

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

Location:	City Hall	Date:	November 16, 2022
	<b>VIA ZOOM</b>	Time:	<b>7:00 PM</b>
		Posted:	November 9, 2022

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 comments for this meeting be submitted prior to the meeting. Comments should be submitted to [cityclerk@ci.ferndale.ca.us](mailto:cityclerk@ci.ferndale.ca.us) by 4:00pm on Wednesday, November 16, 2022, please be sure to put “Public Comment “in the subject line. All 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.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83317347946?pwd=UnBGbVBRUU1hdld6RU9aSnR3aTREZz09>

Or go to Zoom.us and input the following info when prompted:

Meeting ID: 833 1734 7946

Passcode: 639084

You may also dial in using your telephone by using either number: **(Use \*6 to mute and unmute and use \*9 to raise and lower hand to comment and ask questions during the meeting)**

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 833 1734 7946

Passcode: 639084

1. CALL MEETING TO ORDER – Mayor
2. PLEDGE ALLEGIANCE TO THE FLAG
3. ROLL CALL – City Clerk: Mayor Hindley; Councilman Avis; Councilman Lund; Councilman Ostler; 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<sup>rd</sup>s of the Council that the item came up after the agenda was posted and is of an urgent nature requiring immediate action. This portion of the meeting will be approximately 30 minutes’ total for all speakers, with each speaker given no more than five minutes.)
9. CONSENT CALENDAR. (All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Council Member, staff or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately under “Call Items.”)

<i>a.</i> Approval of Minutes of the October 19, 2022 Regular City Council Meeting.....	Page 5
<i>b.</i> Approval of Minutes of the November 1, 2022 Special City Council Meeting.....	Page 8
<i>c.</i> Acceptance of Checkbook Register for October 1-31, 2022 .....	Page 10
10. CALL ITEMS REMOVED FROM CONSENT CALENDAR	
11. PRESENTATION	
12. PUBLIC HEARING	
13. BUSINESS	
<i>a.</i> Resolution 2022-26 Authorizing a One Year Extension of the Franchise Agreement with Recology, Inc .....	Page 15
<i>b.</i> Letter of Interest to Participate in a Regional Capacity with HWMA for Purposes of Organic Processing .....	Page 33
<i>c.</i> Permanent Local Housing Allocation (PLHA) Grants Program .....	Page 35
<i>d.</i> Expenditures and Projects List for Russ Park and Addition of Vault Toilet to the Per Capita Grant.....	Page 39
<i>e.</i> COVID-19 Update and Discussion.....	Page 52
<i>i.</i> Reconfirm Existence of Local Emergency	
<i>ii.</i> Reconfirm findings from Resolution 2021-21 to continue the use of Virtual Meetings <b>OR</b> Adopt Resolution 2022-27 Resuming In-Person Meetings.	
14. CORRESPONDENCE .....	Page 65
15. COMMENTS FROM THE COUNCIL	
16. REPORTS	
<i>a.</i> City Manager Report .....	Page 68
<i>b.</i> Commission and Committee Reports	
<i>i.</i> Planning Commission.....	Page 79
<i>c.</i> Minutes from Joint Power Authorities (JPAs) and Reports	
<i>i.</i> Humboldt County Association of Governments (Sept 2022) .....	Page 81
<i>ii.</i> Redwood Coast Energy Authority (Sept 2022) .....	Page 84
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  
December 21, 2022 at 7:00 pm.**

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

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

## **Section 9**

### **CONSENT CALENDAR**

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

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

**City of Ferndale, Humboldt County, California, U.S.A.**  
DRAFT Minutes for City Council Meeting of October 19, 2022

Mayor Hindley called the Regular City Council Meeting to order at 7:00 pm via Zoom Video Conference. Those present did the flag salute. Present were Council Members Leonard Lund, Stephen Avis, Phillip Ostler, and Robin Smith, along with staff: City Manager Jay Parrish, Police Chief Ron Sligh, City Planner Michelle Nielsen, City Clerk Kristene Hall and Finance/Deputy City Clerk Lauren Boop.

Report out of Closed Session: None

Ceremonial: None

Modifications to the Agenda: None

Report out of Study Session: None

Public Comment: A Russ Park Committee Representative requested that the council consider holding a special meeting to reconsider adding a proposed vault restroom to the Per Capita Grant. The member also asked the special meeting to review the list the Russ Park Committee had come up with for the funding.

A member of the public stated that the Ferndale Community Center is turning 100 years old and added there would be a celebration taking place on October 26<sup>th</sup> from 5pm-7pm and invited everyone to attend.

Consent Calendar: There were four items on the Consent Calendar for approval. There were no questions or comments from the Council or Public.

**MOTION:** to approve the consent calendar. **(Lund/Smith) 4-1-0** (Avis lost connection)

Call Items Removed from Consent Calendar: None

Presentation: None

Public Hearing:

Unmet Transit Needs: City Manager Jay Parrish stated this was an annual review and includes public input to make comments on unmet transit needs. Parrish stated that Steve Luther was present from Humboldt County Association of Government (HCOAG) and turned the discussion over to him. Luther explained that this was a necessary step to administer the Transportation Development Act fund. Luther explained these funds are primarily for transit needs but can be for streets and roads if it is determined that there are unmet transit needs that are unreasonable to meet. Luther explained that all comments received will go through a committee that will recommend to the HCOAG board on the unmet transit needs, and once determined, funds will be released. Mayor Hindley asked the public for comments. There were no comments from the public. Hindley asked for comments from the council. Councilman Lund questioned using the funds for streets and roads. Councilman Avis questioned if the city had questioned bicycle and pedestrian needs. Parrish stated we have used the funds for sidewalks and crossing.

**MOTION:** the city has unmet transit needs that are unreasonable to meet. (Avis/Ostler)  
**Unanimous**

Business:

Resolution 2022-20 Accepting Donation for Russ Park: Mayor Hindley asked for any comments from the public or council. City Clerk Kristene Hall stated the date on the resolution needed to be changed. Councilman Avis stated he appreciated the update on the resolution that included more detail.

**MOTION:** to approve Resolution 2022-20 Accepting a Donation for Russ Park (Avis/Lund)  
**Unanimous**

Permanent Local Housing Allocation (PHLA) Grants Program and Adoption of 5-year Plan: City Planner Michelle Nielsen gave a PowerPoint Presentation regarding the PHLA Program. Nielsen explained that PHLA is a program that provides funding to local government for housing related projects that assists in housing needs in local communities. Nielsen explained that PHLA funds can be utilized for a range of direct assistance to eligible property and homeowners for eligible projects under the guidelines. Nielsen explained that the city would ultimately be the grantor on these funds. Nielsen stated that this is a 5yr program. Nielsen stated that the city's estimated allocation during the 5-yr period would be \$426,906. Nielsen gave options to the council which include adopting the draft 5-yr plan and approve the resolution for the city manager to file the PHLA application; or modify the draft plan with an intent to file the PHLA application. Nielsen added that either option would equal new commitments for the city. Nielsen added that the other options were to delegate the entirety of its allocation to another eligible city or to the county; or to not apply at this time. Parrish stated since the deadline had been extended to November 30, 2022, can the council come back next meeting and be provided with a little more detail. Parrish added the importance of housing for families in Ferndale. Councilman Avis agreed with Parrish. Councilman Avis questioned the status of housing element in relation to the grant application. Nielsen stated the housing element is compliant with the grant opportunity. Avis also questioned the administrative costs. Both Councilman Ostler and Councilman Lund agreed the importance of not leaving money on the table and trying to find ways to use it. Councilman Smith questioned Nielsen's recommendation of the four options given. Nielsen stated that the council should hold a special meeting to further discuss the commitments that will be need before approval. Smith also questioned the ability to have someone at the special meeting or study session that is more versed in the commitments. Councilman Avis stated the importance of holding a special meeting to further discuss this. Nielsen went over the draft 5-yr PHLA plan. Nielsen added the two activities identified in the plan as 1. The rehabilitation of existing adu's and new adu development with priority given to the rehabilitation and 2. Accessibility modifications in low-income owner-occupied housing. Mayor Hindley suggested to adopt the 5yr plan, but to hold off on adopting the resolution until after the special meeting.

**MOTION:** to approve the 5-yr Draft PHLA Plan. (Avis/Ostler) **Unanimous**

Adopt Resolution 2022-24 Authorizing the City Manager to Execute an Agreement for LRSP Funding: There was no comments from the public or council.

**MOTION:** to approve Resolution 2022-24 authorizing the city manager to execute an agreement for the LRSP funding. (Lund/Avis) **Unanimous**

Adopt Resolution 2022-23 Approving the 2022 Drainage Master Plan Update: Mayor Hindley stated the important part of this document is it lists the seven projects with cost estimates. Councilman Avis questioned the what process the city could use to increase revenues for the projects or to match future grant funds. City Manager Parrish stated that the city had been going through the update for about 4 years. Parrish added that property owners pay about \$2 a month for drainage. Parrish stated that this is going to be the same process as with the sewer rate increase, Prop 218, and have study sessions and meetings that go over how much is needed and where the money is going to. Councilman Ostler stated this was a really good Drainage Plan for the city.

**MOTION:** to approve Resolution 2022-23 Approving the Drainage Master Plan update.

**(Ostler/Avis) Unanimous**

COVID 19 Update and Discussion: City Manager Parrish stated that it seems Covid will be here for awhile and we are trying to move on. Parrish also added that he recommends that we continue the zoom meetings at this point. Parrish also briefly explained AB2449 which modifies some Brown Act requirements. Councilman Smith went over some of the numbers and the concerns of holiday get togethers and the added concerns with winter flu season. Smith also explained that people reinfected with covid can sometimes get it worse. A member of the public stated concerns on the hybrid meetings and audio issues. Councilman Avis stated by staying with Zoom, some council may still meet at City Hall and sees this as the best option. City Clerk Hall went over the options and the upcoming AB2449.

**MOTION:** to reconfirm the existence of the local emergency **and** reconfirm the findings of Resolution 2021-21 to continue the use of virtual meetings. **(Smith/Avis) Unanimous**

Correspondence: None

Council Comments: Mayor Hindley thanked the Spirit of Ferndale for putting on a meet the candidates night. Hindley also thanked the candidates for this as well. Councilman Avis stated a special meeting to be held to discuss the PHLA grant and the Russ Park Committee Vault Restroom. Mayor Hindley instructed City Manager Parrish to schedule a special meeting for two items to include the PHLA grant and to reconsider the Vault Restroom for Russ Park on the Per Capita Grant.

Reports:

City Managers Report: None

Other Reports: None

Mayor Hindley Adjourned the Meeting at 8:36 pm

Respectfully submitted

Kristene Hall  
City Clerk

**City of Ferndale, Humboldt County, California, U.S.A.**  
DRAFT Minutes for City Council Special Meeting of November 1, 2022

Mayor Hindley called the Special City Council Meeting to order at 10:00 am via Zoom Video Conference. Those present did the flag salute. Present were Council Members Stephen Avis, Leonard Lund, Phillip Ostler, and Robin Smith, along with staff: City Manager Jay Parrish and City Clerk Kristene Hall

Modifications to the Agenda: None

Business:

Reconsider Vault Restroom for Per Capita Grant: City Manager Parrish stated the city has been working with Russ Park Committee on the approved signage from the per capita grant. Parrish added that staff does not support putting this on the per capita grant due to a lengthy process the city has already been through and has already submitted changes. Parrish also added the time constraints that we could be facing if more changes take place. Parrish also added that once staff is able to do its due diligence on the project, we could support the possibility of the vault restroom if the Russ Park Committee would like to use donation money for it. Councilman Avis question if any money was left over from the per capita grant. Parrish stated as of now, the money is accounted for. Avis also questioned the report date and why it did not appear on the October meeting. Staff stated the report was actually given to them one day before the council meeting and was to late to include in the packet. Councilman Smith questioned the long-term security of the donation. Mayor Hindley stated this should be addressed at the next meeting as this is only to determine if the council would like to reconsider the vault restroom on the per capita grant. Councilman Lund stated he agreed with staff on this. Lund added the council spent a long time discussing the projects and a lot of work and does not want to start over. Lund added that he likes the idea of the vault restroom and is in favor of using the donation. A member of the Russ Park Committee stated that he would like the ability to use any extra funds that may not be utilized to help fund the vault restroom. Consultant Rick Hill stated with having to do CEQA and time restrictions on completion, it may not be possible to add this to the grant. Hill stated he could check into it. Mayor Hindley stated that a lot of time was already put into the projects list for this grant and did not want to add or change things. Russ Park Committee Member stated he understood that the priory list was not wanting to be changed, but is hoping to add the restroom to the list so any leftover money can be put towards it. Consultant Hill stated he would talk to the program manager and see if its possible to pursue the restroom. Hill added the concern might be if there is enough time to do this project. Parrish stated his concerns on CEQA time and costs. Russ Park Committee Member stated the vault restroom that they had looked at was CEQA compliant and that he had meant with some local CEQA experts and they had all stated it should not be a problem or expensive. Councilman Avis stated he thought it could be a mitigated neg dec and not a full EIR. Councilman Ostler stated he didn't think the problem was the vault restroom itself, but the mechanics of adding it to the Per Capita Grant. Ostler added that keeping the per capita grant the same is the best option. Parrish also added that knowing how much is leftover will not be determined until the end of all the project completion, which in turn will not leave any time to complete the vault restroom project. The council further discussed the project and different possibilities. **MOTION:** to not change the Per Capita Grant project list and to ask



Rick Hill to consult with the program manager on the legality to use any addition monies that may not be used. **(Lund/Smith) Unanimous**

Discuss Expenditures List for Russ Park Donation: Russ Park Committee member stated he could answer any questions of items on the list. City Manager Jay Parrish questioned the tractor on the list. The Committee Member stated it was a motorized rubber track carrier that was previously looked at by the council. The member continued to detail that tractor and how it would help with the maintenance. Mayor Hindley asked the council to review the list and bring up any questions and concerns so that it can be an action item at the November regular meeting.

Mayor Hindley Adjourned the Meeting at 11:02 am

Respectfully submitted

Kristene Hall  
City Clerk

**Bank Account Register**

General Checking

October 1, 2022 - October 31, 2022

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
			Beginning Balance			973,997.01
10/01/22		JAY PARRISH	JAY PARRISH	400.00		973,597.01
10/01/22	56230	CHACO	CHAMBER OF COMMERCE	7,766.17		965,830.84
10/01/22	56231	CITFO	CITY OF FORTUNA	3,216.66		962,614.18
10/01/22	56232	MIRRE	MIRANDA'S RESCUE	450.00		962,164.18
10/01/22	56233	SECURITYLOC	SECURITY LOCK AND ALARM	109.50		962,054.68
10/01/22	56234	VANESSA	VANESSA HUERTA	200.00		961,854.68
10/03/22	56235	ARNKE	ARNOLD C. KEMP	2,520.34		959,334.34
10/04/22		FIRST WEST	FIRST WESTERN EQUIPMENT FINANCE	950.45		958,383.89
10/06/22		EXPERTPAY	EXPERTPAY.COM	138.46		958,245.43
10/06/22	1001		PARRISH, JAY D	2,709.01		955,536.42
10/06/22	1002		HALL, KRISTENE M	1,824.85		953,711.57
10/06/22	1003		BOOP, LAUREN	1,332.78		952,378.79
10/06/22	1004		SLIGH, RONALD B	2,023.23		950,355.56
10/06/22	1005		LINDGREN, ROBERT C	1,504.14		948,851.42
10/06/22	1006		MENDES, ALAN SCOTT	336.91		948,514.51
10/06/22	1007		CERVANTES, CESAR E	1,250.85		947,263.66
10/06/22	1008		GARDNER, TANNER W	1,408.83		945,854.83
10/06/22	1009		MCNEILL, LOGAN D	1,332.39		944,522.44
10/06/22	1010		COPPINI, STEVE L	2,621.61		941,900.83
10/06/22	1011		GARDNER, SHAWN C	1,401.06		940,499.77
10/06/22	1012		LIU, CARSON B	1,289.85		939,209.92
10/06/22	1013		HOPPIS, JOHNNY F	1,832.26		937,377.66
10/06/22	1014		SUTTON, DANIEL V	59.40		937,318.26
10/06/22	1015		GARDNER, HUNTER C	127.75		937,190.51
10/06/22	1016		RICHARDSON, DIANNA L	127.75		937,062.76
10/06/22	56236		FRANCESCHI, DAVID A	1,309.43		935,753.33
10/06/22	56237	FEPEA	FEPEA	72.50		935,680.83
10/06/22	56238	FRATB	FRANCHISE TAX BOARD	559.83		935,121.00
10/07/22			100722STCAL		3,521.01	938,642.01
10/11/22		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,372.14		937,269.87
10/11/22		USTREASURY	UNITED STATES TREASURY	7,434.53		929,835.34
10/12/22	56239	ACCESS	ACCESS HUMBOLDT	180.00		929,655.34
10/12/22	56240	ALTBU	ALTERNATIVE BUSINESS CONCEPTS	141.98		929,513.36
10/12/22	56241	AQBC	AQUA BEN CORPORATION	1,100.67		928,412.69
10/12/22	56242	CITFO	CITY OF FORTUNA	725.00		927,687.69
10/12/22	56243	DOWNEYBRAND	DOWNEY BRAND	480.00		927,207.69
10/12/22	56244	EEL TRANS	EEL RIVER TRANSPORTATION & SALVAGE	92.23		927,115.46
10/12/22	56245	ENGLUND	ENGLUND MARINE & INDUSTRIAL SUPPLY	155.68		926,959.78
10/12/22	56246	FDAC	FDAC EBA	9,130.24		917,829.54
10/12/22	56247	FORIR	FORTUNA IRON CORPORATION	1,680.00		916,149.54
10/12/22	56248	GEOGL	GEORGE'S GLASS SHOP	656.00		915,493.54
10/12/22	56249	HUMTI	HUMMEL TIRE & WHEEL, INC	118.29		915,375.25
10/12/22	56250	LCACT	LC ACTION POLICE SUPPLY	150.85		915,224.40
10/12/22	56251	MENSU	MENDES SUPPLY CO.	1,198.06		914,026.34
10/12/22	56252	MISLI	MISSION LINEN & UNIFORM SERVICE	21.58		914,004.76
10/12/22	56253	NILCO	NILSEN COMPANY	535.44		913,469.32
10/12/22	56254	NORCO	NORTH COAST LABORATORIES LTD.	255.00		913,214.32
10/12/22	56255	NRTHC	NORTHCOAST PUMPHOUSE	674.95		912,539.37
10/12/22	56256	PACGA	PACIFIC GAS & ELECTRIC	1,167.88		911,371.49
10/12/22	56258	RECOLOGY	RECOLOGY	497.35		910,874.14
10/12/22	56259	RON SLIGH	RON SLIGH	89.40		910,784.74
10/12/22	56260	SDRMA	SPECIAL DISTRICT RISK MGMT AUTHORITY	563.67		910,221.07
10/12/22	56261	MITCHELL	THE MITCHELL LAW FIRM, LLP	920.00		909,301.07
10/12/22	56262	TIPMO	TIPPLE MOTORS, INC.	2,409.19		906,891.88
10/12/22	56263	USBANK	US BANK	3,744.92		903,146.96
10/12/22	56264	VALLU	VALLEY LUMBER	290.41		902,856.55

