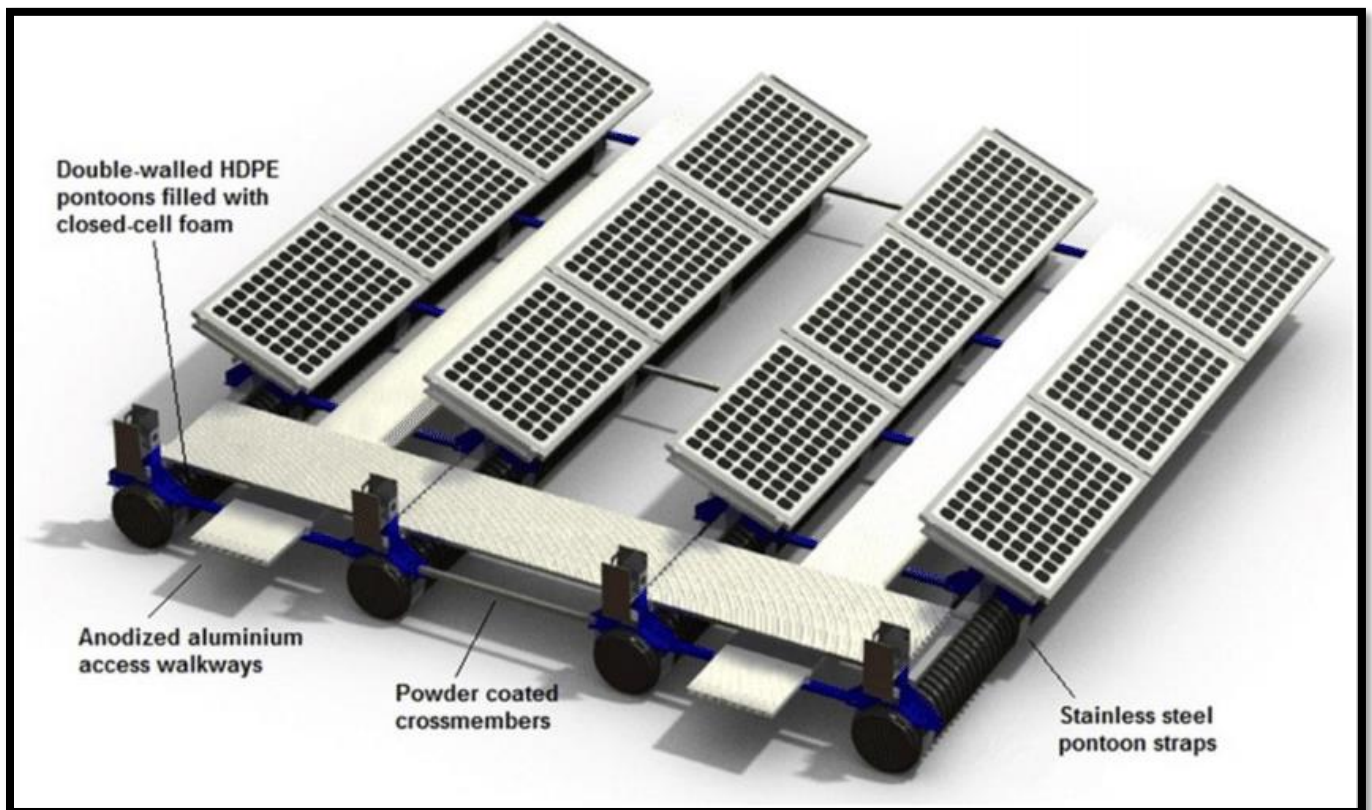


Figure 6 Example of commercially available floating solar technology.



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

Meeting Date:	July 15, 2020	Agenda Item Number	12.a
Agenda Item Title	Second 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 <input type="checkbox"/> Information
Action Required:	<input type="checkbox"/>	No Action	<input type="checkbox"/> Voice Vote <input checked="" type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Staff recommends that the Council hold a public hearing and approve the second 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.

At the June 17, 2020 City Council Meeting, the Council voted unanimously to approve the first reading, by title only, of Ordinance 2020-03.

FINANCIAL IMPACT:

None

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		

Meeting Date:	July 15, 2020	Agenda Item Number	12.b
Agenda Item Title	Conduct Public Hearing for Sewer Rate Increase and Accept Letters of Protest		
Presented By:	City Manager		
Type of Item:	X	Action	X
			Discussion
			Information
Action Required:		No Action	
			Voice Vote
			X
			Roll Call Vote

RECOMMENDATION:

Staff recommends that the Council conduct a Public Hearing to determine whether a majority protests is present regarding the proposed increase to the City's sewer usage fee.

Staff recommends that the Mayor open the meeting by making the following announcement:

"I am now opening a public hearing to consider and discuss a proposed sewer usage fee increase to take effect for the 2020-2021 fiscal year. Written notice of this public hearing was mailed to all affected parcels at least 45-days prior to this hearing, providing all property owners notice of the proposed amount of the fee; the basis upon which it was calculated; the reason for the fee; and the date, time, and location of this public hearing.

As described in the notice, property owners were encouraged to submit written protests in advance to the City Clerk at 834 Main Street, Ferndale, CA 95536. Since we are required to conduct this meeting by teleconference, and as provided in the notice, the City has made a drop box available at City Hall during this public hearing so that property owners, who did not previously submit a written protest, may submit a written protest until this public hearing is concluded.

The public hearing will proceed as follows: staff will provide an oral report to the Council regarding the proposed fee increase and the basis for the proposal, the Council will have a chance to ask questions of staff or otherwise discuss the proposal, the Council will take public comment on the proposal, and then the Council may continue the discussion and/or move to close the hearing and direct the City Clerk to determine whether a majority protest exists.

A majority protests exists if a majority of owners of the identified parcels submit a written protest in accordance with the requirements set forth in the Notice by the conclusion of the public hearing. "

Staff further recommends that at the conclusion of the Public Hearing, a motion be made as follows:

“I move to conclude this public hearing and to direct the City Clerk to determine whether a majority protest is present and to report her findings to the Council prior to the conclusion of this Council Meeting.”

DISCUSSION:

The City charges “usage fees” for property owners connected to the City’s sewer facilities. The fee is intended to reimburse the City for the cost of providing the service. Other than minor inflationary adjustments, the City has not increased sewer usage fees since 2006.

At Council direction, staff engaged Lost Coast Engineering to study the City’s operating and capital improvement costs for the sewer system and determine whether and to what extent the City is required to increase its sewer usage fees to account for current sewer operational and capital expenses.

Lost Coast Engineering prepared a rate study (April 2020) and proposed increases of the sewer usage fee to \$73.02 per month (\$876.24 per year) per equivalent dwelling unit. Lost Coast Engineering proposes an inflationary adjustment of up to 2.5 percent per year based on the Consumer Price Index. Of note, Lost Coast Engineering proposes to replace the current method of calculating an EDU on the basis of water consumption and replacing that method with the “table method” created by the Rural Community Assistance Corporation and modified slightly for the City of Ferndale’s use. A table is included below showing the various use types and the number of EDUs assigned to each use type. This recommendation is made on the basis the City does not have easy access to water consumption data and that water consumption does not allow for nuances in property use that may produce a greater burden on the sewer infrastructure.

The proposed rates have been the subject of multiple public meetings and Council study sessions. Staff agrees with the recommendation by Lost Coast Engineering and recommends that the Council adopt the fees, assuming a majority protest is not present.

The Council during its May, 2020 meeting set this public hearing and further directed staff to commence the Proposition 218 process for increasing property-related fees. Staff provided written notice to the record owner of all real property parcels to which the increased sewer usage fee would apply in accordance with law. The notice provided all property owners notice of the proposed amount of the fee; the basis upon which it was calculated; the reason for the fee; and the date, time, and location of this public hearing. A copy of the Notice is attached hereto as “**Attachment A.**”

ATTACHMENTS:

-Attachment A – Notice Of Proposed Increases To City Of Ferndale Sewer (Wastewater) User Fees.

City of Ferndale EDU Structure⁽¹⁾⁽²⁾

Customer Type	Base	Add'l	Description for Additional Charges:
Single Family Dwelling	1.0	0.8	Additional "Granny House"
Apartments/Duplex/Triplex	1.0	0.8	For each additional dwelling unit
ADUs and JDUs	0.5	-	.05 EDUs per parcel with and ADU or JDU
City/Government Facility	1.0	-	Per lot regardless of size & occupancy
Butchers	2.0	-	2.0 EDU min to 1,000 sq. ft.; 1.7 EDU each additional 1,000 sq. ft. gross floor area
Bed & Breakfast, Boarding House	1.0	0.4	For each additional rental/sleeping room
Convalescent Homes, Community	1.0	0.6	For each additional rental/sleeping room
Hotels, Motels, Resorts	1.0	0.3	Per Unit
Trailer Parks, Mobile Home Parks	1.0	0.8	Per Pad or Space
Auto Dealership (New & Used)	1.0	0.2	1.0 EDU min, to 1,000 sq. ft.; 0.2 EDU each additional 1,000 sq. ft. gross floor area
Banks & Financial Institutions	1.0	0.3	1.0 EDU minimum, to 1,000 sq. ft.; 0.3 EDU each additional 1,000 sq. ft. gross floor area
Bakeries	2.0	1.7	2.0 EDU min to 1,000 sq. ft.; 1.7 EDU each additional 1,000 sq. ft. gross floor area
Bars & Taverns	1.0	1.0	1.0 EDU minimum to 1,000 sq. ft.; 1.0 EDU each additional 1,000 sq. ft.
Car Wash	1.0	-	1.0 EDU minimum (if stand alone)
Self Service Car Wash		1.0	1.0 EDU per stall
Automatic Car Wash		3.0	3.0 EDU per wash rack
Dry Cleaners, Commercial/Industrial Laundries	1.7	1.7	1.7 EDU per 1,000 sq. ft. floor space
Fire Stations	1.0	0.6	1.0 EDU up to 1,000 sq. ft.; 0.6 EDU each additional 1,000 sq. ft.
Garages & Equipment Rental/Service yard	1.0	1.0	1.0 EDU minimum (if stand alone), plus 1.0 EDU per 10 repair bays
Halls, Lodges, Auditoriums	1.0	0.3	1.0 EDU minimum plus 0.3 each 1,000 sq. ft. floor space
Health Studios, Beauty Salons, Spas & Gyms	2.0	1.0	2.0 EDU up to 1,000 sq. ft.; 1.0 EDU each additional 1,000 sq. ft.
Hospitals, Medical Clinics, EMT Facilities	2.0	1.0	2.0 EDU minimum (if stand alone) plus 1.0 EDU per 10 licensed beds or equivalent care stations
Laundries; Self-Service Laundromats	1.0	0.3	1.0 EDU minimum (if stand alone), plus 0.3 EDU per washing machine
Markets & minimi-Marts	1.0	0.5	1.0 EDU minimum, plus 0.5 EDU each additional 1,000 sq. ft.
Medical & Dental Offices	1.0	0.5	1.0 EDU minimum plus 0.5 EDU each additional 1,000 sq. ft.
Mortuaries	1.0	1.0	1.0 EDU min plus 1.0 EDU per "slumber room"
Office Buildings	1.0	0.2	1.0 EDU min (if stand alone) plus 0.2 EDU per 1,000 sq. ft. gross floor area
Parks & Fairgrounds	1.0	1.0	1.0 EDU min plus 1.0 EDU per restroom, comfort room & janitor supply
Places of Worship	2.0	0.2	2.0 EDU per facility up to 10,000 sq. ft gross floor space, plus 0.2 EDU per each additional 1,000 equ ft. 1.0 additional EDU per each residence on site
Restaurant Take Out Only	1.0	1.0	1.0 EDU per 1,000 sq. ft. gross floor areas
Restaurant Full Service	2.0	2.0	2.0 EDU per 1,000 sq. ft. gross floor space
Retail Stores	1.0	0.5	1.0 EDU min; .05 EDU additional per each 1,000 sq. ft. floor area
Elementary School	-	-	Exempt by State Law
High School	-	-	Exempt by State Law
Service Stations	1.0	0.1	1.0 EDU minimum; plus 0.1 EDU per pump
Theaters	1.0	0.4	1.0 EDU min, plus 0.4 EDU per 1,000 sq. ft. - Snack Bar included in base allocation
Warehouses & Storage Facilities	1.0	1.0	1.0 EDU per 10,000 sq. ft. plus 1.0 EDU if manager's quarters on-site
Non-defined Commercial	1.0	-	1.0 EDU minimum plus additional allocation on per-case basis
Industrial & Manufacturing	2.0	-	2.0 EDU min plus additional allocation on per-case basis, plus additional applicable industrial wastewater fees

⁽¹⁾ Based on Rural Community Assistance Corporation Table; 2018.

⁽²⁾ Public facilities such as schools, libraries, and museums that do not charge entrance fees are exempt from sewer fees.

<Owner Name>
<Owner Address>
<Owner City, State, Zip>

RE: <AP Address>
<AP Number>

NOTICE OF PROPOSED INCREASES TO CITY OF FERNDALE SEWER (WASTEWATER) USER FEES

This Notice is being mailed to property owners who receive sewer service from the City of Ferndale (“City”) to notify them that the City is proposing a sewer rate increases to take effect for the upcoming 2020-2021 fiscal year and described below. This Notice describes the reasons for the rate increases and the protest procedure that is available to property owners.

The proposed rate increases are based on an analysis by an independent rate consultant that justified the amounts of the charges. The proposed rates were developed with input from the public over a series of public meetings. Other than annual inflationary adjustments, the City has not raised the sewer rates since 2006.

Sewer System Overview.

The City collects and treats its wastewater at a treatment facility located near the Salt River. The City is required to maintain a treatment facility capable of treating the wastewater to a high quality because the Salt River is the nearest disposal waterway to discharge the treated sewage, and it has relatively low flows which results in low dilution of the treated wastewater. Most wastewater facilities discharge their treated waste to higher flowing waterways and their waste is heavily diluted by the receiving waters, thereby reducing costs. The City’s sewer utility is a self-supporting enterprise that charge rates which must be adequate to fund the utility’s operating and maintenance costs, debt service obligations, and ongoing capital improvement needs.

Rate Adjustments Needed to Fund Current and Future Operating & Capital Needs

The proposed rates are needed to keep revenues aligned with long-term funding needs, including: (i) keep revenues aligned with operating, capital, and regulatory costs and provide a stable revenue base; (ii) maintain adequate operating and capital reserves, which will enable the City to fund collection system improvements, emergency repairs, and other unexpected repairs; (iii) meet the City’s sewer enterprise debt service obligations, including maintaining reserves; and

(iv) meet the obligations imposed by the State of California to prepare a fiscal sustainability plan, which is a plan that estimates the cost to replace major facility components that are likely to fail or require replacement in the upcoming 20 years (2040).

Protest Process

The City Council will hold a public hearing on the proposed sewer rates on Wednesday, July 15, 2020, beginning at 7:00 p.m. at City Hall, located at 834 Main Street, Ferndale, CA 95536. At that time, the City Council may adopt rate increases up to but no greater than the noticed rates provided that a majority protest has not been made. Property owners may submit written protests against the proposed sewer rates to the City Clerk at 834 Main Street, Ferndale, CA 95536 prior to or during the public hearing.* Written protests must include the name, address or Assessor's Parcel Number (APN), signature of the property owner(s), and a statement that the property owner opposes the proposed increases in the sewer rates. Only one protest will be counted per parcel. No other form of protest (e.g., email or petition protest) is acceptable. The proposed rates cannot be adopted if more than 50% of affected property owners submit written protests. For additional information, please contact Kristene Hall, City Clerk, at (707) 786-9314.

* Due to the COVID-19 pandemic and out of a concern for the health and safety of those participating in City public meetings, the City reserves the right to conduct the Public Hearing by teleconference if allowable or required by law. Accordingly, property owners are encouraged to submit their written protests in person or by mail so that the protest is actually received on or before July 15, 2020. The City will also make a drop box available at City Hall during the public hearing so that property owners may submit a written protest during the meeting.

Proposed Sewer Rates

The City charges fixed annual sewer rates to its customers, which rates are billed on the annual property tax rolls. Customers are billed annually based on the number of Equivalent Dwelling Units (EDUs) assigned to each customer. An EDU represents the estimated wastewater discharge from a typical residential customer. A particular number of EDUs are then assigned to specific property use types (e.g., single family) based on the relative volume that property use contributes to the wastewater system.

The City is proposing to increase its current rate per EDU from \$66.02 to \$73.02 per month. The City has determined that the proposed total sewer service charges set forth in the table below would not exceed the estimated reasonable proportional cost of providing sewer service to each parcel and related regulatory activity of the sewer system.

The City is also proposing an annual inflationary increase to the rate per EDU based on the change in the Consumer Price Index Consumer Price Index for All Urban Consumers as published by the U.S. Department of Labor, Bureau of Labor Statistics (CPI), or a successor index, based on the annual change in February, but in no event less than 2.5%.

The number of EDUs assigned to the different property-usage types are set forth below.

Section 13

BUSINESS

Meeting Date:	July 15, 2020	Agenda Item Number	13.a
Agenda Item Title	Consider and possible adoption of Resolution Nos. 2020-16 and 2020-17 regarding the City's Sewer Rate Increase Proposal		
Presented By:	City Manager		
Type of Item:	X	Action	X
			Discussion
			Information
Action Required:		No Action	X
			Voice Vote
			Roll Call Vote

RECOMMENDATION:

Staff recommends that the Council consider, take public comment, and move to adopt, by separate roll call votes, Resolution Nos. 2020-16 and 2020-17.

DISCUSSION:

Depending on whether a majority protest is present following the conclusion of the public hearing on the proposed increase to the City's sewer usage fees, Resolution No. 2020-16 adopts the proposed rates as the effective rate for the 2020-2021 fiscal year and beyond. As more particularly set forth in the Staff Report for the public hearing, the proposed rates are necessary to keep up with increasing operational and capital expenses for the sewer system. Other than minor inflationary increases, the City has not increased sewer rates since 2006. The proposed resolution is attached as **Attachment A**.