**Bank Account Register**

General Checking

October 1, 2022 - October 31, 2022

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
10/12/22	56265	VAPAC PETRO	VALLEY PACIFIC PETROLEUM SERVICES, INC.	910.25		901,946.30
10/12/22	56266	VERZN	VERIZON WIRELESS	124.51		901,821.79
10/12/22	56268	VERZN	VERIZON WIRELESS	97.27		901,724.52
10/12/22	56269	HILFIKER	HILFIKER PIPE COMPANY	931.25		900,793.27
10/12/22	56270	FERNTECH	DEMETRIUS DISTEFANO	221.00		900,572.27
10/17/22	56271	AEROM	AERO-MOD	696.19		899,876.08
10/17/22	56272	CIRA	CIRA	9,523.00		890,353.08
10/17/22	56273	HUMTE	HUMBOLDT TERMITE & PEST	52.00		890,301.08
10/17/22	56274	PERFORMA	PERFORMA LABS	125.00		890,176.08
10/17/22	56275	WELF(\$106)	WELLS FARGO FINANCIAL LEASING	106.46		890,069.62
10/20/22		EXPERTPAY	EXPERTPAY.COM	138.46		889,931.16
10/20/22	1001		PARRISH, JAY D	2,709.02		887,222.14
10/20/22	1002		HALL, KRISTENE M	1,684.21		885,537.93
10/20/22	1003		BOOP, LAUREN	1,277.80		884,260.13
10/20/22	1004		ALAMEDA, RENAE MARY	255.50		884,004.63
10/20/22	1005		SLIGH, RONALD B	2,023.23		881,981.40
10/20/22	1006		LINDGREN, ROBERT C	1,504.13		880,477.27
10/20/22	1007		MENDES, ALAN SCOTT	280.02		880,197.25
10/20/22	1008		CERVANTES, CESAR E	1,222.16		878,975.09
10/20/22	1009		GARDNER, TANNER W	1,281.15		877,693.94
10/20/22	1010		MCNEILL, LOGAN D	1,520.49		876,173.45
10/20/22	1011		COPPINI, STEVE L	2,621.60		873,551.85
10/20/22	1012		GARDNER, SHAWN C	1,406.83		872,145.02
10/20/22	1013		LIU, CARSON B	1,029.79		871,115.23
10/20/22	1014		HOPPIS, JOHNNY F	1,832.27		869,282.96
10/20/22	1015		SUTTON, DANIEL V	278.87		869,004.09
10/20/22	1016		GARDNER, HUNTER C	127.75		868,876.34
10/20/22	1017		RICHARDSON, DIANNA L	127.75		868,748.59
10/20/22	56276		FRANCESCHI, DAVID A	1,309.44		867,439.15
10/20/22	56277	FEPEA	FEPEA	72.50		867,366.65
10/20/22	56278	FRATB	FRANCHISE TAX BOARD	554.06		866,812.59
10/24/22			102422STCAL		24,430.66	891,243.25
10/24/22	56279	AEROM	AERO-MOD	379.44		890,863.81
10/24/22	56280	EDGMON	AYCOCK & EDGMON	4,242.00		886,621.81
10/24/22	56281	SEQGA	BLUESTAR/SEQUOIA GAS COMPANY	342.07		886,279.74
10/24/22	56282	CHEMDRY	CHEMDRY	190.00		886,089.74
10/24/22	56283	FORIR	FORTUNA IRON CORPORATION	6,200.00		879,889.74
10/24/22	56284	FRONT	FRONTIER	553.95		879,335.79
10/24/22	56285	MERFR	MERCER FRASER COMPANY	257.48		879,078.31
10/24/22	56286	ONTIV	ONTIVEROS & ASSOCIATES, INC.	2,015.00		877,063.31
10/24/22	56287	PACGA	PACIFIC GAS & ELECTRIC	6,365.91		870,697.40
10/24/22	56288	PERFORMA	PERFORMA LABS	375.00		870,322.40
10/24/22	56289	PLANWEST	PLANWEST PARTNERS, INC.	12,485.00		857,837.40
10/24/22	56290	SUNBELT	SUNBELT RENTALS, INC.	116.21		857,721.19
10/24/22	56291	WELLS(\$206)	WELLS FARGO VENDOR FIN SERV	206.67		857,514.52
10/24/22	56292	DELOR	DEL ORO WATER CO., FDLE. DIST.	621.38		856,893.14
10/25/22		USTREASURY	UNITED STATES TREASURY	7,319.04		849,574.10
10/25/22		EDD	EMPLOYMENT DEVELOPMENT DEPT	1,332.03		848,242.07
10/25/22	56293	EDWJO	EDWARD JONES & COMPANY	13,051.38		835,190.69
10/27/22			102122STCAL		2,612.60	837,803.29
10/27/22			102722DEPOSIT		402,786.18	1,240,589.47
10/31/22		EDD	EMPLOYMENT DEVELOPMENT DEPT	424.75		1,240,164.72
10/31/22	56295	CBSCO	CA BUILDING STANDARDS COMM.	22.40		1,240,142.32
10/31/22	56296	DEPCO	DEPARTMENT OF CONSERVATION	63.50		1,240,078.82
10/31/22	56297	DSA	DIVISION OF THE STATE ARCHITECT	24.00		1,240,054.82
10/31/22	56298	HUMLODGING	HUMBOLDT LODGING ALLIANCE, INC	9,428.74		1,230,626.08

**Bank Account Register**

General Checking

October 1, 2022 - October 31, 2022

Date	Reference	Payee ID	Description	Checks/ Payments	Deposits/ Additions	Balance
10/31/22	56299	MISLI	MISSION LINEN & UNIFORM SERVICE	21.58		1,230,604.50
10/31/22	56300	NORCO	NORTH COAST LABORATORIES LTD.	260.00		1,230,344.50
10/31/22	56301	OPTIMUM	OPTIMUM	981.61		1,229,362.89
10/31/22	56302	PACGA	PACIFIC GAS & ELECTRIC	1,167.88		1,228,195.01
10/31/22	56303	R HILL	RICHARD E. HILL	2,175.00		1,226,020.01
10/31/22	56304	RON SLIGH	RON SLIGH	163.82		1,225,856.19
10/31/22	56305	SHARP	SHARP AUTO GRAPHICS & SIGNS INC	950.00		1,224,906.19
10/31/22	56306	TRIAD	TRIAD INC	1,900.00		1,223,006.19
10/31/22	56307	USBANK	US BANK	2,606.93		1,220,399.26
10/31/22	56308	VERZN	VERIZON WIRELESS	97.00		1,220,302.26
10/31/22	56309	SUP INSTALL	SUPERIOR INSTALLS	3,438.39		1,216,863.87
10/31/22	56310	VERZN	VERIZON WIRELESS	124.40		1,216,739.47
10/31/22	56311	FERNTECH	DEMETRIUS DISTEFANO	221.00		1,216,518.47
10/31/22	56315	TAXCO	HUMBOLDT COUNTY TAX COLLECTOR	5,981.08		1,210,537.39
			<b>Totals</b>	<u>196,810.07</u>	<u>433,350.45</u>	<u>1,210,537.39</u>

Transaction count = 126

<b>OCTOBER 2022 Deposit Recap</b>	<b>10/7/2022</b>	<b>10/21/2022</b>	<b>10/24/2022</b>	<b>10/27/2022</b>		
RETAIL TAX			24,430.66			24,430.66
HIGHWAY USER TAX/VEHICLE LICENSE FEES/RMRA	3,521.01	2,612.60		76,265.43		82,399.04
BUSINESS LIC				215.00		215.00
ANIMAL LIC				145.00		145.00
BUILDING RENTS				645.00		645.00
PERMITS				695.78		695.78
TOT				14,590.84		14,590.84
HEALTH INSPECTIONS				175.00		175.00
HCAOG - RSTP						-
RECYCLING GRANT				20,000.00		20,000.00
PARSAC - GRANT / OTHER						-
COUNTY OF HUMBOLDT-STREETS & ROADS						-
SEPTIC DUMPS / SEWER REVENUE				7,056.00		7,056.00
FRANCHSE FEES				1,586.36		1,586.36
HUMBOLDT CTY - COPS				75,050.12		75,050.12
DONATIONS - Russ Park				100,000.00		100,000.00
POLICE SERVICES				155.00		155.00
SMALL MISC				152.67		152.67
DRAINAGE FEES				64.00		64.00
COUNTY OF HUMBOLDT-PROPERTY TAXES				43,299.45		43,299.45
COUNTY OF HUMBOLDT-SEWER				62,577.84		62,577.84
COUNTY OF HUMBOLDT-INTEREST INCOME				112.69		112.69
STATE - CAL TRANS - STREET SWEEP						-
RCEA - reimb CAP expenses						-
						-
	3,521.01	2,612.60	24,430.66	402,786.18	-	433,350.45

**Section 10**

**CALL ITEMS**

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

**Section 11**

**PRESENTATION**

**Section 12**

**PUBLIC HEARING**

**Section 13**

**BUSINESS**

Meeting Date:	November 16, 2022	Agenda Item Number	13. a
Agenda Item Title	Resolution 2022-26 Authorizing a One-Year Extension of the Franchise Agreement with Recology, Inc		
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**

Approve Resolution 2022-26 Authorizing a One-Year Extension of the Franchise Agreement with Recology, Inc. extending the agreement until December 31, 2023.

**BACKGROUND:**

The City's current Franchise Agreement with Recology, Inc is set to expire on December 31, 2022. With new laws going into effect that will require change to collection, time is needed to research and to negotiate a new agreement with improved provisions and updated collection services. The draft agreement extension also contains an amendment which allows for limited additional city can pick-ups at the request of the City Manager to accommodate for increased public use during special events in Ferndale.

**FISCAL IMPACT:**

None

City of Ferndale  
Collection Services  
&  
Franchise  
Agreement  
Extension





# Agenda

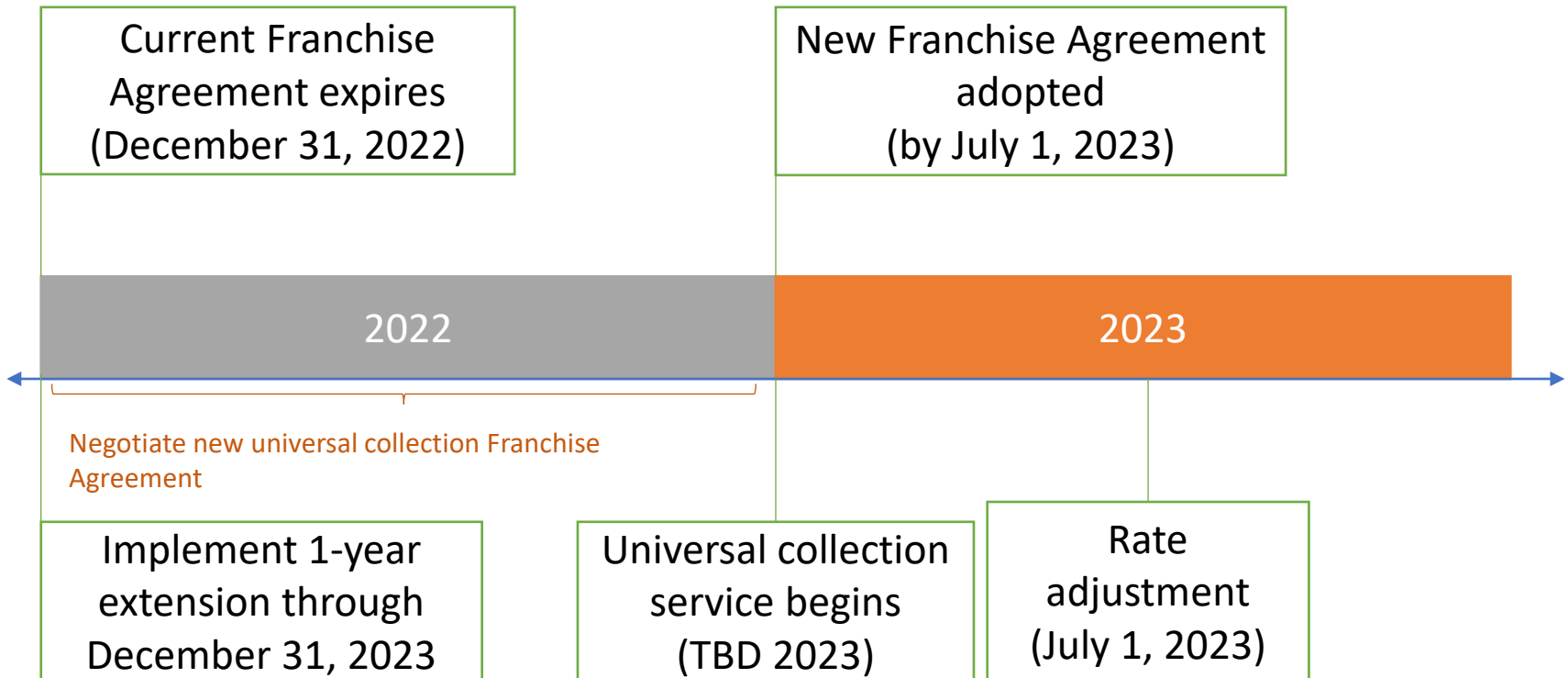
1. Franchise Agreement Extension

2. Collection Services Discussion

3. Council Direction

- Last Year, a 1-year extension through December 31, 2022
- Request 1-year extension, December 31, 2023
- Opportunity to negotiate a new agreement with improved provisions and updated collection services
- Timing will be in tandem with Fortuna and Rio Dell, allowing Ferndale to realize significant cost savings

# Franchise Agreement Extension Timeline



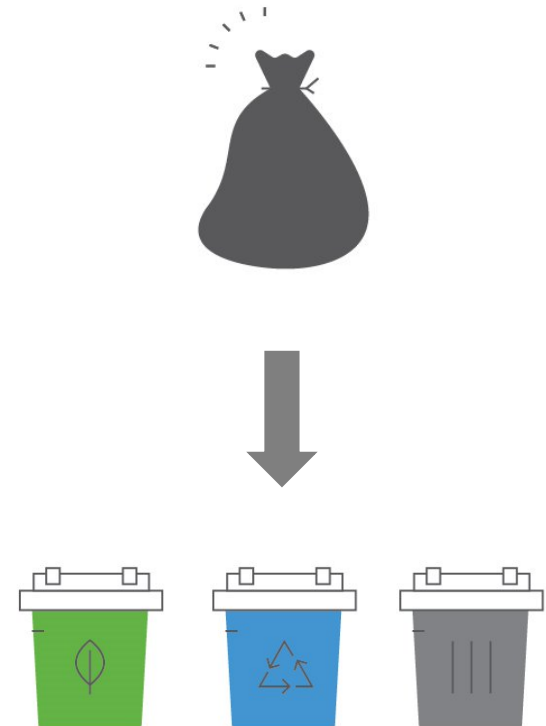
# Universal Collection Overview

## What is universal collection?

- Universal collection requires that all households and businesses have garbage service

## Why now?

- Regional efficiencies & cost savings
- Franchise Agreement extension required
- Improved rate mechanisms
- Regulatory drivers
- Nuisance abatement



- Universal collection is a necessary step towards complying with AB 341, AB 1826, and AB 939
- Universal collection will align Ferndale with other jurisdictions in Humboldt County and will prepare the City to comply with SB 1383 in the coming years
- In general, universal collection results in cost savings vs. self-haul

# Cost Comparison

- At current 32-gallon rates, residents who conduct weekly self-haul will see both time and cost savings

32-gallon MSW rates	\$29.38/month
Weekly self-haul @ \$12 minimum fee	\$52/month

# Why Now?

## Regional Efficiencies & Cost Savings

- Ferndale has an opportunity to realize cost savings and efficiencies by implementing universal collection in tandem with Fortuna and Rio Dell
  - Fortuna is required to adopt new agreement → savings on attorney fees
  - Equipment costs offset by Fortuna and Rio Dell



## Franchise Agreement Extension & Improvements

- Ferndale's current agreement expires this year – ideal timing to extend for 1 year and negotiate a new agreement in 2023
- Updated rate methodology – allows for periodic rate reviews and simplified rate adjustments and transparency

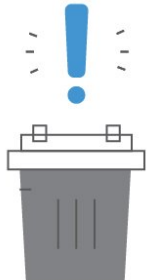
# Why Now? (cont.)