Resolution No. 2020-17 is a resolution authorizing the County Tax Collector to collect the sewer usage fee through the normal collection of real property taxes. The proposed resolution is attached as **Attachment B**.

ATTACHMENTS:

-Attachment A – Resolution No. 2020-16, A Resolution of The City Council Of The City Of Ferndale Authorizing And Imposing An Increase In Sewer Rates And Charges

-Attachment B – Resolution No. 2020-17, A Resolution of The City Council Of The City Of Ferndale Authorizing The County Of Humboldt To Collect Ferndale's Sewer Fees

RESOLUTION 2020-16
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE
AUTHORIZING AND IMPOSING AN INCREASE IN SEWER RATES AND CHARGES

WHEREAS, Government Code 38900 et seq. and Health and Safety Code 5471 et seq. authorize the City to construct, establish, and maintain drains and sewers and to set fees for services and facilities furnished by the City, either within or without its territorial limits, in connection with its sewage system; and

WHEREAS, pursuant to the Sewer Fee Ordinance (Ordinance No. 04-03), as amended, the City imposes a usage fee for the use of the City's sewer system at the rate set by the City Council by resolution;

WHEREAS, the City caused a rate study to be prepared for the purpose of determining whether and to what extent the City should consider a rate increase to ensure that the rates imposed are sufficient to meet the cost of providing and maintaining the sewer service and related infrastructure;

WHEREAS, the rate study, which was prepared by a qualified engineer, determined that the City's sewer usage fees were inadequate to meet the current and anticipate costs of providing and maintaining the sewer service and related infrastructure and recommend that the City Council adopt the proposed sewer rates set forth in this Resolution ("Proposed Sewer Rates");

WHEREAS, the City Council finds and declares that revenues derived from the Proposed Sewer Rates are designed so that the anticipated revenues do not exceed the funds required to provide the property-related service;

WHEREAS, the City Council further finds and declares that revenues derived from the Proposed Sewer Rates shall not be used for any purpose other than that for which the fee is imposed;

WHEREAS, the City Council further finds and declares that the Proposed Sewer Rates do not exceed the proportional cost of the service attributable to each parcel;

WHEREAS, at a meeting of the City Council on May 20, 2020, the City Council ordered that a Public Hearing be held on July 15, 2020, during a Regular Meeting of the City Council, to determine whether a majority protest exists for the Proposed Sewer Rates, as required by law;

WHEREAS, the City Clerk mailed written notice to the record owner of each affected parcel at least 45-days prior to the July 15, 2020 Public Hearing, providing notice of the amount of the fee; the basis upon which it was calculated; the reason for the fee; and the date, time, and location of a public hearing on the charge;

WHEREAS, at the conclusion of the Public Hearing, the City Clerk tabulated all qualified written protests, and reported to the City Council that a majority protest was not found to exist with respect to the imposition of the Proposed Sewer Rates; and

WHEREAS, the City Council hereby approves the Proposed Sewer Rates and imposes the Proposed Sewer Rates for the current fiscal year.

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

Section 1. Imposition of Increased Sewer Fees.

The Usage Fees set forth in Article 4 of the Sewer Fee Ordinance (Ordinance No. 04-03), as amended, shall be revised to impose sewer rates at the rate of \$876.24, annually, per Equivalent Dwelling Unit ("EDU"). The number of EDU(s) assigned to each parcel type is as set forth in the table attached hereto as **Exhibit A** and incorporated herein by this reference.

Section 2. Inflationary Adjustment.

Commencing with the 2021-2022 fiscal year, the annual rate per EDU shall increase each year based on the percentage change in the Consumer Price Index for All Urban Consumers as published by the U.S. Department of Labor, Bureau of Labor Statistics (CPI), or a successor index, as published each February, but in no event less than 2.5%.

Section 3. Rate to take Effect for 2020-2021 Fiscal Year.

The increased usage fee set forth in Section 1, above, shall take effect for the 2020-2021 fiscal year.

PASSED AND ADOPTED this 15th day of July, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

RESOLUTION 2020-17**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE
AUTHORIZING THE COUNTY OF HUMBOLDT TO COLLECT FERNDALE'S SEWER FEES**

WHEREAS, Government Code 38900 et seq. and Health and Safety Code 5471 et seq. give the city legislative body authority to construct, establish, and maintain drains and sewers and to set fees, tolls, rates, rentals or other charges including water, sewer standby or immediate availability charges, for services and facilities furnished by it, either within or without its territorial limits, in connection with its water, sanitation, storm drainage, or sewerage system; and

WHEREAS, The City of Ferndale's Sewer Ordinance 03-05, as amended by Ordinance 07-03, provides rules and regulations for the use and construction of sanitary sewer facilities installed, altered or repaired within the city; and

WHEREAS, The City of Ferndale's Sewer Fee Ordinance 04-03 establishes sewer fees and annual review of Commercial Sewer Service based on annual water consumption and determining Equivalent Dwelling Units ("EDU"); and

WHEREAS, The City caused a rate study to be prepared for the purpose of determining whether and to what extent the City should consider a rate increase to ensure that the rates imposed are sufficient to meet the cost of providing and maintaining the sewer service and related infrastructure; and

WHEREAS, Following the Proposition 218 process, the City Council passed and adopted Resolution 2020-16 approving a sewer usage rate increase by setting the rate for the current fiscal year at \$876.24 per Equivalent Dwelling Unit ("EDU") per year and further assigned an EDU value to the differing parcel usage types as set forth in Resolution 2020-16; and

WHEREAS, The City of Ferndale shall collect this fee from all City of Ferndale and County properties connected to the City's sewer system; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Ferndale sets the sewer fee at \$876.24 per Equivalent Dwelling Unit ("EDU") per year and instructs the Humboldt County Tax Assessor to collect said fees and remit the same to the City.

PASSED AND ADOPTED this 15th day of July, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Michael Sweeney, Mayor

ATTEST:

Kristene Hall, City Clerk

Meeting Date:	July 15, 2020	Agenda Item Number	13. b
Agenda Item Title	COVID-19 Update & Discussion (Action Item if Needed)		
Presented By:	City Manager		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Discussion
Action Required:	<input checked="" type="checkbox"/> X	<input type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote
			<input type="checkbox"/> Information
			<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Receive & File (Possible Action if needed)

DISCUSSION:

This agenda item will give the council, staff, and public a chance to address any concerns or provide any updates from the COVID-19 Pandemic.

ATTACHMENTS:

De-escalation Training Flyer



AWARENESS, DE-ESCALATION & ASSERTIVENESS TRAINING

Do you work with the public? Have you experienced an increased amount of aggressive behavior? If so, this is a great short class that will help you learn techniques for awareness, vigilance, interpersonal communication skills, de-escalation and assertiveness. You will learn skills to immediately put into practice in your workplace.

Instructor: Seth Crosswhite

- ▶ **Retail Workers:** Sat, July 18, 8:30 - 11am
- ▶ **Hospitality Workers:** Sat, July 18, 2 - 4:30pm
- ▶ **Grocery Workers:** Thurs, July 23, 8:30 - 11am
- ▶ **City/County Frontline Workers:** Thurs, July 23, 2 - 4:30pm
- ▶ **Child Care Workers:** Sat, Aug 1, 8:30 - 11am

Location: Online – *Login information will be provided closer to the workshop date.*

Tech Requirements: Computer (Better Option) or Phone with high speed internet connection

Fee: Free - *Sponsored by the CR Foundation*

Register early to secure your spot by calling (707) 476-4500



Meeting Date:	July 15, 2020	Agenda Item Number	13. c
Agenda Item Title	Diversity and Inclusion in the City of Ferndale		
Presented By:	Councilman Avis		
Type of Item:	<input type="checkbox"/> Action	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Information
Action Required:	<input checked="" type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input type="checkbox"/> Roll Call Vote

RECOMMENDATION:

Receive & File

DISCUSSION:

This item was placed on the agenda by Councilman Stephen Avis for discussion.