## Opportunity to Address Problem Areas

- Universal collection significantly reduces nuisance and code enforcement issues such as illegal dumping
- Opportunity to increase services for city cans

## Regulatory Drivers

- CalRecycle is beginning enforcement of AB 341 and AB 1826
- CalRecycle enforcement of SB 1383 began January 1, 2022
  - Ferndale can receive a waiver, but will eventually need to comply





# Regulatory Drivers

Commercial-specific



CalRecycle beginning enforcement on these

- **AB 341:** Requires businesses that generate 4 cubic yards or more of garbage per week and MFD to arrange for recycling services. Goal of 75% reduction by 2020
- **AB 1826:** Requires business with 2 cubic yards or more of organic waste to arrange for organics collection services

General public

- **AB 939:** Required each city or county to achieve 50% diversion by 2000
- **SB 1383:** Went into effect January 1, 2022; requires nearly all generators to arrange for organics collection services

# Next Steps

Discussion

Staff Recommendation

- Council approves Franchise Agreement extension through December 31, 2023

Direction from Council

# Questions?



**RESOLUTION 2022-26****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE  
AUTHORIZING A ONE YEAR EXTENSION OF THE FRANCHISE  
AGREEMENT WITH RECOLOGY, INC**

**WHEREAS**, the City of Ferndale's current Franchise Agreement with Recology, Inc. expires December 31, 2022; and

**WHEREAS**, new laws are going into effect that will change requirements on collection; and

**WHEREAS**, in order to research these changes, and allow time to negotiate a new agreement with improved provisions and updated collection service, a one-year extension is required and extended to December 31, 2023.

**WHEREAS**, City and Contractor desire to modify the Agreement to account for changes in services levels required by City for collection and disposal of solid waste from City owned containers;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ferndale does authorize a one-year extension on the current Franchise Agreement with Recology, Inc., and extending the agreement to December 31, 2023 and Section 1.04 of the Franchise Agreement is hereby amended to read in its entirety as follows:

"The term of this Agreement shall be for a period beginning July 1, 1991 and terminating December 31, 2023."

2. Section 2.01.04.07 of the Franchise Agreement is hereby amended to read in its entirety as follows:

"Contractor shall provide collection service at the locations and frequencies identified on Exhibit E at no charge to City. Contractor shall provide additional collection services to City beyond what is set forth in Exhibit E upon request from City and Contractor shall recover its costs for performance of such services through a corresponding rate adjustment that will compensate Contractor for the aggregate value of such services at the then applicable Service Rates set forth on Exhibit D. This rate adjustment shall become effective July 1 of each year and shall cover all services provided in excess of those described in Exhibit E during the twelve-month period ending April 30 of each year (Contractor shall receive a rate adjustment that is effective July 1, 2023 that is equal to the value of collection services provided to City between April 1, 2022 and April 30, 2023 that are in excess of those on Exhibit E). For the avoidance of doubt, the rate adjustment provided for in this section is over and above any other rate adjustment made pursuant to the terms of this Agreement."

**PASSED AND ADOPTED** on this 16th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
Don Hindley, Mayor

\_\_\_\_\_  
Kristene Hall, City Clerk

FOURTH AMENDMENT TO  
SOLID WASTE AND CURBSIDE RECYCLING  
FRANCHISE AGREEMENT

This Fourth Amendment to Solid Waste and Curbside Recycling Franchise Agreement (this “Amendment”) is made and entered into as of December \_\_\_\_, 2022 by and between the City of Ferndale (“City”) and Recology Eel River (f/k/a Eel River Disposal Company, Inc.), a California corporation (“Contractor”).

WHEREAS, City and Contractor are parties to a Solid Waste and Curbside Recycling Franchise Agreement entered into on or about February 2000, which was amended by an amendment effective January 1, 2007, a second amendment dated August 29, 2018, and a third amendment dated December 2, 2021 (such agreement as so amended, the “Franchise Agreement”);

WHEREAS, the term of the Franchise Agreement expires December 31, 2022, and the parties which to extend the term by one year, to allow for negotiation of a new agreement and associated rates and services;

WHEREAS, City and Contractor desire to modify the Franchise Agreement to compensate Contractor for changes in services levels required by City for collection and disposal of solid waste from City owned containers;

NOW, THEREFORE, IT IS AGREED as follows:

1. Section 1.04 of the Franchise Agreement is hereby amended to read in its entirety as follows:

“The term of this Agreement shall be for a period beginning July 1, 1991 and terminating December 31, 2023.”

2. Section 2.01.04.07 of the Franchise Agreement is hereby amended to read in its entirety as follows:

“Contractor shall provide collection service at the locations and frequencies identified on Exhibit E at no charge to City. Contractor shall provide additional collection services to City beyond what is set forth in Exhibit E upon request from City and Contractor shall recover its costs for performance of such services through a corresponding rate adjustment that will compensate Contractor for the aggregate value of such services at the then applicable Service Rates set forth on Exhibit D. This rate adjustment shall become effective July 1 of each year and shall cover all services provided in excess of those described in Exhibit E during the twelve-month period ending April 30 of each year (Contractor shall receive a rate adjustment that is effective July 1, 2023 that is equal to the value of collection services provided to City between April 1, 2022 and April 30, 2023 that are in excess of those on Exhibit E). For the avoidance of doubt, the rate adjustment provided for in this section is over and above any other rate adjustment made pursuant to the terms of this Agreement.”

3. The parties agree that Exhibit E attached hereto accurately reflects the terms of Exhibit E to the Franchise Agreement and that the rate adjustment described in Section 2.01.04.07 of the Franchise Agreement shall be calculated based on the attached Exhibit E.

4. Except as expressly set forth in this Amendment, the Franchise Agreement shall remain in full force and effect. In the event of any conflict between this Amendment and the Franchise Agreement, this Amendment shall govern. Unless the context otherwise requires, all references in this Amendment to sections refer to sections of the Franchise Agreement. This Amendment may be executed in counterparts and by electronic signature (e.g. DocuSign).

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

City of Ferndale

Recology Eel River

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Name: Salvatore M. Coniglio  
Its: CEO

Exhibit E  
City Services

1. Ten cans on Main Street – once per week.
2. Two 55-gallon cans at Public Works on Francis Street – once every other week.



Meeting Date:	November 16, 2022	Agenda Item Number	13. b		
Agenda Item Title	Approve Letter of Interest to Participate in a Regional Capacity with Humboldt Waste Management Authority (HWMA) for Purposes of Organic Processing				
Presented By:	City Manager				
Type of Item:	X	Action		Discussion	Information
Action Required:		No Action		Voice Vote	X Roll Call Vote

**RECOMMENDATION:**

Approve Letter of Interest and direct the City Manger to sign and submit.

**DISCUSSION:**

CalRecycle's SB 1383 regulations require local governments to reduce landfill disposal of organic waste by 75 percent by 2025 and to increase edible food waste recovery by 20 percent. This is to be accomplished by implementing universal curbside organics recycling and recovering edible food from certain business types.

Our region currently lacks the infrastructure necessary for curbside collection of organics and the Solid Waste Local Taskforce (SWLTF) has worked regionally to create a roadmap to address the tasks necessary to implement an organics program. A vital step in that roadmap is securing a pre-processing facility for organic waste

The Humboldt Waste Management Authority (HWMA) has expressed interest in creating this facility. The HWMA board has requested that each jurisdictions governing body submit a letter of interest that HWMA act in a regional capacity for purposes of organics processing, and be willing to support an amendment to HWMA's JPA to secure flow control of organic waste.

Staff recommends that the attached letter of interest be approved and sent to the HWMA chair.

**FISCAL IMPACT:**

None

**CITY OF FERNDALE**

POB 1095

FERNDALE, CA 95536

*"A Historic Victorian Village"*

November 16, 2022

Leslie Castellano, Chair  
Humboldt Waste Management Authority  
1059 W. Hawthorne Street  
Eureka, CA 95501

**SUBJECT; Letter of Interest from the City of Ferndale that the Humboldt Waste Management Authority (HWMA) Act in a Regional Capacity for Purposes of Organics Processing.**

Dear Chair Castellano,

As a member of the Humboldt Waste Management Authority, the City of Ferndale recognizes the importance of jurisdictions working together and believe that the City of Ferndale and all jurisdictions would benefit from a regionalized approach regarding organic waste and SB 1383 compliance.

We believe HWMA is the best organization for this and support HWMA acting in a regional capacity for the purpose of organics processing, and support an amendment to the Joint Powers Agreement to secure flow control of source separated organics. The City of Ferndale also encourages non-member jurisdictions to consider initiating steps to join the HWMA.

The City of Ferndale remains committed to a regionalized approach to organics, and looks forward to working with HWMA and its members to develop the infrastructure necessary to accomplish those goals to better serve our residents.

Jay Parrish  
City Manager  
City of Ferndale

Meeting Date: November 16, 2022			Agenda Item Number: 13.c			
Agenda Item Title: Permanent Local Housing Allocation (PLHA) Grants Program						
Presented By: Michelle Nielsen, City Planner						
Type of Item:	X	Action	X	Discussion		Information
Action Required:		No Action		Voice Vote	X	Roll Call Vote

**SUBJECT:**

Follow up to the City Council's October 19, 2022, request for more information about the costs and commitments associated with undertaking the Permanent Local Housing Allocation (PLHA) Grant Program.

**STAFF RECOMMENDATION:**

That the City Council:

1. Receive the staff report on the Permanent Local Housing Allocation (PLHA) Grants Program,
2. Receive comments from the public on the PLHA Grants Program,
3. Provide staff direction on one of three options in the Conclusion section found at the end of this staff report.

**BACKGROUND:**

In August 2022, the State of California Department of Housing and Community Development (HCD) released a Notice of Funding Availability (NOFA) for the Permanent Local Housing Allocation (PLHA). The purpose of the PLHA program is provide to a permanent, on-going source of funding to local governments for housing-related projects and programs that assist in addressing the unmet housing needs of their local communities. PLHA funding is on a five-year cycle and State allocates the PLHA funding annually based on a formula. The formula allocation is non-competitive, and cities and counties apply annually for their formula allocation. Table 1 presents Ferndale's allocation. For 2019 through 2020, Ferndale's PLHA allocation is known. For years 2022 and 2023, the City's allocation is unknown, however, because it is based on the total receipts paid into the State's PLHA fund. In October 2022, HCD advised jurisdictions that the 2022 allocation is anticipated to be less due to inflation and a slowdown in home sales. Therefore, Ferndale's five-year total of \$426,900 is an estimate.

**Table 1**

Ferndale Allocation	PLHA Allocation	5% Administration	Remaining \$ after 5% for Admin.	Appropriation Date	Award Deadline	Expenditure Deadline
2019 Allocation:	\$71,150.00	\$3,557.50	\$67,592.50	7/1/2019	April 2023	4/30/2024
2020 Allocation:	\$108,994.00	\$5,449.70	\$103,544.30	7/1/2020	April 2024	4/30/2025
2021 Allocation:	\$121,739.00	\$6,086.95	\$115,652.05	7/1/2021	April 2025	4/30/2026
2022 Allocation:	TBD	TBD	TBD	7/1/2022	April 2026	4/30/2027
2023 Allocation:	TBD	TBD	TBD	7/1/2023	April 2027	4/30/2028
<b>Subtotal for Yrs. 2019, 2020 &amp; 2021</b>	<b>\$301,883.00</b>	<b>\$15,094.15</b>	<b>\$286,788.85</b>			
<b>Estimated 5-Year PLHA Allocation:</b>	<b>\$426,906.00</b>	TBD	TBD			

On October 19, 2022, the City Council approved the Permanent Local Housing Allocation (PLHA) 5-Year Plan, adopted Resolution 2022-25 which directs and authorizes City staff to prepare and file Ferndale's PLHA application with HCD by November 30, 2022. Ferndale's approved 5-Year PLHA plan outlines two housing assistance programs that are consistent with the State PLHA program:

1. The rehabilitation of existing ADUs and new ADU development, where the main residence is owner-occupied. Resulting ADU units are to be rented to moderate- or lower-income households for period of five years.
2. Accessibility modifications in Lower-income Owner-occupied housing.

On October 19<sup>th</sup>, the Council also requested staff to return for a study session for the purpose of providing the Council with more information about the costs and commitments the City would be taking on with advancing a PLHA grant application. Ideally a subject matter expert would provide information to the Council. Since October 19<sup>th</sup>, staff has consulted with staff of other jurisdictions who have either administered similar programs or have been part of a larger housing grant team, but staff was unable to collect this information in time to have a separate study session. The primary purpose of this staff report is to share with the City Council and residents of Ferndale the new information that staff has learned since October 19<sup>th</sup> and for the City Council to provide direction to staff.

### **PLHA COMMITMENTS AND COSTS**

The PLHA program funding is starkly different from other State housing grants that the City has received in recent years:

1. SB 2 Planning Grants (SB 2),
2. Local Early Action Planning (LEAP) grant, and
3. Regional Early Action Planning (REAP) grants

The purpose of these three grant programs is to help jurisdictions improve housing production in their community by amending and updating their regulatory documents, completing technical studies, creating technical assistance programs to remove procedural barriers, etc. Ferndale earmarked their SB 2, LEAP, and REAP funds for completing an update of the City's drainage master plan, updating the Land Use Element (LUE) of General Plan, completing an environmental impact report (EIR) for the LUE and the Safety Element updates, developing an accessory dwelling unit (ADU) toolkit for residents, etc.

PLHA funding cannot be used for planning purposes. PLHA funds must be used to provide direct assistance to qualifying homeowners or developers who undertake qualifying projects. Providing direct assistance to homeowners or developers puts a city or county into the role of the grantor. A grantor administering a PLHA program is responsible for performing the following activities (not an exhaustive list):

- Develop the housing assistance program's rules and procedures (referred to as program guidelines) for the city. This includes deciding how to procure projects from residents, e.g., establishing an over-the-counter process and/or competitive notices of funding availability. These rules and procedures must be consistent with State's PLHA program rules and procedures.
- Solicit and evaluate project proposals for conformance with the rules.
  - Many PLHA activities are income qualified. This means the income of applicants must be verified. Income verification typically includes review individual tax returns.
- Develop legal agreements, loan documents (if applicable), and covenants (if applicable) that comply with State requirements. Many of these documents must be recorded.
  - In the case of real property loans, before issuing loans it is necessary to obtain a title report and to review existing liens. It is necessary to determine what type of liens are acceptable and liens that

are not acceptable due to risk (for example, Humboldt County will not loan on property with existing lien for unpaid property taxes).

- Awarding qualifying projects and entering into legal agreements with awardees.
- Monitoring to ensure the project comes to fruition within the timeline.
- Post-construction annual monitoring with the homeowner/development of a specified duration. The duration of the monitoring period is dependent on the type of project. For example, an ADU construction or rehabilitation project would have a five-year monitoring period to ensure the unit is being rented to an income qualified household. For multifamily rental projects, the monitoring period is 55 years.
- Prepare and submit annual reports to the State.
- Implement record retention procedures and practices that are sufficient for auditing purposes and meet confidentiality requirements due to the sensitive nature of the information.

PLHA is boon for a city or county with an existing housing assistance program. These jurisdictions use PLHA to supplement their existing housing programs or provide additional funding for an affordable housing project that is already moving through their pipeline. Cities (and counties) that do not have existing housing assistance programs, however, taking on PLHA funding commits that city to building a housing assistance program from the ground up, and shouldering many new obligations as described above. This latter scenario is where the City of Ferndale finds itself.

The activities for administering a successful and compliant PLHA program requires the skills of a qualified professional. Retaining a professional administrator may be accomplished by:

- Hiring a city employee for the position.
- Procuring a qualified vendor
- Entering into an agreement with another jurisdiction with staff capacity for the PLHA role.

Clearly all the above options entail new unanticipated costs for the City. The unanswered question (as of the writing of this report) is how much of these costs can be covered by the PLHA grant program? In realm of government housing grants there are two major categories for costs:

1. Administrative costs.
2. Activity delivery costs.

PLHA has rules for these two costs categories. An important rule of the PLHA program is that administrative costs (sometimes referred to as general administration or "GA") are capped at five (5) percent of the City's PLHA allocation. Table 2 below presents the amount of money available for Ferndale's administrative costs. The total amount available for 2019-2022 totals \$15,094.15, which is insufficient to cover the City's costs to build a compliant PLHA housing assistance program from the ground up.

Activity delivery are costs incurred for carrying out eligible activities and are not subject to the 5 percent cap. HCD's published PLHA program materials provide little guidance as to what constitutes activity delivery, unfortunately. In the case of the federal Community Development Block Grant (CDBG) program, many of the activities described above, e.g., developing a program's rules and procedures; soliciting and evaluating project proposals for conformance with the rules; and developing legal documents, are not categorized as activity delivery, and must be paid out of funds allocated to administrative costs. Another reality of government grant programs is the rules governing whether an expenditure constitutes an activity delivery cost or an administrative cost varies from grant program to grant program. This creates further uncertainty and risk for a city that must build a housing assistance program from the ground up. It increases the importance for having a clear understanding from HCD on how the City's costs will be paid for.

Table 2

<b>Ferndale Allocation</b>	<b>PLHA Allocation</b>	<b>5% Administration</b>	<b>Remaining \$ after 5% for Admin.</b>
2019 Allocation:	\$71,150.00	\$3,557.50	\$67,592.50
2020 Allocation:	\$108,994.00	\$5,449.70	\$103,544.30
2021 Allocation:	\$121,739.00	\$6,086.95	\$115,652.05
2022 Allocation:	TBD	TBD	TBD
2023 Allocation:	TBD	TBD	TBD
<b>Subtotal for Yrs. 2019, 2020 &amp; 2021</b>	<b>\$301,883.00</b>	<b>\$15,094.15</b>	<b>\$286,788.85</b>
<b>Estimated 5-Year PLHA Allocation:</b>	<b>\$426,906.00</b>	TBD	TBD

As of the writing of this report, staff is awaiting clarification from HCD on the question of how much of the costs to build the two housing assistance programs would be covered by the PLHA grant program. As mentioned earlier, the two housing assistance programs the City would be creating are per the approved 5-Year PLHA Plan:

1. The rehabilitation of existing ADUs and new ADU development, where the main residence is owner-occupied. Resulting ADU units are to be rented to moderate- or lower-income households for period of five years.
2. Accessibility modifications in Lower-income Owner-occupied housing.