Section 14

CORRESPONDENCE

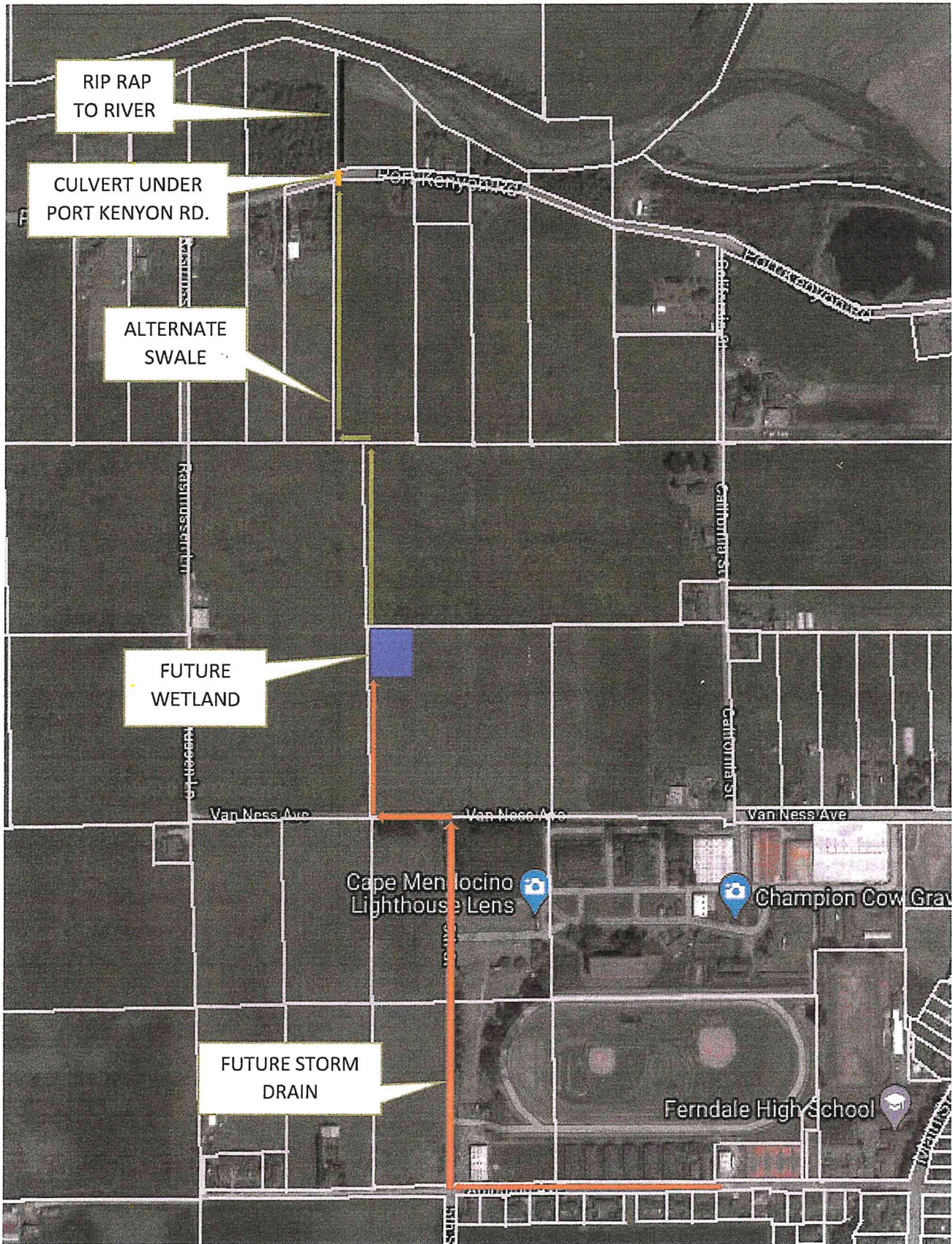
Correspondence Files are available for review at City Hall during regular business hours, Monday through Thursday, 9am to 4pm.

To the Mayor and City Council of Ferndale,

It has come to my attention that the city has been discussing plans to address water drainage issues on the west side of town. I feel that as the successor/manager of Elias and Marilyn Sousa Trust I should be fully included in the discussions regarding the issues as the County owned land that the city is proposing to use borders Elias and Marilyn Sousa Trust agriculture land. Based on the limited information I have been given the current proposal will negatively affect our current operations. I am willing to work with the city on finding a solution that will benefit all parties involved. I have attached a proposal that I believe will work in the best interest of our land in question and the City of Ferndale pending the other neighboring property owners permission. Please reach out to me with questions and times to have these discussions.

Sincerely,

Rick Sousa
(707)599-0317
ricksousalocal14@gmail.com





JUNE 23, 2020

COURTESY LETTER REGARDING PUBLIC NUISANCE

CERTIFIED MAILING: # 7003 3110 0005 8269 5253

TO: **STEPHEN NUNES**
 P.O. Box 876
 Ferndale, CA 95536

SUBJECT PROPERTY: **Assessor Parcel No.: 031-193-022**

Dear Mr. Nunes:

This is a courtesy letter sent to you pursuant to section 5.04.1 of the City of Ferndale Nuisance Ordinance because the undersigned, as the Enforcement Official of the City of Ferndale, has determined that conditions exist on the subject property that constitute a public nuisance. This courtesy letter is the first step in the administrative abatement process outlined in section 5.04 of the Nuisance Ordinance, a process that could result in the City entering your property to abate the conditions at your cost and expense if you fail to abate the conditions voluntarily in the timeframe allowed by law.

As required by Section 5.04.1, the following information is provided to you:

1. **The property where the nuisance is occurring is Humboldt County Assessor Parcel No. 031-193-022-000 located within the City of Ferndale, Humboldt County, California.**
2. **The particular ordinance sections pertaining to the complaint are quoted below:**

Nuisance Ordinance (Ordinance 06-04, as amended)

§3.02 A nuisance is hereby defined to be:

- 3.02.1 Any condition declared by statute of the State of California or ordinance of the County of Humboldt or City of Ferndale to be a nuisance.
- 3.02.2 Any condition potentially detrimental to any member or members of the public including conditions which are unsafe, potentially unsafe, obstruct the free use or enjoyment of property including but not limited to the following:

- c. Nuisance property means the following: vehicles, not limited to unregistered, inoperative or dismantled vehicles or vehicle parts; abandoned and broken equipment or machinery or parts thereof; building materials not currently being used for the construction of improvements on the site; appliances, household furnishings or equipment, tools, machines, garbage cans, packing boxes, and broken or discarded furniture
- 3.02.3 Any condition determined by the Enforcement Official to be a nuisance.
- 3.02.4 Any 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.
- §4.03 Real Property Maintenance It is unlawful for any person owning, renting, leasing, occupying, managing or having charge, or possessing of any real property in this City to maintain such premises in such a manner that any of the following conditions are found to exist thereon:
 - 4.03.3 Property maintained in a condition so defective, unsightly, or in a state of such deterioration, disrepair or neglect that it causes a health, safety or fire hazard or an attractive nuisance to children such as the following.

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

 - b. Storage of personal property (other than items designated for outdoor use) in front, exterior side, or rear yard areas visible to public view, including, but not limited to unregistered, inoperative or dismantled vehicles or vehicle parts, building materials not currently being used for the construction of improvements on the site, appliances, household furnishings or equipment, tools, machines, garbage cans, packing boxes, debris, rubbish, and broken or discarded furniture;
 - ...
 - d. Abandoned and broken equipment or machinery, or parts thereof;
 - f. A vehicle or vehicles parked or stored in a front or side yard, except on a driveway or a paved area or behind a solid fence or wall a minimum of six (6) feet in height, on lots in a residentially zoned district.
 - g. Parking of vehicles on dirt, grass, or yard surfaces not intended and approved for parking.

- j. Vehicle or vessel repair which occurs in a residentially zoned district and is offensive or detrimental to the health, safety, or welfare of other persons, or which substantially interferes with the reasonable enjoyment of property by other persons, because of the substances, odors, noise, or visual clutter created by the repair; or because of the items stored in connection with the repair, or because the repair is performed on a vehicle not owned by the occupant of the property.

§7.04 Noise

7.04.1 It shall be unlawful for any person to make, continue or cause to be made or continued, within the limits of the City of Ferndale, any disturbing, excessive or offensive noise which causes discomfort or annoyance to any reasonable persons of normal sensitivity residing in the area.

- a. The using, operating, or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, stereo, television, or other machine or device for producing or reproducing sound in such a manner as to disturb the peace, quiet, and comfort of neighboring residential inhabitants at any time with volume louder than is necessary for convenient hearing for the persons who are in the room, vehicle, or chamber in which such machine or device is operating and who are voluntary listeners. The operation of any such set, instrument, phonograph, stereo, machine, or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50') feet from the residential building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section;

...

- d. Construction-related noise near residential uses. Construction work or related activity which is adjacent to or across a street or right of way from a residential use, except between the hours of 7 a.m. and 7 p.m. on weekdays, or between 8 a.m. and 7 p.m. on Saturday and Sunday. No such construction is permitted on Federal holidays. As used in this section, "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public or private right-of-way, streets, structures, utilities, facilities, or other similar property.

Zoning Ordinance (Ordinance No. 02-02, as amended)

§2.04 Any building or use operated or maintained contrary to the provisions of these regulations shall be a public nuisance subject to injunction and abatement.

§4.06 Limitations on Land Use and Structures, except as otherwise provided in Article IX:

- 4.06.1 Use requirements: No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designated or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the zone in which such buildings, land, or premises is located.

§5.03 Residential One-Family or R1 Zone is intended to be applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The following regulations shall apply in all Residential One-Family or R1 Zones:

- 5.03.1 Principal permitted uses:
- a. Single-family dwellings.
 - b. Boarding of not more than two (2) persons not employed on the premises.
 - c. Keeping no more than four (4) household pets for each dwelling unit.
 - d. Vacation rentals.