If a significant amount of the costs would be categorized as activity delivery, then PLHA may be an opportunity for Ferndale because more funding would be available to defray the costs the City would incur. However, if HCD advises the costs incurred to develop these two PLHA housing programs are strictly administrative, then it is unlikely the benefits would outweigh the costs the City would incur to create the PLHA programs.

## CONCLUSION

While the PLHA program may be an opportunity for the City, it remains unknown if the benefits of undertaking a PLHA outweigh the real costs and new commitments it creates for the City. Because of the rules of how PLHA funds can be used, it is not guaranteed that PLHA funds will result in ADU units for families. The following range of options for proceeding may be considered by the City Council:

1. Elect to not apply for the City's 2019 allocation, and to wait and apply in 2023 for the City's 2020 PLHA allocation when HCD opens the NOFA period. Should the Council elect this option, staff recommends that prior to the 2023 NOFA period, the Council further explore the options, including the costs, for retaining a qualified professional or vendor to develop and administer a PLHA program.
2. If new information is available indicating that a significant amount of the costs that the City would incur to develop Ferndale's PLHA housing assistance programs as outlined in the adopted 5-Year PLHA Plan, approved on October 19, 2022, by Resolution 2022-25, are categorized as activity delivery, direct staff to proceed with the filing the PLHA grant application as per Resolution 2022-25, approved October 19, 2022, by November 30, 2022.
3. If new information becomes available indicating that most of the costs that the City would incur to develop Ferndale's PLHA housing assistance programs as outlined in the adopted 5-Year PLHA Plan, approved on October 19, 2022, by Resolution 2022-25, are categorized as administrative costs, direct staff to **not** proceed with filing the PLHA grant application as per Resolution 2022-25. Also, direct staff to return to the next regular meeting of the City Council with a resolution to rescind Resolution 2022-25.

Meeting Date:	November 16, 2022	Agenda Item Number	13. d
Agenda Item Title	Review Expenditures List Submitted by Russ Park Committee and amend the Per Capita Grant		
Presented By:	City Manager		
Type of Item:	<input checked="" type="checkbox"/> Action	<input type="checkbox"/> Discussion	<input checked="" type="checkbox"/> Information
Action Required:	<input type="checkbox"/> No Action	<input type="checkbox"/> Voice Vote	<input checked="" type="checkbox"/> Roll Call Vote

**RECOMMENDATION:**

- (1) Staff recommends that the Council review and consider approving the proposed project list submitted by the Russ Park Committee and to further direct staff to prioritize and study the feasibility of the proposed projects and implement as appropriate.
- (2) Staff recommends the Council consider modification of the Per Capita grant to include the following:
  - a. Reduce amount designated to signage in Russ Park by \$12,500.
  - b. Add the placement of a Vault Restroom in the amount of \$12,500. with the balance to be paid by the Russ Park Donation fund.

**DISCUSSION:**

The Russ Park Committee has prepared a list of projects or other expenditures that it considers desirable. The List is attached to this Staff Report as **Attachment "A"**. The Russ Park Committee is an advisory body to the City Council without the delegated authority to take action to implement any particular projects or make any expenditures of public funds, and, therefore, the Committee submits the proposed project list for the Council consideration and review. The cost estimates contained in the proposed project list have not been confirmed by Staff.

Staff recommends that the Council do the following:

1. consider the attached project list recommended by the Committee and make any desired deletions, revisions, or additions;
2. direct staff to study the feasibility of the projects (including any necessary regulatory or CEQA processes) and obtain cost estimates;
3. authorize the City Manager to purchase tools or other equipment on the approved project list in a manner consistent with the City's procurement policies and utilizing the recent donation to the City; and
4. direct staff to return to the Council at a later date to provide a report to the Council as to the feasibility of the listed park improvements, the estimated cost of each, the regulatory process that will be necessary, and an implementation priority list.

**FISCAL IMPACT:**

None, since all approved actions are being funded through a generous donation and/or are subject to final approval by the Council at a later date.

**ATTACHMENTS:**

Expenditures & Project List

Brochures



## RUSS PARK COMMITTEE

### INVENTORY OF PROPOSED PROJECTS AND EXPENDITURES FOR RUSS PARK DONATION FUND CONSIDERATION

Approved by Russ Park  
Committee October 18, 2022

	<u>Estimated cost</u>
1. Motorized rubber track carrier for trail maintenance	\$8,000
2. Trailer for rubber track carrier	900
3. Storage shed (\$6,200) at corp. yard or PD for tools/equipment with electricity	7,000
4. Chain saw-20" bar (major brand) extra chain & safety gear	700
5. Weed trimmer-rechargeable (2) extra battery & charger	900
6. Hedge trimmer-rechargeable & battery	400
7. Hand tools to replace volunteer's (attached)	5,000
8. Circular saw, drill & hammer drill set-all rechargeable, extra batteries & charger	700
9. 10 cubic yards of dirt for trail repair	250
10. 10 cubic yards of trail rock for trails (muddy areas)	975
11. Small tractor rental to load dirt and trail rock into carrier-\$310/day + tax	675
12. Downtown directional signs to Russ Park	250
13. Eugene St. directional signs to Russ Park	250
14. Safety related signs on Bluff Street for motorists approaching parking lot from Bluff St. south.	500
15. Vault restroom similar to BLM's-1,000-gallon tank, including installation, with hand sanitizer dispenser, timed lock system, rain vent cap & supplies.	44,000
16. CEQA cost for vault toilet	5,000
17. Toilet pumping for 1,000 gallons -\$450 plus \$00.18/gallon for treatment plant fees, 2 times/year for 10 years	12,600*
18. Security camera storage shed in corp. yard.	250
19. Retractable bollards in concrete with chain across Bluff St. parking lot entrance to bar entrance after closure-70'wide. (\$5,000)	_____
20. Improve access from Eugene St. to south entrance to allow maintenance vehicles into park, including gate and fencing improvements and tractor work to clear staging area.	_____
21. Bike rack for south entrance on concrete pad-self installed	450
22. Bluff St. Trail, 3 more benches for limited ability hikers (\$150/bench materials).	450
23. Delineation/survey of all property lines close to trails and location of all trails on the ground.	_____
SUB TOTAL	\$89,250
CONTINGENCY FUND	\$10,750
TOTAL RUSS PARK DONATION FUND	\$100,000

## Notes

\*Ferndale Rotary currently funds the portable toilet at Russ Park at the cost of approximately \$220/month. If they would graciously continue to fund this public service for the vault restroom, their monthly cost would be reduced by 52% to \$105/month. And, if the City of Ferndale did not charge itself for treatment plant fees, the cost to Rotary would drop to \$75/month.

Labor cost to service vault 2-times/week for 15 min ea. at loaded rate of \$28-\$35/hr. (\$.47-\$0.58/minute) would cost \$672-\$835/yr. total. Could be added to donor budget for reimbursement to City.

LIST OF TOOLS & EXPENDIBLES USED BY  
VOLUNTEERS TO MAINTAIN RUSS PARK

October 22, 2022

1. Face and ear protection-chain saw
2. 50:1 oil mix
3. Bar oil
4. Fuel can
5. Cutting pants
6. Wedges (2)
7. 4lb hammer
8. 10lb sledge hammer
9. Hand axe
10. Tape measure 12', 25' & 100'
11. 20lb breaker bar
12. Shovels (3)
13. Shovel, small (2)
14. Maddox (2)
15. Pruning saw (2)
16. Pulaski (2)
17. Macleod (2)
18. Steel rake
19. Trail Rake
20. Circular saw-rechargeable & extra blade & extra battery
21. Hand drill-rechargeable & drill bits
22. Hammer drill-rechargeable
23. Pipe wrenches, small & medium
24. Backpack
25. Pruner shears (2)
26. Sharpening stone
27. Hedge trimmer—rechargeable
28. Weed eater-rechargeable & extra battery
29. Hand stapler and staples

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**30.Screwdriver set**

- 31.Pole saw, extended
- 32.Loppers (2)
- 33.Wheelbarrow
- 34.Post hole digger
- 35.First aid kit
- 36.Hammer (2)
- 37.Organizing bench in shed
- 38.Lubricated oil and oil can
- 39.Flagging tape
- 40.Contractor's bags
- 41.Trach bags
- 42.Levels, 2' & magnetized 8"
- 43.Clip board & note pad
- 44.Wood stakes (2') 12
- 45.Marking pen-black
- 46.Flashlight, rechargeable
- 47.Litter stick
- 48.Needle nose plyers
- 49.Slip joint plyers



## VAULT WATERLESS RESTROOMS

### SIMPLE TO INSTALL

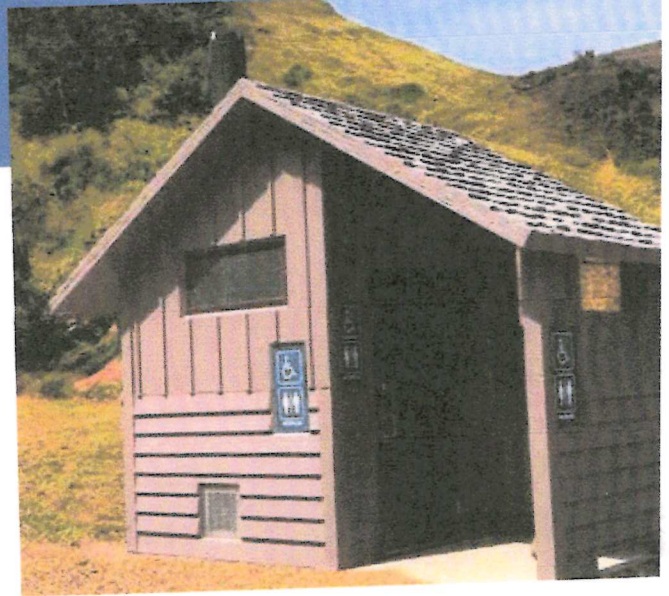
CXT® buildings require minimal site preparation and can typically be in use on the day of installation.

### READY TO USE

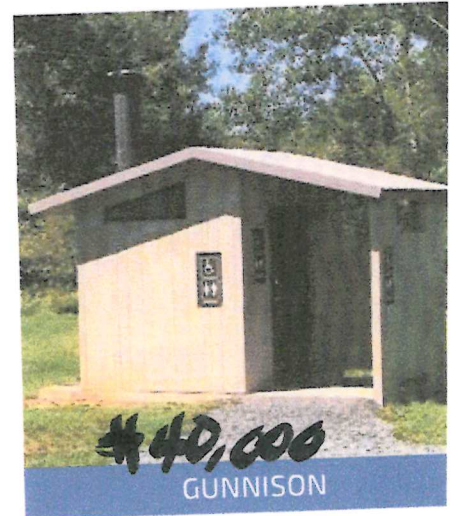
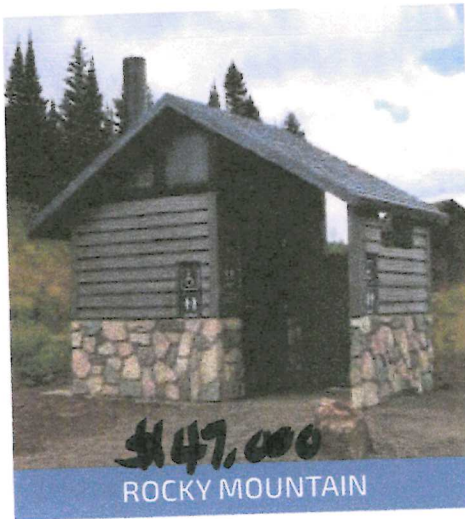
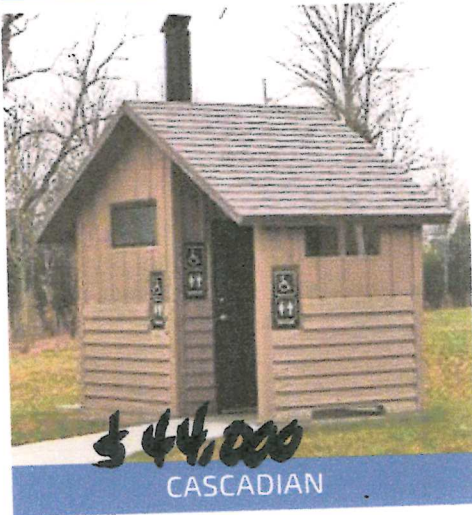
Our buildings are prefabricated and delivered complete and ready to use.

### EASY TO MAINTAIN

Our interiors are designed to resist abusive wear and can be cleaned quickly with warm soapy water and a brush.

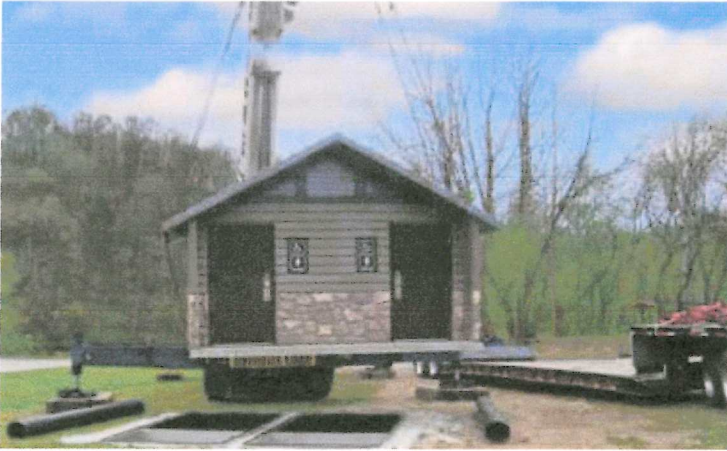


### SINGLE VAULT



### SWEET SMELLING TECHNOLOGY

- Designed and placed to ensure an unobstructed airflow over the top of the vent stack for passive ventilation.
- The location of the wall vent and orientation of the building takes advantage of the unobstructed airflow.
- The positive continual air flow carries the vault air out through the vent pipe keeping the building odor-free.



- Vandal resistant building and toilet components
- 4" thick steel reinforced concrete walls
- 5" thick steel reinforced concrete roof and floors
- Will not rot, rust or burn
- Available in 28 different colors
- Custom textures and colors also available

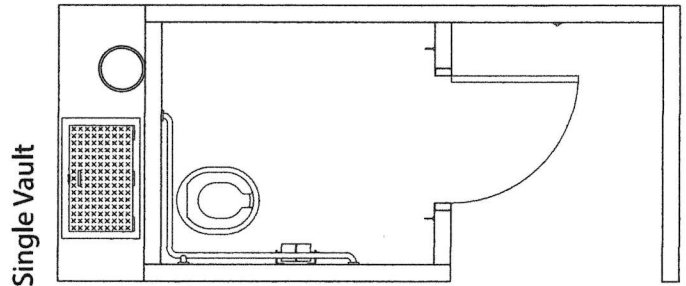


- Precast Roof Slab
- #3 Reinforcing Perimeter Bar
- 4x4xW8xW8 Welded Wire Fabric
- 3/8" Studded Steel Weld Plates
- 5000 PSI Concrete
- Precast Exterior Wall Panel
- Precast Floor Slab

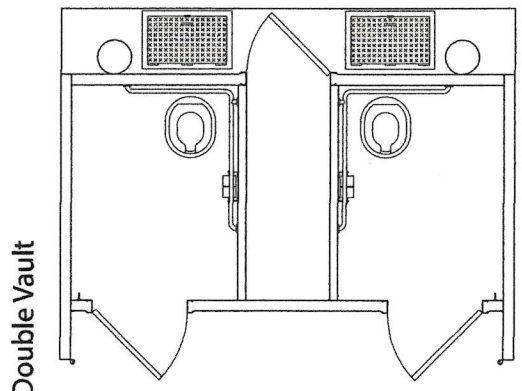


### VAULT

- Installed below ground level with vault dimensions that match the perimeter of the building to provide a stable structure that supports the full weight of the building.
- Each holds up to 1,000 gallons of waste (approximately 15,000 uses).
- Sloped so that waste will drain to the clean out end.
- Lined with a black polyethylene liner that is cast into the side walls of the concrete vault using dovetail embeds.



Single Vault



Double Vault

Floor plans for reference only.



www.cxtinc.com ▪ 800.696.5766

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CXT® vault restrooms are engineered and designed for long life in extreme conditions.

- Built to Look Great and Designed to Last
- Simple to Install and Ready to Use
- Easy to Maintain and Vandal Resistant
- Pre-Engineered
- Tougher Than Kits, Block or Steel

**SPECIFICATIONS**

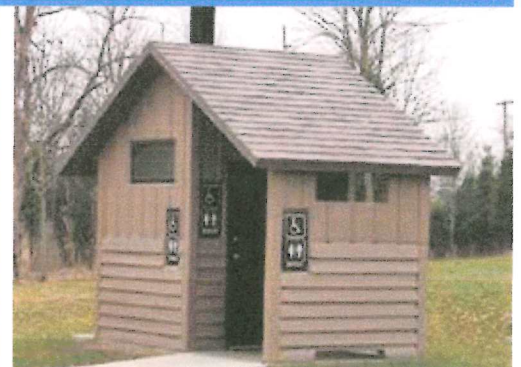
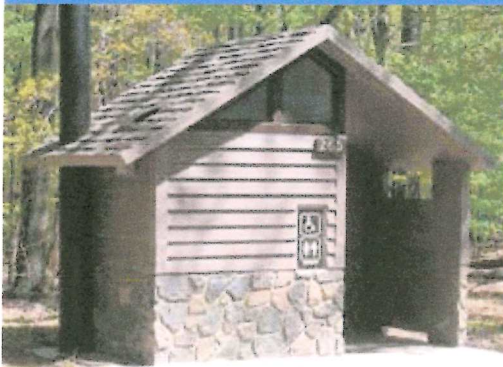
- One single user waterless restroom
- 6' 6" x 14' 7½" floor plan
- One ADA toilet riser
- ADA grab bars
- One waste clean out hatch
- One 1,000 gallon polyethylene lined concrete waste vault
- Sweet smelling technology



Two-Piece Rocky Mountain



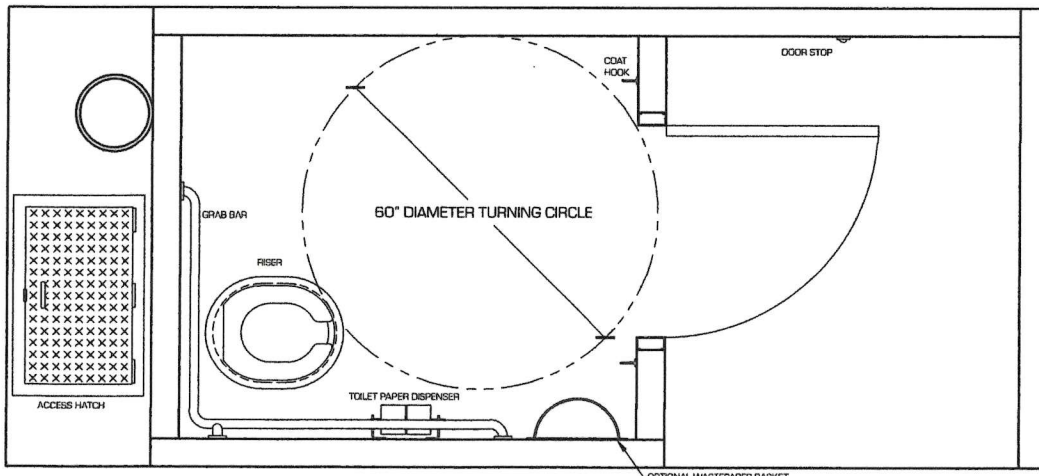
**SINGLE VAULT WATERLESS RESTROOMS**



**ROCKY MOUNTAIN**  
 Mocha Caramel Board & Batt Upper Walls  
 Basalt Rock Lower Walls  
 Mocha Caramel Cedar Shake Roof

**GUNNISON**  
 Sand Beige Stucco Walls  
 Pueblo Gold Cedar Shake Roof

**CASCADIAN**  
 Natural Honey Board & Batt Upper and  
 Lap Siding Lower Walls  
 Toasted Almond Cedar Shake Roof



Standard Floor Plan with Options Shown (for reference only)

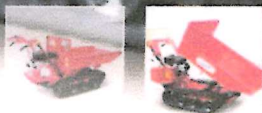


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 800.696.5766



Home / Rubber Tracked Carriers / Canycom BFP602 Walk-Behind Rubber Track Carrier

# Canycom BFP602 Walk-Behind Rubber Track Carrier



Heavy duty rubber tracks and an overall width of 31 inches allows operators to





uneven, sloped ground, or sand and gravel. Special loading decks include a steel dump bucket or a steel dump box with adjustable sides.

**Product Specification**

**Request a Quote**

<b>BFP602 SPECIFICATIONS</b>	
<b>Payload (lbs.)</b>	1,000
<b>Weight (lbs.)</b>	474
<b>Length x Width x Height (in.)</b>	77 x 31 x 41
<b>Bed Inner Length x Width x Height (in.)</b>	48 x 31 x 8
<b>Engine Model</b>	Honda GX160
<b>Engine Type</b>	6 H.P. Gas
<b>Speed (mph)</b>	0-3.5
<b>Starter</b>	Recoil Type
<b>Recoil</b>	Gear 3F/2R

## EQUIPMENT

### Concrete Buggies

SC75

### Rubber Tracked Carriers

BP419

BFP602

S100B

S160

S300A

### Brush Cutters

CG101

**Russ Park Rubber  
Track Carrier  
4/25/2022**

AI \_\_\_\_\_  
Track Equipment Company  
Bellingham, WA  
800-719-0644

<u>Model BFP 419</u>	\$4,995 + shipping \$600 = 's	\$5,595
Honda motor GX 130		
Manual dump		
Payload 660 lbs.		

<u>Model BFP 602</u>	\$6,995 + shipping \$600 = 's	\$7,595
Honda motor GX 160		
Payload 1000 lbs		
<ul style="list-style-type: none"> <li>• hauls 340 more lbs.</li> </ul>		
Larger bed and taller sides		
Hydraulic dump		
74.8 decibels		

LONG BOARDS

As to how to haul long boards on BFP 620, suggest fab. (4) steel hangers, 2 for for each side of bed, outside of hanger 7", then rt angle at base 5-1/2" wide & up 12" long for outside, not yet sure about width of top horizontal piece over edge of bucket (maybe 1-1/2" to 2"), and then 7-3/4" long (down) for the inside of hanger. Hangers must be capable of holding 3-PT 2" x 12" x 20' each side (300 lbs. max), so each hanger to carry the weight of 150lbs.

Hangers allow for the center of gravity to stay low, but loads on each side need to be balanced.



# Current price list

Effective May, 2021

prices subject to change without notice

115 North Main St.  
Fortuna, CA 95540



## Econo

	8x8	8x10	8x12	8x14	8x16
Sale price*	\$ 4,300.00	\$ 4,600.00	\$ 4,900.00	\$ 5,200.00	\$ 5,500.00
Rent-to-own**	\$ 226.01	\$ 241.78	\$ 257.55	\$ 273.32	\$ 289.09



## Urban

	8x8	8x10	8x12	8x14	8x16
Sale price*	\$ 4,600.00	\$ 4,900.00	\$ 5,200.00	\$ 5,500.00	\$ 5,800.00
Rent-to-own**	\$ 241.78	\$ 257.55	\$ 273.32	\$ 289.09	\$ 304.85



## Northwood

	8x8	8x10	8x12	8x14	8x16
Sale price*	\$ 5,000.00	\$ 5,300.00	\$ 5,600.00	\$ 5,900.00	\$ 6,200.00
Rent-to-own**	\$ 262.80	\$ 278.57	\$ 294.34	\$ 310.11	\$ 325.88



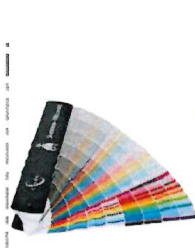
## Farmland

	8x8	8x10	8x12	8x14	8x16
Sale price*	\$ 5,200.00	\$ 5,500.00	\$ 5,800.00	\$ 6,100.00	\$ 6,400.00
Rent-to-own**	\$ 273.32	\$ 289.09	\$ 304.85	\$ 320.62	\$ 336.39

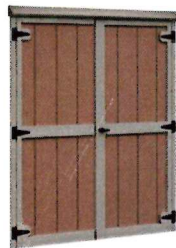
\* Taxes, additional options and delivery to outlying areas not included

\*\* Monthly rates for 3-year term. Other terms available.

## Options



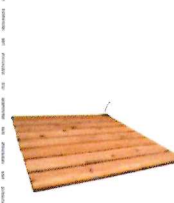
Paint



Double Door



Window



Ramp



Shelf/pegboard

Sale price	20% base price	\$ 200.00	\$ 300.00	\$ 200.00	\$25 per foot
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## Additional Services



Delivery fee

Applies to outlying areas only

**FREE delivery local area**

Sale price Call for quote



Precise shed placement

Shed mover available

Included

Meeting Date:	November 16, 2022	Agenda Item Number	13. e
Agenda Item Title	COVID-19 Update, Reconfirm Existence of Local Emergency, Reconfirm Resolution 2021-21 Findings and Continue Virtual Meetings; <b>OR</b> Adopt Resolution 2022-27 Declaring the Need to Discontinue Meeting Remotely and Return to In-Person Meetings		
Presented By:	City Manager		
Type of Item:	X	Action	Discussion Information
Action Required:		No Action	Voice Vote X Roll Call Vote

**RECOMMENDATION:**

It is recommended that the Council reconfirm the Existence of a Local Emergency related to the Coronavirus (COVID-19) pandemic.

The Council also has one of two Choices:

- (a) To reconfirm the findings in Resolution 2021-21 to continue with the ability to conduct city meetings via Zoom (virtual meetings) for an additional 30 days.
- (b) To adopt Resolution 2022-27 Declaring the Need to Discontinue Conducting City Council, Commission, and Committee Meetings Remotely and Return to In-Person meetings.

**DISCUSSION:**

The Humboldt County Health Officer's and the California Governor's Emergency Declaration are still in place. Mask mandates have all been lifted as well as social distancing guidelines, although it is still recommended that individuals mask and social distance in indoor spaces. The latest data from the CDC reported the COVID-19 community levels for Humboldt County as "Low" risk which means that people should only wear masks based on personal preference and their own level of risk.

Since last reported at the October 19, 2022 Council Meeting, there has been 355 new cases and 1 death reported between October 19, 2022 and November 9, 2022. Health officials remain confident that vaccination and booster shots can lessen the impacts of Covid19 and its variants, including hospitalizations and deaths. A total of 91,847 individuals, or approximately 68% of the county's total population, have been fully vaccinated as of Tuesday, October 11, 2022.

Vaccines remain readily available throughout Humboldt County and vaccination and testing services are free of charge. Both of the new bivalent boosters, the Moderna (18 and older) and Pfizer (5 and older) version, are available and appointments can be made at MyTurn.ca.gov for clinic locations throughout the county.

The boosters are single-dose and include components of the original virus strain and the Omicron subvariants. People can receive the updated booster regardless of previous booster doses received.

OptumServe offers rapid antigen testing and PCR testing services at the Wharfinger Building seven days a week. Walk-ins will receive only rapid antigen testing unless the attendee

specifically states they require a PCR test. Appointments for antigen testing can be made at [lhi.care/covidtesting](https://lhi.care/covidtesting) or by calling 888-634-1123. Wharfinger testing runs from 7 a.m. to 7 p.m. and is closed from 11 a.m. to noon and 4 to 5 p.m.

### **OPTIONS FOR MEETINGS:**

Below are two options the Council may choose from.

Option 1 is to reconfirm the findings that will allow us to continue to use the zoom platform. By choosing this option, the city will still be able to use the relaxed Brown Act rules under AB361 (please see chart on page following the staff report). The council may still direct staff to be available in the council chambers for any members that would like to meet in the council chambers during the meeting. This also allows staff to continue to use the zoom platform for Commission and Committee meetings to protect the health and safety as staff is always working on a skeleton crew. This also requires the city to continue the use of zoom for the public to attend.

Option 2 is to discontinue the use of virtual meetings and to return to in-person meetings. This option will allow the city to go back to meeting in person and back to business as usual. This Council, Commissions, and Committees, will be required to conform to the Brown Act Rules and will not be able to utilize the AB361. The Council can vote to direct staff to use the zoom platform as a convenience for the public to still take advantage of.

### **OPTION 1: RECONFIRM FINDINGS IN RESOLUTION 2021-21 AND CONTINUE VIRTUAL MEETINGS**

On September 19th, Governor Newsom signed AB 361, amending the Brown Act effective October 1, 2021 until January 1, 2024. AB 361 allows a public entity to conduct a meeting without complying with the teleconferencing requirements of the Brown Act under specific circumstances. At the October 20, 2021 Council Meeting, the council approved and adopted Resolution 2021-21 which contained the following findings:

1. That the Council has reconsidered the circumstances of the previously declared and existing state of emergency arising from the COVID-19 pandemic;
2. That the state of emergency continues to directly impact the ability of the members of the Council to meet safely in person, and further those local officials continue to impose or recommend measures to promote social distancing;
3. That the Council may continue to conduct public meetings in accordance with Government Code section 54953(e);
4. That the Council will reconsider the above findings within 30-days of this Resolution.

**Choosing this option would still allow those Councilmembers who are comfortable with meeting in person the ability to meet in the Council Chambers while also allowing members who may have health risks the ability to still meet using the Zoom platform.** This option would also limit exposure to staff by continuing to use the virtual meeting option for Commission and Committee Meetings. Staff has the equipment to run a meeting that allows use of the Council Chambers while also running Zoom. A 180-degree webcam will be set up on the dais that will allow any councilmember not in attendance and the public to view the council in

chambers. The zoom video feed will be projected onto the projector screen. Staff has been able to have this equipment ready for future meetings if a member of the Council feels unsafe in returning. With feedback issues that happen when multiple parties use zoom in close proximity, the City Clerk will be the only person to be able to use Zoom in the council chambers and will control the zoom part of the meeting.

These finding need to be reconfirmed every 30 days in order to continue the use of virtual meetings. The council may discuss the use of in-person meetings once all of the Council is not at risk to the COVID-19 virus.

**OPTION 2: RESOLUTION 2022-22 – DECLARING THE NEED TO DISCONTINUE THE USE OF REMOTE MEETINGS AND RETURN TO IN-PERSON MEETINGS.**

The Council has the option of rescinding Resolution 2021-21 and adopting Resolution 2022-27 which would allow the Council, Commission, and Committees to return to in-Person meetings. **By choosing this option, the Council, Commissions, and Committees would need to return to the full Brown Act requirements. These requirements would include all official members meeting in person in the Council Chambers.** If a member would like to teleconference in, the requirement would be to post on the agenda the address of where the member is teleconferencing from, to post an additional notice at the said location, and it would need to be made available to the public as well at the time of the meeting. **We would still have the ability to use zoom for the public making it a hybrid style meeting, but the hybrid and zoom would only apply to the public.**

If the Council chooses to adopt Resolution 2022-27, the following findings will need to be approved:

1. The City Council has reconsidered the State of Emergency; and
2. The State of Local Emergency does not continue to directly impact the ability of the City Council and its Commissions and Committees, as well as staff and members of the public from meeting in person; and
3. The State and County of Humboldt no longer have social distancing guidelines but urges all unvaccinated individuals in public spaces to maintain social distancing, and the City can maintain those social distancing requirements; and
4. City Council, Commissions, and Committees will resume as in person/hybrid meetings while ensuring the health and safety of the public, staff, councilmembers, commissioners, and committee members in their respective meeting location.

If adopted, the use of In-Person meetings will resume at the November 16, 2022 City Council Meeting.

Council can choose to review these findings in 30 days and reconfirm the use of in-person meetings. Staff will be sure to include an option to return to Zoom meetings at the October meeting if meeting in/person becomes unsafe to the public, councilmembers, or staff. A special meeting can be held as well if the need arises.

**BUDGET/FISCAL IMPACT:**

While there will be costs associated with City's emergency response to COVID-19, continuation of the proclamation of a Local Emergency by the City Council has no direct cost impact.

However, it may enable potential external sources for reimbursement to costs associated with the City's emergency response.

**ATTACHMENTS:**

1. Brown Act Vs AB361 Chart
2. Emergency Proclamation
3. Resolution 2021-21
4. Resolution 2022-27

### Comparison of Public Meeting requirements (Brown Act vs. AB 361)

<b>Brown Act Requirement</b>	<b>Requirement Under AB 361</b>
If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.	Agendas not required to be posted at all teleconference locations. Meeting must still be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.
If the legislative body of a local agency elects to use teleconferencing, each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.	Agendas are not required to identify each teleconference location in the meeting notice/agenda. Local agencies are not required to make each teleconference location accessible to the public.
If the legislative body of a local agency elects to use teleconferencing during the teleconferenced meeting, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.	No requirement to have a quorum of board members participate from within the territorial bounds of the local agency's jurisdiction.
If the legislative body of a local agency elects to use teleconferencing, the agenda shall provide an opportunity for members of the public to address the legislative body directly at each teleconference location.	In each instance in which notice of the time of the teleconferenced meeting is given or the agenda for the meeting is posted, the legislative body shall also give notice of the manner by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. In the event of a disruption which prevents the local agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored





PROCLAMATION  
*OF THE*  
CITY OF FERNDALE CONFIRMING THE EXISTENCE OF A  
LOCAL EMERGENCY

*MARCH 23, 2020*

(BY THE CITY MANAGER, DIRECTOR OF EMERGENCY SERVICES)

**WHEREAS**, Ordinance 267 of the City of Ferndale empowers the City Manager as Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when circumstances described therein exist; and

**WHEREAS**, the City of Ferndale Emergency Operations Plan adopted by Resolution 04-30, states that if conditions of extreme peril to the safety of persons and property within the territorial limits of the City of Ferndale exists, a local emergency can be declared; and

**WHEREAS**, International, State, and Local health and government authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARSCoV-2” and the disease it causes has been named “coronavirus disease 2019” abbreviated COVID-19, (“COVID-19”), first detected in December 2019; and

**WHEREAS**, the State of California has worked in close collaboration with the national Centers for Disease Control and Prevention (CDC), the United States Health and Human Services Agency, and local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

**WHEREAS**, the CDC considers the COVID-19 virus to be a very serious public health threat with outcomes ranging from mild sickness to severe respiratory illness and death, and that certain populations face elevated risk with widespread transmission of COVID-19 translating into large numbers of people needing medical care at the same time thereby creating a public calamity in which other infrastructures may also be affected; and

**WHEREAS**, on January 31, 2020, the U.S. Department of Health and Human Services declared a Public Health Emergency to aid the nation's local healthcare communities in responding to COVID-19; and

**WHEREAS**, on March 11, 2020 with 114 countries reporting 118,000 individuals as having contracted the COVID-19 virus, the World Health Organization (WHO) officially declared COVID-19 a global pandemic; and

**WHEREAS**, on March 11, 2020, Humboldt County Health Officer declared a Local Health Emergency in response to the COVID-19 outbreak in California and beyond; and

**WHEREAS**, on March 12, 2020, California Governor Newsom issued Executive Order N-25-20 requiring all residents to heed any orders and guidance of state and local health officials, including the imposition of social distancing measures to control the spread of COVID-19; and

**WHEREAS**, on March 19, 2020, Humboldt County Health Officer issued an order directing all individuals living in Humboldt County to shelter in their residences except to provide or receive certain essential services or engage in essential activities, to cease all non-essential travel, and further ordering all non-essential businesses to cease operations at physical locations; and

**WHEREAS**, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 directing all forty-million California residents to stay at home indefinitely except for workers in the 16 critical infrastructure sectors identified by the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (CISA) who are required to maintain continuity of operations for these vital systems and facilities; and

**WHEREAS**, if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources; and

**WHEREAS**, controlling or slowing epidemic and disease outbreaks through implementation of the State and County COVID-19 response orders and through following CDC Guidelines will help to limit the spread of infection within our communities, and most importantly within local healthcare delivery systems; and

**WHEREAS**, State agencies and political sub-divisions have statutory authority to take numerous actions to protect the public health, safety and welfare, including: providing extraordinary services through mutual aid consistent with agreements (Govt. Code §§ 8631, 8632), the costs of which shall constitute a legal charge against the State when approved by the Governor (Govt. Code §8633); and promulgating orders and regulations necessary to provide for the protection of life and property, including the imposition of curfews within designated boundaries where necessary to preserve the public order and safety (Govt. Code §8634); and

**WHEREAS**, the purpose of a Local Emergency Proclamation is to provide extraordinary police powers, immunity from emergency actions, to authorize issuance of orders and regulations, and activate pre-established emergency provisions; and

**WHEREAS**, a Local Emergency Proclamation can be a prerequisite for requesting State or Federal assistance; and

**WHEREAS**, the City Manager as Director of Emergency Services of the City of Ferndale does hereby find:

That conditions of Local Emergency and extreme peril to the safety of persons and property have arisen within the City of Ferndale, caused by the COVID-19 pandemic and associated response and that the City Council of the City of Ferndale is not in session and cannot immediately be called into session; and

The Proclamation of a Local Emergency will allow the City of Ferndale to access extraordinary police powers and resources as may be necessary to best protect the public health, safety and welfare during the COVID-19 pandemic.