3. The particular condition causing the nuisance is described below.

The subject property is zoned Residential One-Family (also referred to as an R-1 Zone). The R-1 zoning designation is applied in areas of the City where topography, access, utilities, public services and general conditions make the area suitable and desirable for single-family home development. The principal permitted uses within an R-1 Zone are single-family dwellings.

In violation of the above-quoted provisions of law, you are using your property as a storage yard for heavy construction related equipment. In particular, the Enforcement Official is aware of the following equipment currently stored on your property: (i) a large blue "Grade all" forklift; (ii) a yellow Yanmar tractor with front-end loader and backhoe; (iii) a yellow tractor with front blade and rear box blade; (iv) a small tractor with front-end blade; (v) a small tractor with mower attachment; (vi) numerous wood and metal trailers for hauling material and equipment; (vii) a three load runner cargo trailers; (viii) an older pickup parked among debris piles; and (ix) an industrial-size container/dumpster. The use of property zoned R-1 to store or use heavy equipment is not permitted, and there is currently no permit issued for any construction on the property that would justify the presence of this equipment on your property.

In violation of the above-quoted provisions of law, you are operating some of the above-listed equipment on your property which causes excessive noise, fumes, and disturbance to the neighboring residential parcels.

In violation of the above-quoted provisions of law, you are maintaining debris piles on your property that contain construction related debris and other junk that is unsightly and not permitted in the R-1 Zone.

You are using a water pump to pump water from a drainage swale that is a tributary to the Salt River to irrigate your property. It is currently unknown whether this diversion is permitted by the applicable regulatory agencies. The Enforcement Official is making contact with those agencies to inquire as to the lawfulness of the diversion.

4. The corrective actions that must occur to remedy the violations described above are as follows:

Within a period of four (4) weeks of the date you receive this letter, you shall:

- (a) Remove all heavy construction related equipment, including, but potentially not limited to, all tractors, forklifts, cargo trailers, and other similar equipment, from the subject property and, if relocated within the City, stored on a parcel zoned for that purpose.¹
- (b) Remove all construction related debris piles from the subject property and properly dispose of the same.
- (c) Except as necessary to re-locate the equipment to comply with item “a”, above, immediately cease use of the heavy equipment on the subject property.
- (d) Provide documentation to the Enforcement Official of your right to divert water from the swale on your property and to use the diverted water for irrigation.

5. You are hereby advised that the nuisance conditions listed above must be abated in the manner described above within four (4) weeks of the date of receipt of this courtesy letter. Please note Section 5.05.1 of the Nuisance Ordinance, which provides that “[a]ny notice or letter required to be delivered by the ordinance shall be deemed to have been delivered when a copy of said notice is either served personally or has been deposited in the mail, postage prepaid, certified, return receipt requested to the owner and/or occupant, lessee or agent of the property. ... The failure of any person to receive such notice shall not affect the validity of the proceedings of this ordinance.”

6. You are further advised that failure to cure the nuisance conditions listed above within four (4) weeks of the date of receipt of this courtesy letter will result in further action, including, but not limited to, the following:

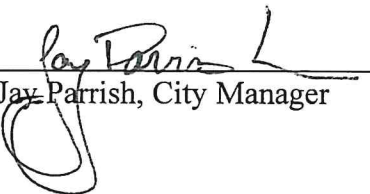
- (i) Service and recordation against your property’s title of a Notice of Violation and Order to Abate.

¹ The appropriate zoning designation to store heavy construction equipment is either the Limited Industrial or ML Zone (See §5.11 of the Zoning Ordinance or the Heavy Industrial or M-H Zone (See §5.12 of the Zoning Ordinance). These zoning designations allows for “contractors’ yards” and related uses.

- (ii) Abatement of the nuisance conditions by the City with all costs of abatement, including attorney fees, assessed against your property. This would include removal of the equipment and storage at an appropriate facility at your cost and expense.
- (iii) Imposition of fines and penalties.
- (iv) Criminal prosecution.
- (v) A civil action for a court order requiring abatement.

Please be advised that this letter does not affect the Notice of Public Nuisance and Order to Abate served to you and recorded in the Official Records of Humboldt County on September 20, 2019, as Instrument No. 2019-016316, relating to your continued failure to procure a grading permit for the work you performed under agreement with the California Department of Fish & Wildlife. The referenced Notice and the required corrective action remain valid and unaffected by this Courtesy Letter.

The City Council has twice met in closed session to consider bringing immediate legal action against you relating to the nuisances that are the subject of this Courtesy Letter and the prior Notice of Public Nuisance and Order to Abate. The Council has come to the realization that legal action is necessary in light of your continued refusal to comply with local laws. However, prior to commencing costly litigation, the Council is willing to provide one final opportunity for voluntary compliance. Accordingly, we look forward to your anticipated cooperation.


Jay Parrish, City Manager

✓ Correspondence

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 July, 2020 City Council Meeting

CITY MANAGER (Reporting June 12, 2020-July 8, 2020)

Meetings

- Kiwanis meeting 1st Tuesday of the month at 4:30 pm
- Drainage Committee Meeting- June 4th 3:00-5:00 pm cancelled due to Coronavirus Pandemic. Sub-committee did meet with appropriate social spacing to discuss vegetation removal in Francis and organizational changes to Drainage committee and council approval of new members. We will try to have that on next month's agenda. Brought Tom Stephens and Mayor Sweeney up to speed on Drainage grant application
- City Council Special meeting- June 22 2:00-3:00pm
- City Council Regular Meeting- June 17 7:00pm-9:00pm
- City Manager Meeting May 18th- 3:00-5:00 pm
- The city sent out the proposed sewer rate increase. This starts the 45-day protest process and the July regular meeting will conclude that process with the tabulation of any protests. Protest ends after council public hearing on July 15th.
- 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. Our lawnmower was broken down so we may need to resort to renting a mower for a couple of weeks until it is clear whether we can get a new engine that is emission compliant. Update: We were able to get a new motor for the lawnmower and as of this printing we are mowing. We did hire a vendor to mow our major lawns every other week but are now doing the mowing ourselves.
- 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. We will be doing 4th and Shaw intersection this coming year as well as The Washington Street culvert replacement project.
- Looking into a cell tower that might bring some revenue each month located somewhere in town. The attorney and I are negotiating with the cell tower company. Our attorney has negotiated last with Cell Tower representative and the city may not have any properties that are suitable to their needs. Still working on it.
- 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. Update: This has been pretty much on hold until we get a handle on the Covid-19 situation.
- Climate Action Plan: Met with Fortuna, Rio Dell and County Representatives on May 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 May, and then we have a group meeting on May 24th. This has been put on the back burner by county while we work on the Covid-19 pandemic. Connor McGuire the county's representative is working on this and will get back to the rest of us soon to bring to the council he told me last week. Update: This is in the Counties hands for the next couple of months.
- 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.

- 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. It is still important at this point to wash your hands after being in an environment where other people have been, cough into elbow, try not to be in crowded events, and where a mask. The council in a Special meeting this week confirmed the Emergency Proclamation and stressed the desire and opinion that we need to try and promote the wearing of masks, and the rest of the guidelines from the federal, state, and county agencies.
- Numerous conversations with Rick Hill regarding possible grants. Conference call with Rick and Paul Gregson and Brian Ontiveros the week of council meeting. We have submitted a Proposition 1 grant on a wetland that would receive drainage from west side of town and another Proposition 1 for the construction of a drainage route that would drain runoff from Arlington, 5th Street to Salt River. We submitted our grant application last week and that hopefully will give us enough funds to look at all the aspects of getting our drainage from the intersection of 5th and Arlington out to the Salt River. We currently have a dysfunctional system through the Fairgrounds that does not have the capability to carry the flow from the City and Fairgrounds.
- Negotiating with US Bank for easement for undergrounding project. Called a couple of representatives regarding the donation of the green beside the US bank parking lot. No reply as of printing.
- Numerous conversations and discussions with Brian Ontiveros, our engineer, we will be using Whitchurch Engineering on at least one possible drainage project as acting City Engineer.
- We received approval of the California Street sewer collection system grant from the county and should be moving that forward sometime after October and maybe construction by May.
- The Covid-19 pandemic has affected almost all of the elements of our jobs, interaction with community, and our outside of work as well as our home life. Please follow the recommendations and limit your interaction outside of your home, wash your hands often, wear a mash to reduce conveyance from you to others and from others to you. Please know that though we are not able to put the time into our normal goals and priorities we are working hard at both our usual responsibilities and the increased responsibilities associated with this invisible pandemic.

Staff Reporting June 1-30, 2020

CITY CLERK ACTIVITY

Meetings

- Meetings with City Manager regarding work activities and council agenda.
- Attended:
 - City Council Regular Meeting 06/17/2020
 - City Council Special Meetings:06/08/20 and 06/22/20
 - Design Review Meetings 06/04/20 and 6/25/20
- Wrote agenda items and compiled packets for:
 - Regular City Council Meeting 06/17/2020

- City Council Special Meeting; 06/08/20 and 06/22/20
- Design Review Meeting 06/25/2020
- Began agenda compilation for City Council Meeting 07/15/2020
- Transcribed, drafted meeting minutes and uploaded meeting videos for:
 - City Council Regular Meeting 06/17/2020
 - City Council Special Meetings: 06/08/20 and 06/22/20
 - Design Review 06/04/20 and 06/25/20
- Posted all meeting agendas and public notices on the City Hall and Post Office bulletin boards, and on the City Website.
- Uploaded meeting packets to City Website.
- Correspondence with City Planner and Engineer regarding projects
- Had monthly performance review with City Manager

Projects

- Assisted the public via telephone and email, 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 Paul Gregson regarding sewer rates.
- Mailed out Business License Renewal & Dog License Renewal Notices
- Processed Business License Renewals and Dog License Renewals
- Calculated and collected fees for building permits and sent applications to Arnie to be checked
- Numerous call Building Inspector to review plans and finals on projects
- Sent and received emails daily.
- Pick up and distribute City correspondence.
- Organized and filed paperwork.
- Filed approved Minutes
- Inventoried and ordered office supplies
- Processed checks, created revenue spreadsheet and deposit checks into the bank.
- Responded to Public Records Act requests.
- Maintained minute, resolution, ordinance and agenda binders.
- Contacted Mayor re: upcoming agenda
- Read weekly ERMA bulletins
- Updated 2020 Possessory Interests Spreadsheet.
- Sent Building Permit reports to Assessors office and Construction Industry Research Board.
- Processed Town Hall Rental Applications/Refunds due to COVID-19

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
- Attended Council meeting to approve next fiscal year (FY 20/21) budget

CITY PLANNER ACTIVITY:

General Planning Services

Task 1 Response to Public Request for Info

- Community inquiry responses – Participated in follow-up call about proposed Mircetich LLA.
- City Code interpretations – Responded to question regarding allowable uses at 989 Milton.

Task 2 CEQA Compliance

- Prepared Notice of Exemption for California Street sewer replacement project.

Task 3 Community Planning – Reporting, Transportation Planning, Other Planning Activities

- Reviewed WDH interpretive Gardens design review application.

Task 4 Meetings & Hearings, and Materials:

- Planning Commission – none.
- City Council – none
- City Manager & City Clerk – meetings, calls, emails, research.
- Drainage Committee – none.
- HCAOG Technical Advisory Committee – Participated in June 4th TAC meeting

Task 5 GIS Mapping – none.

Task 6 Grant Writing/Funding Coordination –Discussed HCD Local Early Action Planning (LEAP) Grant requirements. Reviewed funding programs including WWTF projects CEQA & permitting requirements.

SB 2 Grant Projects

- Land Use Element Update – reviewed goals and policies; reviewed existing Land Uses and future considerations.

Reimbursable Fees

- Cream City Investments (SD-1826 - previously Budwig Minor Subdivision) – Received PM and coordinated with deputy City Engineer for review.
- Adams Subdivision – no action.
- Frink LLA – Received City Engineer review memo; prepared and sent notice of incomplete application to applicant.

CITY ENGINEER ACTIVITY

General City Engineering Services:

- Phone calls / emails with the City Manager regarding various City items.
- Attended June Council Meeting
- Shaw & 4th Street Intersection Project
 - Preparation of Bid Documents
- Washington Street Storm Drain Replacement
 - Plan Preparation for Council Meeting
- Drainage Master Plan Update

- No update this month

Reimbursable Project Services:

- Nunes Grading Permit – Grant Street
 - No Action this month
- Adams Minor Subdivision – Fifth Street
 - 3rd Parcel Map Review
 - 4th Improvement Plan Review.
 - Awaiting final Parcel Map and Improvement Plans to be submitted from Applicant.
- Mircetich LLA2004 – Fifth St.
 - Email correspondence with Planwest reviewing potential options to move project forward
- Frink LLA2005 – A St.
 - Review LLA Application – Initial application was deemed incomplete and returned to the applicant.
 - Met with applicant to review sidewalk improvements at the end of his driveway.
 - A partial resubmittal was received by the applicant. Awaiting all the missing items identified before deeming the application complete.
- Chenowith LLA1513 – Washington St.
 - Review Old LLA Project to determine if project was ever completed
 - Discussed project with previous City Engineer and applicant's Surveyor
 - Still in Progress
- WDH Interpretative Garden – Main St.
 - Preliminary Review of Project for Design Review

WASTEWATER OPERATIONS

- Monthly samples prepared and sent to North Coast Labs
- Operators perform lab tests daily to measure efficiency of plant
- Move and spread dirt at old site
- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- Sewer backup on Francis St. cleared
- Monthly no spill verification report completed on CIWQS website
- Remove and burn willows at old site
- Front gate chain oiled each Monday
- Replace ballast on UV bank B
- Inspect manholes throughout town weekly
- Consultation with Loleta about their NPDES permit
- Weekly maintenance performed on UV banks
- Replace brakes on bar screen rake
- Dewater for total of 12 hours. Sludge dried at old site
- Repaired broken lateral on Howard Street
- Operators cleaned walls and catwalk
- Clear brush around retention pond
- Turned sludge at old site weekly

- Backup on Tennyson Ave. cleared
- Scrubbed launders in clarifier
- Put UV protection on air lines to actuators
- Weed eat around old site, along pond road, around Aeromod
- Removal of duck weed from clarifiers on weekly basis
- Pipes moved to East side of Sousa ranch; multiple lines used to alleviate water level in pond
- Weed eat around Aeromod
- Billed RotoRooter, Taylor Enterprises, Steve's Septic and Wyckoff a total of \$7,204.50 for the month of May. 39 total dumps for total of 87,340 gallons.
- Total flow through the plant in June was 6.1 MGD. Of that, 1.2 MGD was pumped to retention pond. Average irrigation to Sousa ranch was .2 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.
- Cub Cadet mower broke down. Motor blown waiting for replacement from the Farm Shop.
- Participated in annual creek walk with Tom Stephens and Wayne Ambrosini. Very minimal vegetation to be removed this year.
- Cleaned up drainage ditch on the east side of Eugene St.
- Went around town picking up curb piles.
- Cut back brush along Bluff St road side.
- Cleaned up broken branches that fell from the tree's at City Hall.
- Completed work agreement paper work for the City of Ferndale and Cal Fire High Rock Conservation Camp.
- Picked up new street signs and installed them around town.

POLICE DEPARTMENT

- Staff continues to monitor and engage the community regarding the City's and County's response to COVID-19.
- Chief Smith participated in several Zoom conferences with the Humboldt County Sheriff and other county Chiefs of Police. Chief Smith also participated in a video conference with state police chiefs, Cal. OES and Ca. DOJ regarding COVID-19.
- Staff continues to work on the Measure Z project regarding a new records management system.
- Staff participated and monitored eighth grade and high school graduation ceremonies.

Police Statistics – for June 2020

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape (Attempted)	0	
Robbery	0	
Larceny	2	

Assault	3	3
Burglary	4	1
Vehicle Theft	0	
TOTAL	9	
SECONDARY CRIMES	7	
Calls for Service	211	
Reports Written	28	
Traffic Citations	15	
Other Citations	0	
Parking Citations	1	
Warnings	49	
ARRESTS	17	
AGENCY ASSISTS	9	
TRAFFIC COLLISIONS	0	

City of Ferndale, Humboldt County, California USA
Design Review Minutes for the 06/04/2020 Agenda - 8:30am meeting

Vice-Chair Marc Daniels opened the teleconference meeting at 8:34 a.m. Committee Members Ellin Beltz, and Jorgen von Frausing-Borch were present along with City Clerk Kristene Hall. Chair Jeff Farley joined the meeting at 8:40 am.

Modifications to the Agenda: None

Approval of Previous Minutes: Approval of the April 30, 2020 Meeting Minutes. **(von Frausing-Borch/Beltz) Unanimous**

Public Comments: No Comment

362 Berding Street: Committee Members were presented with an application to repaint the residence. The applicant was present to answer questions. Committee Members stated the proposed paint looked good. The applicant stated that she would like to include the barn to be painted as well using the same color pattern. **MOTION:** to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to repaint the residence and barn using the approved colors. **(von Frausing-Borch/Beltz) Unanimous**

475 Berding Street: Committee Members were presented with an application to construct a new front fence and replace a dilapidated side and rear fence. The applicant was present to answer questions. Committee Member von Frausing-Borch questioned the materials being used. The applicant stated the fence would be douglas fir posts and cedar planks. Committee member Beltz stated concerns on the moss green color and asked the applicant if he could submit a paint swatch. Beltz added that moss green may not be harmonious with the surrounding area. Committee Member Daniels stated concerns over an easement on the property. The applicant stated he had included the easement on the drawings and had went around it. City Clerk Hall stated the private easements were the property owner's responsibility and they would be responsible for ensuring any easement is maintained. Committee Members von Frausing-Borch and Farley were in favor of the moss green. **MOTION:** to **APPROVE** the Design Review Use Permit Application, subject to the conditions of approval listed in Attachment B, to replace and construct the fence using the approved materials and dimensions as stated in the application, and to submit a color swatch to the City Clerk before painting. **(von Frausing-Borch/Farley) Unanimous**

Correspondence: None

Committee Member Comments: Committee Member von Frausing-Borch stated his desire to get back to normal meetings. Committee Member Beltz stated her concerns on COVID19.