**NOW, THEREFORE, I HEREBY PROCLAIM** that effective immediately and until further notice, a Local Emergency now exists throughout Ferndale as a result of the circumstances described above; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that all City Officers and employees shall take all steps requested by the City Manager to prevent the spread of COVID-19, to prevent or alleviate harmful impacts from the disease, and to qualify for Federal Emergency Management Agency and other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency; and

**BE IT FURTHER PROCLAIMED AND ORDERED** that during the existence of said Local Emergency the powers, functions, and duties of the emergency organization of this City as outlined in the Emergency Operations Plan shall be in place.

**BE IT FURTHER ORDERED** that this proclamation of a Local Emergency shall take effect immediately and shall be subject to ratification by the City Council within seven days of the date written below.

Dated: 3/23/2020

By: \_\_\_\_\_

  
Jay Parrish  
City Manager/ Director of Emergency Services  
City of Ferndale

**RESOLUTION 2022-27****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FERNDALE DECLARING THE NEED TO DISCONTINUE CONDUCTING CITY COUNCIL AND COMMISSION MEETINGS REMOTELY DURING DECLARED STATE OF EMERGENCY PURSUANT TO GOVERNMENT CODE SECTION 54953 (AB361) RESCINDING RESOLUTION 2021-21**

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments and help the State prepare for a broader spread of COVID-19; and

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

**WHEREAS**, as a result of Executive Order N-29-20, staff set up Zoom meetings for all City Council, Commission, and Committee Meetings; and

**WHEREAS**, on March 30, 2020, the City Council adopted Resolution 2020-06 declaring a Local Emergency due to the COVID-19 pandemic; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which placed an end date of September 30, 2021 for agencies throughout the state and requiring local agencies to observe the usual Brown Act requirements as they existed prior to the issuance of the Executive Order; and

**WHEREAS**, after issuing Executive Order N-08-21, the Delta Variant emerged causing a spike in COVID-19 cases throughout the state; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, which allows cities to continue to meet remotely during proclaimed states of emergency under modified Brown Act requirements that are similar but not identical to the previous Brown Act Orders under N-29-20, and

**WHEREAS**, on October 20, 2021, the City Council adopted Resolution 2021-21 declaring the need for virtual City Council, Commission, and Committee Meetings during declared State of Emergency pursuant to Government Code 54953 (AB 361); and

**WHEREAS**, AB 361 provides that, if the state of emergency remains active for more than 30 days, a local agency must make certain findings by majority vote every 30 days to continue using the bill's exemption to the Brown Act teleconferencing rules; and

**WHEREAS**, the City Council, to date, has reconfirmed the findings on Resolution 2021-21 extending the use of virtual meetings; and

**WHEREAS**, the City Council has reviewed the findings and determined that it can now safely return to in person meetings for the City Council, Commission, and Committees.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ferndale declares the following:

- a) The City Council has reconsidered the State of Emergency; and
- b) The State of Local Emergency does not continue to directly impact the ability of the City Council and its Commissions and Committees, as well as staff and members of the public from meeting in person; and
- c) The State and County of Humboldt no longer have social distancing guidelines but urges all unvaccinated individuals in public spaces to maintain social distancing, and the City can maintain those social distancing requirements; and
- d) City Council, Commissions, and Committees will resume as in person meetings while ensuring the health and safety of the public, staff, councilmembers, commissioners, and committee members in their respective meeting location.

**PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE** on the 16<sup>th</sup> Day of November, 2022 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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Don Hindley, Mayor

Attest:

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Kristene Hall, City Clerk

**RESOLUTION NO. 2021-21****A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FERNDALE MAKING FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953, AS AMENDED BY ASSEMBLY BILL 361, AND AUTHORIZING THE CONTINUED USE OF VIRTUAL MEETINGS**

WHEREAS, as a result of the COVID-19 pandemic, the Governor issued Executive Order Nos. N-08-21, N-25-20 and N-29-20, which suspended certain provisions of the Ralph M. Brown Act to allow legislative bodies to conduct public meetings without strict compliance with the teleconferencing provisions of the Brown Act;

WHEREAS, Assembly Bill 361, which was signed into law on September 17, 2021, amended Government Code section 54953, to provide relief from the teleconferencing provisions of the Brown Act under certain circumstances provided the legislative body makes certain findings;

WHEREAS, as a result of the COVID-19 pandemic, the Governor proclaimed a state of emergency on March 4, 2020, in accordance with the section 8625 of the California Emergency Services Act, and the state of emergency remains in effect;

WHEREAS, as a result of the COVID-19 pandemic, the Humboldt County Health Officer has imposed and has recommended measures to promote social distancing as more particularly set forth in his August 6, 2021, Order, among other prior orders and guidance;

NOW, THEREFORE, the City Council does hereby find and resolve as follows:

1. That the Council has reconsidered the circumstances of the previously declared and existing state of emergency arising from the COVID-19 pandemic;
2. That the state of emergency continues to directly impact the ability of the members of the Council to meet safely in person, and further those local officials continue to impose or recommend measures to promote social distancing;
3. That the Council may continue to conduct public meetings in accordance with Government Code section 54953(e);
4. That the Council will reconsider the above findings within 30-days of this Resolution.

**PASSED AND ADOPTED** on this 20th day of October, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Don Hindley, Mayor

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Kristene Hall, City Clerk

## **Section 14**

### **CORRESPONDENCE**

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





# October 2022 News and Updates

from the Redwood Coast Energy Authority

Join us online



## Community Choice Energy


### Mid-Term Reliability Solicitation:

In August, the RCEA Board of Directors approved the launch of a solicitation for zero-emitting resources in response to the California Public Utilities Commission’s Decision 21-06-035 to address the mid-term reliability (MTR) needs of the state’s electric grid in 2023-2026. In response to its solicitation, RCEA did not receive any eligible offers that would meet its MTR procurement obligation. Staff are looking at alternatives to meet RCEA’s procurement obligation, and plan to bring potential options to the Board ad hoc committee.

### Fairhaven Energy Storage


The energy storage project at Fairhaven for which the Board approved a contract in June is moving forward. The site owner has removed stockpiled biomass to mitigate fire hazard risk. The project developer Broad Reach Power is working with PG&E on repowering the substation and has submitted final designs for needed modification of the site's grid interconnection.

Meet the RCEA Team




**Matthew Marshall**  
Executive Director  
[MMarshall@RedwoodEnergy.org](mailto:MMarshall@RedwoodEnergy.org)

Matthew's Bio



**Eileen Verbeck**  
Deputy Executive Director  
[EVerbeck@RedwoodEnergy.org](mailto:EVerbeck@RedwoodEnergy.org)

Eileen's Bio



**Lori Taketa**  
Executive Support Specialist, Board Clerk  
[LTaketa@RedwoodEnergy.org](mailto:LTaketa@RedwoodEnergy.org)

Lori's Bio

## New RCEA Staff page

We recently launched a page featuring the [full RCEA team](#), including titles, bios, and contact information.

We also added a poster to our [employment](#) page illustrating the wide range of degrees our team holds. We created it for a Cal Poly Humboldt Sustainability Practitioners Mixer, to encourage diverse students to consider joining RCEA or to pursue a career in energy.

**WE ARE HIRING!**






## Current Employment Opportunities at RCEA

- Manager/Senior Manager - Demand Side Management Programs

See our website for details

### Rebate totals to date

### 2022 totals

<p><b>EV Charging Equipment RCEA REBATE</b></p> <p>14 approved </p>	<p><b>Electric Vehicles RCEA REBATE</b></p> <p>37 approved </p>	<p><b>Heat Pumps RCEA REBATE</b></p> <p>59 approved 7 reserved </p>	<p><b>Equipment &amp; Appliance RCEA REBATE</b></p> <p>39 approved 5 in progress</p>	<p><b>Residential Services ASSESSMENTS</b></p> <p>97 consultations 64 res kits </p>	<p><b>Non-Res Services ASSESSMENTS</b></p> <p>132 Completed </p>
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# Customer Energy Solutions updates

October 2022 News

## Agency Projects - ongoing

- Arcata School District** - CalSHAPE HVAC and CO2 monitor projects are moving ahead
- Burnt Ranch Elementary School** - roof-mounted solar array is being installed
- City of Arcata** - energy efficiency project is being planned
- City of Blue Lake** - best use of OES funding and a possible solar project are being planned
- City of Eureka** - solar projects are being designed
- City of Ferndale** - solar and lighting project completed
- City of Rio Dell** - solar, storage and generator installed
- City of Trinidad** - solar and storage project completed
- Coastal Grove Charter School** - CalSHAPE HVAC and CO2 monitor projects are in progress
- Eureka City Schools** - solar, storage, and EV bus charger project is in progress
- Loleta Union Elementary School** - assisting with CalSHAPE program application
- McKinleyville Union School District** - assisting with CalSHAPE program application
- Pine Hill Elementary** - ECAA loan project kick-off meeting held in September
- Redway Community Services District** - revisiting possible solar project
- Redwood Coast Montessori School** - CalSHAPE plumbing application submitted, CalSHAPE HVAC and CO2 monitor projects in progress
- Yurok Tribe** - benchmarking and making connections for multiple project locations

## Rural Regional Energy Network

The RuralREN group is shepherding the proposed customer energy efficiency program through the CPUC regulatory process. The RuralREN partners, representing hard-to-reach rural communities, held its first in-person meeting in September in conjunction with the California Climate and Energy Collaborative Conference.

## Technology and Equipment for Clean Heating (TECH) Quick Start Grant

Through this grant, RCEA is providing rebates for unregulated fuel users (propane, kerosene, cordwood, etc) to switch to heat pump space and water heaters. RCEA has secured partnerships with area contractors and identified 11 projects so far. The grant will cover a total of 20 projects. RCEA is a finalist for a second round of funding, which will support an analysis of barriers to electrification in the more rural parts of the county and tribal lands.

## Rio Dell's "Light the Night" Project

RCEA continues to reach out and provide residential energy efficiency kits to Rio Dell residents who bring in and dispose of old, inefficient light bulbs at Rio Dell City Hall. The project is part of the Rio Dell Police Department's "Light the Night" initiative aimed at encouraging residents to leave their porch lights on at night to deter crime. Rio Dell city staff approached RCEA to collaborate on this win-win community boosting project.

## Rebates Mailer

On the flip side of our Power Content Label (one of our annual compliance mailings that goes out to all our customers) we included an invitation for our customers to take advantage of all the rebates we have now. The response was robust and the timing was good. The public is curious about fuel switching and is willing to upgrade if the cost is manageable.



REDWOOD COAST  
**Energy Authority**

[www.RedwoodEnergy.org](http://www.RedwoodEnergy.org)  
(707) 269-1700 • [info@RedwoodEnergy.org](mailto:info@RedwoodEnergy.org)

**Section 15**  
***COMMENTS FROM THE COUNCIL***

**Section 16**  
***REPORTS***

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

**City Managers Report**  
for November, 2022 City Council Meeting

**CITY MANAGER (Reporting October 14, 2022 – November 9, 2022)**

- Emergency Covid-19:
  - Because we have a number of councilmembers that have compromised immune systems it does not look like we will be able to have physical meetings with our council and public until the emergency situation is no longer extended. The zoom meetings will continue and at least we are able to meet and carry on the City's business.
- Congratulations to the new council and mayor and thank you to the council that have been with us for 4 years and represented the city well.

**Key milestones and information to date:**

- Public Works Supervisor: Staff is still trying to get grant to raise lagoon and Brett of GHD is still hopeful that we may have funding to accomplish that in fall. The Chief Wastewater Operator and I have had several meetings to discuss raising the lagoon by a couple feet to further increase the ability of our lagoon's capacity and reduce the chance of overflow during severe rain events. Although the last few years we have not had serious rain events and seem to be in a drought cycle, we are aware that at some point we will get back to weather as usual and that the raising of the berm could give us a day or two more protection from possible overflowing our lagoon. We have had a number of conversations and discussions with RWQCB representatives that have already approved a project to accomplish this strategy and so are hopeful that they will see the benefit. Sept 9<sup>th</sup>, we received notice from engineer that our scope of work for raising the wastewater lagoon berm was approved and funded to the 30% level with CEQA. This is typically followed by the completed funding for construction.
  - We have had numerous conversations with a non-profit Technical Assistance committee that we received a grant to help us tweak our Prop 1 grant so that we can hopefully be successful in capturing our stormwater flow in the Arlington and County Fairgrounds area. This is moving forward also and I was told that they should be notified soon that they want to discuss the stormwater project with me.
  - Public Works. We have received the Master Drainage Plan that we have been working on for the last few years. Most of this MDP was paid through the SB2 grant from the state. Our City Engineer and Planwest did a lot of work on this and will help us prioritize drainage projects that will be supported by an updated MDP for grant applications that may materialize in the future if there is funding put into improving infrastructure by the federal and state government. The Drainage Committee has had a couple of meetings to go over the Master Drainage Plan and at some point, in the near future, we would like to have a study session with the council so that we can develop prioritized projects to improve our drainage throughout the city. The council approved this at the last meeting.
  - The Chief Wastewater Operator and I met with Regional Water Quality Control Board to go over a request to support us in raising our berm at our lagoon and to let us incorporate our California Street sewer collection replacement project to include into a compliance aspect to let the infractions RWQCB has assessed the city with for the last 5 years, which is the regular timeline they look at. That is normal for a wastewater facility in our area considering the weather and rainfall, or lack of it. The negotiations went well and we feel

like we will come up with a project they can support to include some fine and some inclusion in a project. Last month RWQCB sent us a letter saying that we could use the California Street sewer replacement project to comply for any violations going back to 2016. Remember that we have been working on this project and just finished the engineering and design and have gone out to bid. Mercer -Frasier won the bid award and they have signed the bid for that. Paul and I will go over that September 14<sup>th</sup> and then I will sign and we will be ready for Mercer-Frasier to get started. We are estimating that they will complete the construction task in approximately a week or so. This project is approved by RWQCB as compliant to be included as eligible to count toward enforcement assessment against city. RWQCB has also recognized that the project is on hold until Mercer-Frasier can obtain the culverts that are in short supply due to the supply problem nation-wide.

- Engineer interaction: We continue to work with our city Engineer to explore drainage improvements with an emphasis on easements and a strategy on drainage flow to Salt River through city and county properties.
- Submitted a Per Capita Grant December 31<sup>st</sup>. We have had a number of meetings on this and a study session. The Parks are long term projects and both need constant attention and improvements and both need to have development strategies that unites our town and parks into the best experience as possible for our citizens and visitors that come from all over the world. The council will have an opportunity to choose between a number of elements and anything over the Per Capita grant we will be obligated to pay for ourselves. The last meeting council picked the individual per capita projects in Russ Park and Firemen's Park while trying to stay under the approved \$177,000 limit. Some items were replaced due to non-coverage with the present funding. This was originally a pretty straight forward grant with a list from staff of a pretty stable number of improvements that was developed from previous administrations that combined many long-standing projects that former councils have been working on for many years. Back in 2006 the City had been working with the Silva family to try and find an agreeable MOU that would continue access to the back side of Russ Park through and across the Silva's property by using their private road for about a quarter mile and going up an identified draw up to a location where the city had a Kiosk and a trail that connected to the Russ Park Trail System. Although the City had the legal right to traverse across Silva property, it was not an ideal situation for either party. We spent years trying to find a better agreement to manage the maintenance of the trail, and that was agreeable with the property owner, who had animals and various ranching responsibilities he needed to consider in order to ensure the health and safety of his animals, as well as the hikers that may be present at any time. Both of us had insurance and risk management needs, and unusual government and legal issues to navigate. Russ Park is 100% in the city limits; the Silva property is 100% in the county. Our risk Management situation covers properties outside the City if we own the said property and does not normally cover property that is not owned that is outside the city limits. We have come up with a number of solutions to this situation and have come close to inking a deal when this Per Capita grant came up and complimented the desire of former councilmembers to develop the backside of Russ Park to connect our downtown with Firemen's Park, then to go up Eugene to Russ Park. At this point it does not look like the present council wants to use the Per Capita grant to work on that connection between the two Parks. Staff still feels like the future of Russ Park would be a safer place to promote an entrance with a parking lot that did not have the blind corners and uneven ground that was limited as to the number of visitors. Staff will continue to search for grants to help

us accomplish the ecotourism aspects of the backside of Russ Park. We recently received a possible donation that might help us increase improvements to Russ Park that may not have the restrictions that the Per Capita grant requires that excluded us from having as part of that project. Another donor has come forward that may allow us to develop the Eugene Street connection to Russ Park and we will be working on that soon. Staff is trying to work with state to get bathroom facility included in Per Capita Grant.