Meeting adjourned at 9:04 am

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
 May 21, 2020, 4:00 p.m.
 Conducted via Zoom Video Communications
 (in accordance with Executive Order N-29-20)

Present:

Supervisor Estelle Fennell (Chair)	County of Humboldt
Mayor Michael Winkler	City of Arcata
Mayor Adelene Jones	City of Blue Lake
Mayor Susan Seaman	City of Eureka
Councilmember Robin Smith	City of Ferndale
Councilmember Mike Johnson	City of Fortuna
Councilmember Susan Strahan	City of Rio Dell
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

1. Call to Order/Roll Call

Chair Estelle Fennell called the meeting to order at 4:03 p.m. Executive Assistant Christie Smith called roll for attendance.

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

Kent Sawatsky
 Colin Fiske, Coalition for Responsible Transportation Priorities

4. Approval of the Meeting Record – March 19, 2020

Motion was made (Pitino/Seaman) to approve the March 19, 2020, meeting record as presented.

Motion carried unanimously.

5. Consent Calendar

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

- a. FY 2020-21 State Transit Assistance, State of Good Repair Program, and Low Carbon Transit Operations Program
- b. Transportation Development Act Article 3, Pedestrian and Bicycle 2% Allocation Request
- c. FY 2019-20 Overall Work Program & Budget Amendment #2
- d. Authorization to Execute a Standard Agreement between the Humboldt County Service Authority for Freeway Emergencies and the California Highway Patrol for Supplemental Patrols on State Routes 36, 96, and 169

Motion carried unanimously.

6. Items Removed from the Consent Calendar

No items were removed from the consent calendar.

7. Action Items

a. FY 2020-21 Local Transportation Fund Apportionment

Motion was made (Jones/Pitino) to recommend the HCAOG Board adopt Resolution 20-07 approving the FY 2020-21 Local Transportation Fund Apportionment.

Motion carried unanimously.

b. Social Service Transportation Advisory Council and Service Coordination Committee Consolidation

Motion was made (Seaman/Johnson) to recommend the HCAOG Board approve the consolidation of the Service Coordination Committee into the Social Service Transportation Advisory Council.

Motion carried unanimously.

c. Mobility on Demand Strategic Development Plan: Draft Evaluation Matrix, Potential Pilot Projects, and Update on Old Arcata Road Pilot Project

Oona Smith presented the item and gathered feedback from the Board.

d. Transportation Sales Tax Discussion

Marcella May provided an overview of the item. Kent Sawatzky of the Humboldt County Taxpayers League provided details of the proposed $\frac{1}{4}$ percent special tax initiative for streets and roads.

The Board discussed the sales tax ballot initiative and financial impacts for delaying repairs to roads. Members discussed and agreed that with the current economic situation and the limited time to begin, a ballot measure proposal for November 2020 would not allow for a strong campaign. There was also concern from several Board members with tax initiatives on their respective city ballots that this proposed special tax would compete with their tax measures, and members would not be able to commit the time needed to promote an additional tax measure. The Board agreed to wait for 2022, rather than 2024, which would allow time to develop a strong campaign. This item will be placed on a future meeting for further discussion.

Public Participation:

Kent Sawatzky, Humboldt County Taxpayers League

Tom Mattson, County of Humboldt

8. Reconvening of the HCAOG Board

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

Motion carried unanimously.

9. 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. Caltrans Report on the 101 Corridor Project

Kevin Tucker reported that the Samoa Wetland Mitigation was advertised on May 11, 2020. The 2020 State Transportation Improvement Program approved funding for the Indianola Undercrossing Project. The target date to complete the design is January 2021.

b. Caltrans Report on Last Chance Grade

Kevin Tucker reported that the preliminary geotechnical investigations, phase 2b, is still on schedule. Drilling will begin in October 2020. The Coastal Development permit application was conditionally approved. Environmental studies are currently ongoing. The northern spotted owl studies began this year. All other environmental studies are planned for 2021. A public engagement meeting is being planned for summer or fall. A virtual Town Hall meeting with Congressman Huffman is currently being scheduled to take place in July.

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

Marcella May presented the report for the month of March 2020.

Mayor Jones reported that there will be a groundbreaking ceremony for the Annie & Mary Trail on May 30.

Oona Smith reported that a virtual Trails Summit will take place on June 6.

10. Adjournment

The meeting adjourned at 6 p.m.

Respectfully submitted,
Christie Smith, Executive Assistant

**BOARD OF DIRECTORS**

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

Minutes**Thursday, June 11, 2020 at 5:30 PM****Zoom Video Conference Meeting**

Present: Michael Sweeney, Sofia Pereira, Frank Wilson, Elaine Hogan, Leslie Castellano
 Rex Bohn
Absent: None
Staff: Jill Duffy, Tyler Egerer, Eric Keller-Heckman, Tony Heacock
Legal Counsel: Nancy Diamond

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

Chairman Sweeney called the meeting order at 5:32 p.m. A quorum was present and acting.

2. Consent Calendar

- a. Approve Minutes from the May 14, 2020 HWMA Board of Directors Meeting
- b. Approve March 2019-20 Financial Report
- c. Approve April 2019-20 Financial Report
- d. Approve Board of Director's Calendar for FY 2020/21
- e. Approve Format Updates and Minor Edits to HWMA Job Descriptions

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 Castellano seconded the motion to approve the Consent Calendar.

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

Ayes: Sweeney, Pereira, Wilson, Hogan, Castellano, Bohn

Noes: None

Absent: None

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. Nominate and Elect Officers for FY 20/21

Chairman Sweeney opened the floor to public comment regarding Board officers. No comment was received.

Chairman Sweeney closed the floor to public comment.

Motion: Director Bohn moved and Director Sweeney seconded the motion to extend the offices of Chair Sweeney and Vice Chair Wilson to the end of December.

Action: Approve the Motion as made by Director Bohn and seconded by Director Sweeney by the following vote:

Ayes: Sweeney, Pereira, Wilson, Hogan, Castellano, Bohn

Noes: None

Absent: None

5. Approve Resolution 2021-02 Amending the Integrated Waste Management Fees for Recycling Processing and Marketing Service Fees.

The Board briefly discussed the final changes to the proposed Fee Resolution.

Linda Wise, General Manager, Recology Humboldt County, spoke briefly on the rate setting process and future work on the recyclables processing contract.

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

Chairman Sweeney closed the floor to public comment.

Motion: Director Castellano moved and Director Pereira seconded the motion approve Resolution 2021-02 Amending the Integrated Waste Management Fees for Recycling Processing and Marketing Service Fees.

Action: Approve the Motion as made by Director Bohn and seconded by Director Sweeney by the following vote:

Ayes: Sweeney, Pereira, Wilson, Hogan, Castellano, Bohn

Noes: None

Absent: None

6. Board Member Reports

Director Castellano requested an update on CRV activities at the Hawthorne Street Transfer Station. Executive Director Duffy indicated she would provide an update during her report.

7. Executive Director's Report

Executive Director Duffy provided brief updates on stormwater management at the Transfer Station, updates on the Transfer Processing Report for the Transfer Station, and updates on the submission of the Authority's Restoration of Services plan. She then provided a lengthy update on CRV activities and challenges experienced in restarting services, and indicated a more in-depth discussion would be presented at the July Meeting.

8. Adjourn

Chairman Sweeney adjourned the meeting at 6:20 p.m.

Next Meeting: July 9, 2020 at 5:30 p.m. via Zoom Conference Meeting.



Redwood Coast Energy Authority
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DRAFT BOARD OF DIRECTORS MEETING MINUTES

May 28, 2020 - Thursday, 3:30 p.m.

Notice of this meeting was posted on May 24, 2020. Chair Austin Allison called a regular meeting of the Board of Directors of the Redwood Coast Energy Authority to order on the above date at 3:30 p.m., stating that the meeting was being conducted by teleconference pursuant to Brown Act waivers included in Governor Newsom's COVID-19 State of Emergency Executive Orders and in response to local efforts to reduce the spread of the virus. Chair Allison stated that the posted agenda outlined instructions for the public on listening to the meeting and providing written comment.

PRESENT: Chair Austin Allison, Stephen Avis (arrived at 3:42 p.m.), Chris Curran, Vice Chair Estelle Fennell, Dean Glaser, Dwight Miller, Frank Wilson, Michael Winkler, Sheri Woo. STAFF AND CONSULTANTS PRESENT: Business Planning & Finance Director Lori Biondini, RCEA General Counsel Nancy Diamond, Power Resources Director Richard Engel, Account Services Manager Mahayla Slackerelli, Community Strategies Manager Nancy Stephenson, Executive Director Matthew Marshall, Clerk of the Board Lori Taketa.

ORAL COMMUNICATIONS

Staff read an email from David O'Neill, attorney for Redwood Coast Power and LandGas Technology LLC, requesting the Board to direct staff to discuss a potential power purchase agreement for electricity from its Blue Lake biomass plant with company representatives or to explain why negotiations will not take place since the DG Fairhaven biomass plant is idle. Staff confirmed that there is no current plan to acquire additional biomass electricity and that RCEA's contract with DG Fairhaven remains in effect.

REPORTS FROM MEMBER ENTITIES

Vice Chair Fennell updated the Board on a recently submitted report on a regional approach to managing the Potter Valley Project which included possible removal of the Scott Dam and continued power supply to the Potter Valley area and water supply to the Russian and Eel River watersheds. A management plan must be formulated in the next two years.

Director Winkler reported that the City of Arcata is suspending City Hall and library heating electrification due to reduced revenues resulting from the COVID pandemic.

Director Woo reported that the Humboldt Bay Municipal Water District has completed the petition for change project narrative for its in-stream flow dedication project.

CONSENT CALENDAR

- 3.1 Approve Minutes of April 23, 2020, Board Meeting.
- 3.2 Approve Disbursements Report.
- 3.3 Accept Financial Reports.

Chair Allison confirmed that there was no public comment for this agenda item.

M/S: Fennell, Winkler: Approve consent calendar.

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

COMMUNITY CHOICE ENERGY (CCE) BUSINESS

Chair Allison confirmed that a quorum was present to conduct CCE business.

OLD CCE BUSINESS

5.1. CCE Program Rates Update (Information Only)

Director Avis joined the meeting.

Account Services Manager Mahayla Slackerelli reported on PG&E's continuing statewide customer transition to time of use (TOU) rates, a small rise in CCE program opt outs and customer calls in February coinciding with Humboldt County's peak energy use season, and an RCEA and PG&E electricity rate increase in May. She noted that customer calls and opt outs have since returned to normal levels. RCEA absorbed a significant Power Charge Indifference Adjustment (PCIA or exit fee) increase to keep customer rates competitive. Staff is monitoring news of another anticipated exit fee increase this fall.

The directors discussed higher electricity use billing baselines for electric heat pump space heating, upcoming statewide outreach about time-of-use money saving strategies, and how the Water District is working with RCEA to reduce high winter energy bills and associated high customer water bills resulting from increased, seasonal turbidity reduction needs. The COVID emergency's effects on commercial and residential energy use were discussed, as were reasons for PG&E's May rate adjustment, long-term plans to uncouple RCEA's rates from PG&E's, the California Community Choice Association's legislative efforts to increase energy rate transparency and the PCIA's 20% inflation of Community Choice Aggregator rates.

END OF COMMUNITY CHOICE ENERGY (CCE) BUSINESS

NEW BUSINESS

8.1 Feed-in Tariff Program

Account Services Manager Mahayla Slackerelli described the local, community-scale, renewable energy generation program that the Board requested when the Community Choice Energy Program launched. The feed-in tariff (FIT) power portfolio allocation target and the total utility-scale/wholesale solar target were set at 6MW and 15MW, respectively. Two solar feed-in tariff FIT project contracts with a combined output of 0.6% of RCEA's annual load were recommended for approval. Two additional FIT contract proposals currently under review would, if approved at a future meeting, exceed the initial FIT portfolio allocation target by 0.5MW. Manager Slackerelli described staff's proposal to increase the initial FIT portfolio allocation to 6.5MW and add another phase of 6MW in possibly larger capacity FIT project

contracts. Combined with the airport microgrid project, FIT projects would help meet the 15MW wholesale solar target. The second phase would increase total FIT capacity to 4% of RCEA's load, or powering roughly 6,000 homes.

Power Resources Director Richard Engel described the renewable energy development process and how power purchase contracts are signed early so project developers can obtain financing for the environmental review and permitting processes and construction. RCEA's Board is being asked to approve power purchase agreements, not projects. Only the County or city where the project is located can decide whether a project can be built.

The directors discussed how and why FIT energy prices are higher than biomass prices; the value of local, community-scale projects and their local economic benefits and the alignment of smaller-scale local projects with community values; the potential inclusion of battery storage in future FIT requests for proposals (RFPs); and current RCEA RFPs for behind-the-meter distributed energy resources and resource adequacy that may result in additional battery storage.

Chair Allison confirmed that there was no public comment for this agenda item.

M/S: Avis, Fennell:

Approve a 20-year power purchase agreement with Sunthurst Energy, LLC for the 999 kW Humboldt County Solar 1 solar project, and authorize RCEA's Executive Director to execute all applicable documents.

Approve a 20-year power purchase agreement with North Coast Highway Solar 2, LLC for the 1 MW North Coast Highway Solar 2 solar project, and authorize RCEA's Executive Director to execute all applicable documents.

Approve increase of feed-in tariff phase 1 programmatic capacity up to 6.5 MW to accommodate current applicants.

Approve feed-in tariff phase 2 with an additional 6 MW of capacity to be released August 1, 2020.

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

8.2 2020-2023 Energy Efficiency Program funding – PG&E Local Government Partnership Contract and RCEA-Administered CPUC Funding update

Executive Director Marshall introduced Stephen Kullmann, RCEA's new Demand-Side Management Director who serves on the Humboldt Bay Harbor, Recreation and Conservation District Commission and who will be stepping down from that body's wind energy subcommittee to avoid potential conflicts of interest.

Executive Director Marshall reported on the June 2020 end of the current PG&E Energy Watch energy efficiency program, which has been central to the agency's work since its founding, and RCEA's direct administration of CPUC energy efficiency funding for three years beginning in July. Mr. Marshall stated that RCEA's local government partnership with PG&E will continue under a new contract with a modified scope, and that while that contract and the CPUC funds total less than RCEA previously received for energy efficiency work, the agency

will be able to continue delivering direct energy savings to businesses through energy use reducing technology installation, technical assistance, and energy assessment; local government partner services such as greenhouse gas inventories and climate action planning; and services to the general public and contractors such as program referrals, energy efficiency technology training and customer education. Mr. Marshall noted the need to redesign energy efficiency programs for residents and small businesses due to the COVID-triggered recession.

The directors discussed COVID's effects on project priorities, potential County and state energy resiliency funding sources, and shifting to greenhouse gas reduction and other community benefit criteria as measures of energy efficiency rather than only kilowatt hours saved.

Chair Allison confirmed that there was no public comment for this agenda item.

M/S: Fennell, Miller: Approve contract with PG&E for a 2020-2023 Energy Efficiency Local Government Partnership Program and authorize the Executive Director to execute, after final review and approval by RCEA General Counsel, the contract and all associated documents as necessary.

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

8.3 Draft RCEA Fiscal Year 2020-21 Budget

Provide guidance and input to staff on draft FY20-21 budget.

Executive Director Marshall presented a preliminary draft of the upcoming fiscal year's budget and a summary of notable influences. The scale and duration of the COVID pandemic's impacts on electricity sales and wholesale power costs are unknown. Customer loads are reduced, late customer payments are expected to increase and PG&E has suspended power shutoffs for nonpayment until further notice. For the airport microgrid project, delayed FAA project approvals have pushed back construction and slowed project funding timing is reflected in the preliminary draft budget. Revenue projections include the 1% CCE customer discount relative to PG&E's rates, the sale of surplus Humboldt Redwood Company renewable energy credits and assume a return to original CCE program power portfolio content objectives in 2021. Regulation changes and COVID impacts are expected to continue to reduce revenue in 2021. Power portfolio content and customer rate discount adjustments can be made at that time if needed. Use of reserve funds is not anticipated. Costs of the agency's office building purchase and renovation have not yet been included in the budget and will be reported to the Board at a future meeting. The Finance Subcommittee will meet prior to the June Board meeting to review a further refined proposed budget.

Discussion centered on cost recovery efforts, efforts to minimize impacts on paying customers, and the possibility of requiring proof that bill non-payment was COVID-related. It was stated that customers of CCAs, which are responsibly addressing climate change, should not pay more than PG&E customers.

Executive Director Marshall confirmed there were no public comments for this agenda item.

STAFF REPORTS

9.1. Staff report by Executive Director Matthew Marshall.

Mr. Marshall reported that in addition to Demand-Side Management Director Kullman, another local candidate, former Advanced Fuels and Transportation Specialist Aisha Cissna, was hired to fill the Regulatory and Legislative Policy Manager position. RCEA operations continue as normal except for some energy efficiency programs which are on hold due to shelter-in-place and social distancing orders. Mr. Marshall commended staff for scaling up the agency's data-secure remote work capabilities rapidly and reported that staff is crafting an organizational culture that promotes sustainable remote work performance and productivity levels for an extended time.

FUTURE AGENDA ITEMS

The directors requested an agenda item for the next meeting directing staff to send a response to Redwood Coast Power and updating the Board on local biomass procurement, the status of the DG Fairhaven plant and the possibility of biochar production as part of future biomass contracts. Future meeting requests were made for a formal presentation by Demand-Side Management Director Kullmann on his vision for implementing Board adopted plans and goals, a Public Safety Power Shutoff update and enabling the public to call in comments.

Chair Allison adjourned the meeting at 5:42 p.m.

Lori Taketa
Clerk of the Board

Section 17

ADJOURN