- Weekly training bulletin from ERMA.net. This is an online training program sponsored by our Risk Management Authority. Working on getting our employees compliant with AB 1825 and SB 1343 both of these are regarding the prevention of Harassment, Discrimination and Retaliation. If you are a councilmember that has not completed your mandated training. Please contact City Clerk for direction to on-line services for this training. New Covid -19
- I have put most of my free time to working on grants of one thing or another. Mostly they are concerned with drainage and our sewer collection system. In these efforts I interact with property owners, City staff, our engineer, Planwest, the Fair Association representatives, the Chamber, and of course the County representatives and a number of outside engineering vendors and construction companies. Although we are trying to solve drainage problems for the most part we are also showing and improving our ability to work together to make a safer more efficient our organization that needs to communicate with these other organizations and agencies to improve our chances to get grants. Collaboration and cooperation with regional agencies can be the difference between getting a grant or not. Many of these efforts have great potential to solve or improve our long-term infrastructure problems with drainage and our aging and deferred sewer collection system. We are hoping to see some of these identified problems addressed with actual construction projects in the near future with low match and high impact.
- Employee meetings and personnel issues. Although this is not something I report on, know that it is an important part of managing the city, and I donate a significant portion of my day in interacting with our employees and almost all of our workload and accomplishments are a derivative of the collaboration between more than one person. I am proud of the commitment and responsibility that our employees show every day in service given for the citizens of this town. The city manager is responsible for making sure that each and every employee and professional consultant is accomplishing their workload in a way that gives the best service to the city in an admirable and satisfactory way. Included in this is a Covid-19 requirement from OSHA that has to do with reducing the spread of Covid-19 and gives guidelines to employers and employees on the rules that we have to follow during the pandemic. These guidelines tell us how we handle positive tests for the virus as well as our conduct as we do our jobs.
- From time to time there may be questions a Council member might have regarding some development or new building construction and they may wonder how to address the situation to find out if indeed the proper action is being followed. The city hires employees and contractors that are qualified as to what they do for the city. This is true of our planner, attorney, engineer, wastewater employees, and building inspector. Should any council member request documentation on some project or development we will try to provide any information that we have that is available to the public. There are real estate or development processes that might not have gone through a procedure or process that is not available until it is final. While we will provide you publicly available documents, please keep in mind that, depending on the nature of the project, that the plans or other documents were likely already reviewed and approved by the appropriate professional retained by the city and approved

through the Planning Commission. Further, if a Council member desires to provide direction to staff on any issue, the member may request an appropriate action (or discussion) item to be placed on a Council agenda and to make a motion. A member may also request that the City Engineer or the appropriate personnel be invited to appear and present on issues within that professional's jurisdiction.

- **Undergrounding Project:** PG&E is working on the engineering of the Francis Street Rule 20a project. PG&E; still in engineering. Talked with Lizette Burtis our PG&E representative and she said that Francis Street is not yet in design. That will be the next step. As of December 8, 2021, Lizette from PG&E stated they have everything they need from us. We are still in this situation although I have made headway in locations for transformers and easements for them. I once again have confirmation from PG&E that our project is still active and we are not in danger of them stopping it, but they did say that because of the fires they are moving projects back a year.
- **Solar array construction;** Both the Police and Wastewater solar arrays have been finished and should be turned on and functioning and hopefully reducing the amount of our energy bill. We are utilizing the solar array at the police station and the solar array and tesla battery at Wastewater Facility and should be seeing reductions in energy usage. We are still waiting on PG&E for selling back to them any extra production of excess production. Still, we should see savings from the installation of the solar panels at the police station as well as the wastewater facility.
- **Drainage Meetings:** The Drainage committee was focused on evaluation of some easements through town, the master drainage plan, grants that may include drainage improvements on the westside of town, the conceptual design in the southside of eastside drainage, such as Schley, Washington, and Grant Avenue section of town, and merging finally with the eastside drainage. Planwest has given update on Master Drainage Plan that is included in a state SB2 grant that was approved. In addition, the city was approved for an additional \$65,000 that is also being included in Land Use planning. The Prop 1 grant and the prop 68 grant for the improvements at the fairgrounds had drainage as important components. Both of these grants were focused on the Arlington 5<sup>th</sup> Street and fairgrounds drainage areas and both would help to solve or improve the capacity of that drainage as it makes its way out of town and eventually to the Salt River. In a recent email from Darla, she says that they found out that funding for the stormwater project is highly likely. The next step is that the State board would like to meet with us, however they not be able to do so until November. In reviewing the work, the TA committee, Darla noticed that they did not go through completion of the CEQA Categorical Exemption as they didn't know that we would get a CE, which is much less TA budget than as IS/MND. Darla has asked if we can complete the CEQA, public process, file, etc. She will let me know if they get the budget to pick this back up.
- **Going back a few years** the we received a grant for about \$500,000 to do a study of our Energy consumption, which benefited the WWTF by also getting a construction improvement that included improvements on how we run our plant, a solar array agreement that RCEA helped us with, and a battery agreement with Tesla, that is supposed to save costs to the city. There was a composting element that may reduce the amount of slug we produce through our plant, and one of the big results from the study was success in collection system improvements around town from a grant that we recently received what should be one of last steps of approval on for that grant. This is a 5.6 million grant that mainly replaces some of our oldest collection system pipes which is mainly vitrified clay pipes. It also will be rerouting the Shaw Street sewer collection system to gravity flow to the west, instead of

flowing under Francis Creek will flow toward and down 5<sup>th</sup> Street to our WWTF. Because of inflation expectations we are asking for more funds and we have recently requested more funding to consider that project.

- Finance: Lauren proving to be a quick learner and that catches on fast. We have spent considerable time considering how we can compliantly use any Covid-19 funds to replenish funds that were depleted for covid related costs such as salary needs that were affected employees taking time off due to quarantining. Also, there are infrastructure projects that may comply as to appropriate uses. Staff will be scheduling a study session to get council input as to proposed projects.
- Staff meeting regarding street inspection by staff as to potholes, weeds, sidewalk condition and street sweeping schedule. Individual pothole complaints, from time to time, we do get pothole complaints and these go to Public Works that fill potholes in a prioritized way. I think that the community and city have worked hard to get the city streets and roads and the city in general looking pretty good, but this is an on-going project.
- Interaction with Chief of Police on the sponsoring of the CERT program. We have a great team of community members and they are trained up. Waiting for a trailer that was supplied and granted for the CERT team. This CERT team contains some of the towns proven leaders and will be a great help during natural disasters and other emergencies we experience in the future.
- Meetings and discussions with Linda Wise from Recology about our solid waste franchise agreement. We will probably have another request of the council to extend our current agreement one more year. We will most likely have her give a presentation next month and ask for action on that item.
- California Street Sewer replacement is underway and the engineer is doing design, engineering, and planning. Paul may be giving a short update on the project. Remember that this is a grant project that will replace culvert of some of our oldest pipe that may be leaking storm water into our wastewater system. This might be a significant improvement. We are excited to see how much we have improved our I&I by replacing this remainder of the California collection system as it is some of our oldest pipe. We went out to bid on California street project on July 5<sup>th</sup> and the bid opening will be August 5<sup>th</sup> at 3:00 pm, and we are happy to announce that Mercer Fraser was the low bid and will start that work soon.
- CAP (Climate Action Plan): As of June 7<sup>th</sup>, all the city councils and county have given clearance to begin drafting the EIR. Similarly, the BOS wants us to refine the CAP and use the EIR to address the following.
  1. Cap needs to address complexities of Rural Living and not preclude development or maintenance of property.
  2. Evaluate benefit of Carbon Credits and Carbon Offsets.
  3. EIR needs to evaluate inclusion of Industrial Point Sources Emissions. There needs to be a strong explanation of why they should or should not be included.
  4. Need to address the inadequacies of the P&GE electrical grid, with contingencies if the grid cannot be improved.
  5. Need to coordinate CAP with other regional plans to the maximum extent feasible need to incentivize exceeding expectations.



## **STAFF REPORTING OCTOBER, 2022**

### **CITY CLERK ACTIVITY**

#### **Meetings**

- Meetings with City Manager regarding work activities and council agenda.
- Attended:
  - City Council Regular Meeting 10/19/2022
  - Drainage Meeting 10/06/2022
- Wrote agenda items and compiled packets for:
  - Regular City Council Meeting 09/21/2022
  - Special City Council Meeting 11/01/2022
  - Planning Commission Meeting 11/2/2022
  - Began agenda compilation for City Council Meeting 11/16/2022
- Transcribed, drafted meeting minutes and uploaded meeting videos for all above listed meetings.
- 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, Planning Commission, and Drainage Meetings.
- Processed Business License Renewals and Dog License Renewals.
- Continued Election Material and Assistance
- 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
- Sent Building Permit reports to Assessor's office and Construction Industry Research Board.

### **FINANCE OFFICER ACTIVITY**

#### **Tasks:**

- Answered phones and assisted citizens at City Hall
- Processed Payroll/Payroll Tax Payments
- Processed Accounts Payable
- Processed Accounts Receivable

- Reconciled Monthly Debits and Credits in accounting software
- Delivered and received mail correspondence
- Reviewed ERMA and HR bulletins
- Provided necessary documents to Kris for City Council Meeting
- Provided necessary documents to Stacey for month end
- Completed Quarterly reporting to CIRA
- Completed Quarterly Edward Jones retirement payments
- Billed building projects for reimbursement
- Assisted the City Manager in the application and reporting for various grants
- Created and will continually update an accounts payable checklist
- Updated notes in Finance Clerk Duties Manual on all new tasks and duties learned
- Enrolled employees in medical coverage for next year 2023
- Quarterly duties including: Payment of TOT, CIRA LAW CX Report, Tax Form 941, payment to Edward Jones for deferred retirement
- Received training on Election duties
- Assisted JJACPA and Aycok and Edgmon with audit process for FY 21/22
- Entered month end deposits and reconciled bank account.

## **CITY PLANNER ACTIVITY**

### **General Planning Services**

#### **Task 1 Response to Public Information Request**

- Responding to public question re Design Review combining Zone requirements for demo permits.

#### **Task 2 CEQA Compliance** - No actions.

#### **Task 3 Community Planning – Reporting, Other Planning Activities**

- Coordinated City planning activities including updating tracking sheets for planner activities, funding mechanisms, and applications.
- Follow up with City and CA Dept. of Fish and Wildlife on extension of streambed alternation agreement for Francis Creek.
- Correspondence including emails and phone calls with City Manager, Clerk, Finance Manager, and Engineer.

#### **Task 4 Meetings & Hearings, and Materials:**

- Planning Commission – no meeting.
- City Council – Prepared Drainage Master Plan, Permanent Local Housing, Local Road Safety Plan, and monthly City Planner staff reports and attended October 19, 2022, meeting.
- City Manager & City Clerk – meetings, calls, emails, research.
- Drainage Committee – Attended October 6, 2022, meeting.
- HCAOG Technical Advisory Committee (TAC) – attended 9/1/22 meeting.
- HCAOG REAP Local Planners Coordination Meeting - reading through emailed information compiled by HCD about the Regional Assistance Funding and Technical Assistance that is now/will be available for consultation by the City.
- Climate Action Plan: No actions.

#### **Task 5 GIS Mapping** – No actions.

#### **Task 6 Grant Writing/Funding Coordination**

- Coordination meetings on various city grants and activities

- Vault Toilet at Russ Park Proposal – Coordination with City Manager, including phone calls and emails, about possible CEQA options for proposal vault toilet. Phone with staff of Humboldt County Division of Environmental Health about regulations and best practices, also sent an email to staff of Regional Water Quality Control Board. Internal consultation on previous work for this project.
- Regional Early Action Planning Grant (REAP) – Internal coordination and with HCAOG on REAP application, including meeting with HCAOG; coordination with City staff on REAP grant application preparation and submittal.
- SB 2 Gen Admin. – Email to HCD about forthcoming SB 2 application amendment.
- Permanent Local Housing Allocation (PLHA) – Coordination with City Manager, including phone calls and emails, regarding program and potential grant application; attended October 3, 4, and 10 Department of Housing and Community Development (HCD) office hours for technical assistance on PLHA program and application requirements; research, including information on guidelines for ADUs new construction and rehab, and prevailing wages; drafting City's 5-Year draft PLHA plan and coordinating with Clerk for publication of draft 5-Year PLHA Plan on City's website to meet requirements; replied to email from Sen. McGuire's office; prepared October 19, 2022, City Council staff report, prepared staff report supplemental to correct for typos, and PowerPoint on PLHA program and draft 5-Year Plan.

### **Planning Applications and Pre-Application Consultations**

- Richardson LLA – Coordination and consultation with City Engineer on appeal period, and reviewed City Engineer's draft condition of approval letter.
- Sears Pre-App – Research and coordination on preliminary applicant's proposal plans.

### **General Plan Review/ Transportation Reporting**

- Local Streets and Roads Reporting – Coordination with City Engineer on HCAOG consultant's draft PMP documents, and drafted response comments; coordination with HCAOG consultant on City's comments.
- Caltrans Local Road Safety Plan (LRSP) Grant – Prepared October 19, 2022, City Council staff report and resolution for signature of Caltrans agreements. Post-City Council approval, coordination with City for signature of agreements; assembling executed documents agreement; coordination with Caltrans representative on submittal of agreements and City Council resolution.

### **SB 2 Grant Projects**

- Land Use Element Update – Reviewed and edited draft Land Use Element to prepare for Planning Commission and public review. Prepared draft land use map alternatives.
- Zoning Amendments – No actions.
- ADU Plans – No actions.
- Drainage Master Plan – Attended October 6, 2022, Drainage Committee meeting for committee's recommendation to City Council on Drainage Master Plan. Prepared October 19, 2022, City Council staff report and resolution for adoption of Drainage Master Plan. Attended October 19<sup>th</sup> City Council meeting for adoption of the 2022 Drainage Master Plan. Post-City Council adoption coordination with City, especially Appendix B, on plan.

### **Per Capita Park Projects**

- Discussed potential addition of vault toilet at Russ Park parking area.

### **CITY ENGINEER ACTIVITY**

#### **General City Engineering Services:**

- Phone calls / emails with the City Manager and staff regarding various City items.

- Attend Drainage Committee Meeting
- Discuss with City Staff HCOAG pavement manage plan for the city.

**Reimbursable Project Services:**

- Adams Minor Subdivision – Fifth Street
  - Construction Started
- Richardson LLA – Arlington Ave.
  - Discuss with Staff
  - Modify Conditions of Approval

**WASTEWATER OPERATIONS**

- Monthly samples prepared and sent to North Coast Labs
- Operators perform lab tests daily to measure efficiency of plant
- Drain and clean contact basin
- Monthly eSMR (electronic State Monthly Report) prepared and submitted
- Drain and clean UV channel
- Monthly no spill verification report completed on CIWQS website
- Portland Engineering on site for VFD repair
- Front gate chain oiled each Monday
- INF and pond pumps serviced by Xylem
- Inspect manholes throughout town weekly
- Replace backflow on belt press
- Weekly maintenance performed on UV banks
- Assist PW with culvert replacement on Lincoln Ave
- Prep and patch asphalt on Howard St.
- Dewater for total of 10 hours. Sludge dried at old site
- Backup at public bathrooms cleared
- Lateral inspection 660 McKinley, 511 Shamsi
- Backup in front of Dr. office cleared
- Maintenance on filters, clean nozzles
- Compressor valve to air dryer replaced
- Backup at 835 Howard St. cleared
- Replace windshield on gator
- Go through all UV banks and service in anticipation of winter flows
- Weed eat around plant and old site
- Operators cleaned walls and catwalk
- Removal of duck weed from clarifiers on weekly basis
- Billed RotoRooter, Steve's Septic and Wyckoff a total of \$6,552 for the month of September. 22 total dumps for total of 36,400 gallons.
- Total flow through the plant in October was 3.6 MGD. Of that, .179 MGD was pumped to retention pond. Average irrigation to Sousa ranch was .105 MGD.

**PUBLIC WORKS**

- 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.
- Removed dead deer on Cleveland St.
- Set up cones for Cal Trans to grind stump on Main St.

- Repaired leak at Fireman’s Park.
- Trouble shoot electrical outlet on light pole next to Village Inn.
- Picked up pile of trash left next to trash can at Bocce Court.
- Precut asphalt where the culvert replacement will be.
- Picked up piles around Portuguese Hall.
- Rented vibra plate from Sunbelt for culvert replacement.
- Replaced culvert on Lincoln Ave.
- Removed dead deer on HWY 211.
- Re dug drainage ditch at fairgrounds.
- Cleaned out DI at fairgrounds.
- Bought new pressure tank for Main St. bathrooms.
- Picked up leaves on Ocean Ave by Elementary School.
- Replaced swing seat at Fireman’s Park.
- Poured concrete slab to house new pressure tank at Main St bathrooms.
- Helped Sewer Dept to clear obstruction in sewer line at the Main St bathrooms and Post office.
- Installed new pressure tank for Main St bathrooms.
- Removed dead deer on Berding St.
- Continue with weekly Safety meetings with Public Works Supervisor.

### **POLICE DEPARTMENT**

“Coffee with a Cop” was hosted by Ferndale PD at Main Street Coffee. It was a great success and we purchased about 70 drinks. 16 students from the Ferndale Daycare stopped by and were treated to hot chocolate. Several Ferndale CERT Member participated in the event.

**Measure N:** I was asked to speak to the Chamber and at the Spirit of Ferndale’s “Meet the Candidate’s” forum and explain the tax measure and how the funds would be used within the department.

**Mutual Aid Eureka PD:** Chief Sligh, Officer Gardner and Officer McNeill assisted EPD with the Sara Bareilles Concert. Great event with almost no issues. The Eureka City Council and EPD Chief Jarvis extended thanks to the City of Ferndale for the support.

**CERT:** The trailer was returned with most of the electrical done. The Trailer had graphics installed.



**Police Statistics – October 2022**

SERIOUS CRIMES	Number	Cleared
Homicide	0	
Rape (Attempted)	0	
Robbery	0	
Larceny	0	
Assault	1	
Burglary	0	
Vehicle Theft	0	
TOTAL	0	
SECONDARY CRIMES	1	
Calls for Service	231	
Reports Written	10	
Traffic Citations	5	
Other Citations	0	
Parking Citations	0	
Warnings	15	
ARRESTS	10	
AGENCY ASSISTS	16	
TRAFFIC COLLISIONS	0	

**CITY OF FERNDALE, HUMBOLDT COUNTY, CALIFORNIA, USA**  
Minutes for Planning Commission Meeting of August 3, 2022

Call to Order—Chair Jerry Rocha called the Planning Commission Meeting to order at 7:00 pm. Commissioners Laura Olson, Stuart Altschuler, and Josh Smith were present along with City Planners Krystal Heaney and Michelle Nielsen, and City Clerk Kristene Hall. Those in attendance pledged allegiance to the flag.

2.0 Ceremonial— None

3.0 Modifications to the Agenda—None

4.0 Approval of Previous Minutes – **Motion:** To approve the minutes of the January 5, 2022 Regular Planning Commission Meeting. **(Altschuler/Olson) Unanimous**

5.0 Public Comment- None

6.0 Public Hearing

6.1 Richardson LLA: City Planner Michell Nielsen gave a Power Point presentation. Nielsen went briefly went over some of the guidelines of the subdivision ordinance.

Commissioner Altschuler questioned if any neighbors have brought forward any concerns. Nielsen stated the city had received one letter on concern from a neighboring property that had expressed concerns about an easement and the lot line adjustment effecting it, and drainage issues once the property was developed. Nielsen added that the engineer had ensured the easement is addressed and that it would show on the record of survey. The engineer also addressed drainage in his comments. Altschuler also questioned what type of development was proposed. Nielsen stated there was no development proposed at this time, but the property is R1 zoned so it would be eligible for a single-family residence with an ADU. Commissioner Olson questioned the neighboring property concerns and where that property is located in conjunction with the proposed LLA. Chair Rocha opened up the public hearing. A neighboring property owner stated his concerns on the easements and ensure that all easements are on the deed. Nielsen explained the different easements that were being addressed as part of the LLA. The property owner also stated his concerns on potential drainage issues. Nielsen explained that the public hearing is to gather comments and submit any comments to the city engineer for his final review before the decision is made to approve the Lot Line Adjustment. City Planner Krystle Heaney stated that there should be a decision in a couple weeks. Heaney also explained that there is also a 10-day appeal process once the decision is made. The neighboring property owner asked that the decision letter be emailed to him.

7.0 Business

7.1 Building and Land Use October 28, 2021- December 29, 2021 – There were no comments from the Commissioners or Public.

7.3 Design Review Minutes: There were no comments from the Commissioners or Public.

8.0 Correspondence- None

9.0 Commissioner Comments- No Comments

10.0 Staff Comments –None

Meeting Adjourned at 7:47 pm

Respectfully Submitted

Kristene Hall  
City Clerk



## Item 5b



**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**

**Hybrid Meeting**

(Pursuant to Assembly Bill No. 361 and Resolution 21-24)

September 15, 2022, 4:00 p.m.

Eureka City Hall, Council Chambers  
 531 K Street, Eureka CA 95501

**Present:**

Councilmember Mike Johnson (Chair)	City of Fortuna
Mayor Susan Seaman (Vice Chair)	City of Eureka
Supervisor Steve Madrone (Alternate)	County of Humboldt
Mayor Adelene Jones	City of Blue Lake
Mayor Stacy Atkins-Salazar	City of Arcata
Councilmember Jack West	City of Trinidad
Councilmember Gordon Johnson	City of Rio Dell

**Policy Advisory Committee Member:**

Saskia Rymer-Burnett (Alternate)	Caltrans District 1
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**Absent:**

Natalie Arroyo	Humboldt Transit Authority
Councilmember Stephen Avis	City of Ferndale

**Staff:**

Beth Burks	Executive Director
Debbie Egger	Fiscal Administrative Officer
Oona Smith	Senior Regional Transportation Planner
Stevie Luther	Associate Regional Transportation Planner

**1. Call to Order/Roll Call**

Chair Mike Johnson called the meeting of September 15, 2022 to order at 4:00 p.m.

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

The PAC convened to include representation from Caltrans and the Humboldt Transit Authority.

**3. Presentation**

**4. Public Participation on Non-Agenda Items**

## 5. Consent Calendar

**Motion was made** (Arroyo/Jones) to approve the following consent items with a noted correction to show Mayor Atkins-Salazar as being absent from the August 18 meeting.

- a. Assembly Bill 361 Findings to allow remote meetings for the HCAOG Board and Advisory Committees.
- b. Approval of Meeting Record August 18, 2022
- c. Adopt Resolution 22-22 approving the Transportation Development Act 2% Bicycle and Pedestrian allocation request of \$9,265 to fund the Regional Trail Signage project.
- d. Adopt Resolution 22-23 approving the City of Arcata FY 2022-23 Local Transportation Fund Claim in the amount of \$882,237.

**Motion carried unanimously.**

## 6. Items Removed from the Consent Calendar

None

## 7. Action Items

None

## 8. Informational Items

### a. Regional Early Action Planning Grant Program (REAP) Status Update

Senior Regional Transportation Planner Oona Smith presented an information status report on the REAP funds that HCAOG has received. Oona shared that she has met with regional planning staff to discuss the allocation of the REAP funds and how the bulk of the funds would be best used in meeting the States goal of addressing the housing crisis.

## 9. Reconvening of the HCAOG Board

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

**Motion carried unanimously.**

## 10. HCAOG Staff and Board/PAC Member Reports

### a. HCAOG Executive Director's Report

Executive Director Burks reported on the following:

- The Humboldt Transit Authority will be purchasing hydrogen buses with the Transit and Intercity Rail Capital Program (TIRCP) grant that they were awarded. The buses and fueling station are expected to start arriving in the fall of 2024 through the spring of 2025.
- SAFE – To date we have not had confirmation from the Eureka Police Department (EPD) on whether they have the staff to resume the supplemental patrols on the corridor at this time. Funding that has been set aside for the EPD is available when they have the capacity to resume patrolling in the corridor. The California Department of Highway Patrol (CHP) provided a (year) report on the Highway 36 and 96 noting that during the past year they provided aid to 275 motorists. Staff anticipates getting monthly reports from the CHP.
- HCAOG sponsored training on Accessible Public Meetings, led by Peggy Martinez with Creative Inclusions is scheduled for September 21 from 10 to 11:30AM in the City of Eureka Council Chambers.

### b. Caltrans Report

Saskia Rymer-Burnett reported on the following:

- An update was provided on the S.R. 299 Last Chance Grade project noting that Caltrans is expecting two-way traffic to begin in early 2023.
- Highway 299 at US 101 North Off-Ramp project is currently in design and is expected to begin construction in the summer of 2023.

- The Highway 101 Eureka-Arcata Corridor project bid openings are scheduled for October 4. Project Manager Jeff Pimentel will provide and update at the Board's October meeting.

**c. Board/PAC Member Reports**

Councilmember Gordon Johnson reported that he will not be running for reelection for a seat on the City of Rio Dell Council. Councilmember Johnson also noted that as the elected official he also served as a representative on Congressman Huffman's Stakeholders Group for the Last Chance Grade project. There is an onsite meeting scheduled in October to consider a bridge which would affect the old growth redwood forest.

**Adjournment**

The meeting adjourned at 4:23 p.m.

Respectfully submitted,  
Debbie Egger  
Fiscal Administrative Officer



Redwood Coast Energy Authority

633 3<sup>rd</sup> Street, Eureka, CA 95501

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

E-mail: [info@redwoodenergy.org](mailto:info@redwoodenergy.org) Web: [www.redwoodenergy.org](http://www.redwoodenergy.org)

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## **BOARD OF DIRECTORS DRAFT MEETING MINUTES**

**September 22, 2022 - Thursday, 3:30 p.m.**

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Notice of this meeting was posted on September 17, 2022. Vice Chair Chris Curran called a regular meeting of the Board of Directors of the Redwood Coast Energy Authority to order on the above date at 3:33 p.m., stating that the teleconference meeting was being conducted pursuant to the AB 361 Brown Act open public meeting law revisions signed into law on September 16, 2021, and Governor Newsom's State of Emergency Proclamation of March 4, 2020. Vice Chair Curran stated that the posted agenda contained public teleconference meeting participation instructions.

PRESENT: Chair Stephen Avis, Rex Bohn, Vice Chair Chris Curran, Mike Johnson (Fortuna Alternate Director), Sarah Schaefer, Frank Wilson, Sheri Woo. ABSENT: Scott Bauer, Mike Losey (Fortuna Director), Jack Tuttle. STAFF AND OTHERS PRESENT: Ardi Arian, Renewable America President and CEO; General Counsel Nancy Diamond; Power Resources Director Richard Engel; Senior Power Resources Manager Jocelyn Gwynn; Executive Director Matthew Marshall; Power Resources Specialist Colin Mateer; Board Clerk Lori Taketa; Deputy Executive Director Eileen Verbeck.

### **ORAL COMMUNICATIONS**

There were no public comments on items not on the agenda. Vice Chair Curran closed the oral communications portion of the meeting.

### **CONSENT CALENDAR**

- 3.1 Approve Minutes of August 25, 2022, Board Meeting.
- 3.2 Approve Disbursements Report.
- 3.3 Accept Financial Reports.
- 3.4 Extend Resolution No. 2022-6 Ratifying Governor Newsom's March 4, 2020, State of Emergency Proclamation and Authorizing Remote Teleconference Meetings of RCEA's Legislative Bodies, for the period September 22, 2022, through October 21, 2022, pursuant to Brown Act revisions of AB 361.

Neither directors nor members of the public requested that items be removed from the consent calendar.

**M/S: Schaefer, Woo: Approve consent calendar items.**

**The motion passed with a unanimous roll call vote. Ayes: Avis, Bohn, Curran, Johnson, Schaefer, Wilson, Woo. Noes: None. Absent: Bauer, Tuttle. Abstain: None.**

## **OLD BUSINESS**

### **5.1. Foster Clean Power A Solar Plus Storage Power Purchase Agreement - CPUC Mid-Term Reliability Procurement**

Power Resources Senior Manager Gwynn reported on the proposed solar and storage project in Arcata by developer Renewable America. Staff proposed that RCEA procure energy, resource adequacy, and renewable energy certificates from this project to satisfy the state's 2024-2025 mid-term reliability requirements. The project is going through the County permitting process.

Renewable America President and CEO Ardi Arian introduced himself and described site studies, current and proposed land use. The County issued a permit for a nearby cannabis project which requires solar electricity. The proposed site is desirable due to a nearby grid interconnection point. The project meets County development requirements.

The directors expressed concerns about using agriculture lands for solar farms and allowing willing landowners to submit piecemeal development requests. RCEA's strategic plans call for working with the County on limiting energy projects to designated renewable energy development areas. Efforts on that collaboration with the County have been postponed until County staff completes Climate Action Plan work.

There were no responses from the public to Vice Chair Curran's invitation for comment and the public comment period was closed.

**M/S: Woo, Schaefer: Approve Power Purchase Agreement with Foster Clean Power A LLC and authorize the Executive Director to execute all applicable documents.**

**The motion passed with a unanimous roll call vote. Ayes: Avis, Bohn, Curran, Johnson, Schaefer, Wilson, Woo. Noes: None. Absent: Bauer, Tuttle. Abstain: None.**

## **NEW BUSINESS**

### **6.1. Rural Electric Vehicle Charging CEC Grant**

Executive Director Marshall reported on the proposed award of \$700,000 to RCEA for rural Humboldt County electric vehicle charging site development. The grant requires \$175,000 in match funding.

The directors discussed the charging stations' potential to enable vehicles to help power the grid during emergencies and whether proposed Southern Humboldt sites can be powered given PG&E's recent reports of infrastructure limitations. Staff agreed to provide more detailed equipment costs for RCEA-developed projects going forward.

J.A. Savage submitted a written comment requesting that the charging stations be able to process credit and debit card transactions instead of requiring use of a cell phone app.

To member of the public Sunny's inquiry about the construction timeline, staff responded that the project will go through the design and permitting process in early 2023 before construction through early 2024. Vice Chair Curran closed the public comment period.

**M/S: Johnson, Bohn: Approve accepting CEC Rural Electric Vehicle Charging Grant in the amount of \$700,000 and authorize \$175,000 in RCEA match funds for a total project**

**cost of \$875,000 and authorize the Executive Director to execute the Grant Agreement and any associated documents necessary to secure the grant following review and approval by RCEA General Counsel.**

**The motion passed with a unanimous roll call vote. Ayes: Avis, Bohn, Curran, Johnson, Schaefer, Wilson, Woo. Noes: None. Absent: Bauer, Tuttle. Abstain: None.**

Vice Chair Curran confirmed there was a Community Choice Energy quorum.

## **OLD CCE BUSINESS**

### **7.1. Renewable America North Bank Road Projects Update – CPUC Mid-Term Reliability Procurement**

Power Resources Senior Manager Gwynn reported that the project developer has changed the project's location, scope and operation date and the project no longer helps meet state-mandated mid-term reliability goals. The project would still fulfil Board local solar energy development goals. Development of a smaller solar project submitted to RCEA by Renewable America as a feed-in tariff project at this project's original site will be contingent upon Board approval to buy power from this larger solar development and County permit approval.

The directors expressed concern about the perceived piecemeal approach to local power purchase agreements (PPAs) and potential misconstrual of RCEA's PPAs as support for unpopular development projects on agricultural or timber lands regardless of social or environmental consequences. It was clarified that determination of each energy development project's environmental impacts and zoning appropriateness is beyond RCEA's purview. Developers usually need confirmed power buyers to find project financing to go through the permitting and construction phases. It is rare for fully permitted, post-CEQA process projects to respond to calls for renewable power providers and to find developable Humboldt land not already covered by trees or zoned for agriculture or industrial use. Projects under contract to RCEA to which the County does not grant permits will eventually fail to meet development milestones in the contract and go into seller default, if the contract is not canceled when the permit is denied. RCEA staff is honoring community-determined and Board-approved goals to procure local renewable energy. The directors expressed support for local renewable power, concern for project siting, and support for continued negotiation.

There were no responses from the public to Vice Chair Curran's invitation for comment and the public comment period was closed.

**M/S: Avis, Schaefer: Authorize staff to continue negotiations with Renewable America of a long-term power purchase agreement for the 5 MW North River Clean Power solar plus storage project.**

**The motion passed with a unanimous roll call vote. Ayes: Avis, Bohn, Curran, Johnson, Schaefer, Wilson. Noes: None. Absent: Bauer, Tuttle. Abstain: None. Non-Voting: Woo.**

## **NEW CCE BUSINESS**

### **8.1 2022 Integrated Resource Plan Portfolio Review**

Power Resources Director Engel described the state's required biennial Integrated Resource Plan filing, which helps the state plan for electricity needs for the next 10 years and helps staff ensure that the agency meets state decarbonization, reliability and cost-effectiveness guidelines as well as the Board's renewable energy procurement goals. Staff Director Engel described four possible energy portfolios with varied amounts of offshore wind, geothermal and biomass energy. Staff are recommending a diverse preferred conforming portfolio. The directors were asked to weigh the value of local versus non-local renewable power considering different available power sources, to consider whether to continue biomass procurement beyond the Humboldt Sawmill Company contract expiration in 2031 through 2035, and whether short-term large hydropower contracts should be pursued beyond the 2020s to hold a place for offshore wind and other resources that will take a long time to develop.

The directors discussed the need for power grid upgrades and the desirability of a southern transmission route to accommodate both large-scale Humboldt County offshore wind and Sonoma County geothermal development, the source of actual electrons used in Humboldt County and how local renewable projects green the greater electric grid and reduce local reliance on PG&E's Humboldt Bay Generation Station, and the probability of purchasing more in-state renewables as Pacific Northwest large hydropower availability wanes. The desirability of committing to local biomass through 2035 was mentioned, as it would allow HSC to invest in clean power delivery upgrades and repairs. Staff will request director approval for the diverse portfolio option at the next Board meeting.

Lucas Giese, a resident of Bayside, inquired about RCEA's public engagement on the Integrated Resource Plan beyond Board and Community Advisory Committee meetings. Staff described public engagement efforts to update the agency's RePower strategic plan in 2019 which included community input on power sources, and plans to do public workshops in 2023 to inform the 2024 IRP update. To Mr. Giese's inquiry on how load assumptions were developed, staff Manager Gwynn described requirements to use the California Energy Commission's load forecasts. Vice Chair Curran closed the public comment period.

## **STAFF REPORTS**

### **9.1. Executive Director's Report**

Executive Director Marshall described recent PG&E reports about transmission system problems that are preventing electricity load growth in Southern Humboldt. Previous staff discussions with PG&E covered upcoming Southern Humboldt cannabis projects and other planned growth but PG&E had previously expressed no concerns. Staff will discuss with PG&E immediate and near-term grid-management actions RCEA can take to alleviate local load congestion until transmission upgrades are made. To engage effectively, RCEA needs clearer understanding of congestion locations, which PG&E has previously not disclosed.

The directors differentiated between limited transmission into and out of the county and the current problem involving Southern Humboldt substations and transmission lines. They described completed construction projects that were promised electricity by PG&E but which were not connected to the utility's distribution system and the potential harm to regional economic development as developers threaten to abandon projects due to lack of electrical supply. No member of the public commented on this report. Vice Chair Curran closed the comment period.

## **FUTURE AGENDA ITEMS**

Directors requested that a PG&E Regional Vice President attend the next RCEA Board meeting to discuss PG&E's inability to serve electricity load increases in Southern Humboldt, and PG&E's lack of communication with government agencies regarding this matter.

## **CLOSED SESSION**

There was no public comment regarding closed session item:

- 11.1 Conference with real property negotiators pursuant to Government Code § 54956.8 in re: APNs 001-141-005 and 001-141-006; RCEA negotiator: Executive Director; Owner's negotiating party: Wells Commercial; Under negotiation: price and terms.

The directors adjourned to closed session at 5:29 p.m. The Board reconvened from closed session at 6:09 p.m. Executive Director Marshall stated there was nothing to report from closed session and adjourned the meeting at 6:09 p.m.

Lori Taketa  
Clerk of the Board



**Section 17**

**ADJOURN**