

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 15, 2011  
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Woodall.

**ROLL CALL:** Present: Mayor Woodall, Councilmembers Leonard, Marks, and Thompson

Absent: Councilmember Barsanti

Others Present: City Manager Henrickson, Finance Director Beauchaine, Water/Street Superintendent Jensen, Wastewater Superintendent Chicora, Jim Stretch, and Clerk Ralston

**CONSENT CALENDAR**

Mayor Woodall announced the items to be approved on the consent calendar and asked staff, the public, and Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion.

Councilmember Leonard asked that Item 1 be removed from the consent calendar for separate discussion under *Special Call Items*.

Councilmember Marks asked that Item 3 be removed from the consent calendar for separate discussion under *Special Call Items*.

Motion made by Thompson/Marks to approve the consent calendar including item 2 approval of the minutes of the February 1, 2011 regular meeting, approval of item 4 directing the City Manager to ascertain interest of landowners and develop application schedule for Prop 84 Statewide Park Program, and approval of item 5 the revised City Manager Job Description;

Motion carried 4-0 with Mayor Woodall abstaining from item 2.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

Approve Minutes of the February 1, 2011 Joint Study Session - Councilmember Leonard requested the minutes be brought back at a later date with corrections as there were missing comments/statements.

Approve Minutes of the February 1, 2011 Regular Meeting- Mayor Woodall stated that Mayor Farley was appointed Chair of HCOAG not Jay Parrish as reflected in the minutes and requested the minutes be approved with the correction. Motion made by Marks/Thompson to Approve Minutes of the February 1, 2011 Regular Meeting as corrected. Motion carried 4-0.

Approve Sanitary Sewer Management Plan- Councilmember Marks asked if the City previously had a sanitary sewer management plan. Wastewater Superintendent Chicora stated that this was a new requirement, and he stated that the SSMP is a plan with a list of goals to meet and that each year the Wastewater Dept. will update the documents. He further stated that updating the city's sewer ordinance was the next goal.

Councilmember Marks asked if water bills would be sent out in Spanish. Finance Director Beauchaine and W. W. Superintendent Chicora both responded that was not planned at this time. Motion made by Marks/Leonard to Approve the Sanitary Sewer Management Plan. **Motion carried 4-0.**

Discussion on Business License Ordinance Update, Establishing Business License

Administration Fees and Submittal of Update of Business License Tax to Voters for Approval-

Jim Stretch began the discussion stating that there are four recommendations for council to consider, and there are 5 attachments to the staff report. Jim Stretch explained each of the attachments starting with attachment 1. He stated it is the new draft ordinance and added that the current ordinance has taxes and fees' combined and they need to be separate. Attachment 2 is a draft resolution that restates existing taxes and he added that the purpose of this resolution was to separate those taxes from fees. Stretch explained that taxes must be approved by a community vote; whereas fees are a reimbursement of public fees, therefore they do not need a community vote, but do require a public hearing in front of the council. Attachment 3 is a draft resolution that establishes administrative fees for the business license program, not taxes. Attachment 4 is information that was developed to determine the appropriate fees without showing a profit. Attachment 5 shows the administrative fee adjustments/schedule that are in draft resolution 1098-2010.

Jim Stretch then read the 4 recommendations aloud that are contained in the staff report and stated that this was not a public hearing, but a public discussion. He went on to explain that there are 14 major changes being proposed for the business license ordinance, located on page 2 of the staff report.

Councilmember Leonard noted that the incorporation date on the draft resolutions is not correct, as the City was incorporated in 1965 not 1964.

Councilmember Marks asked if this was submitted to the voters, would it generate more income, and what is the annual income from business licenses now. Finance Director Beauchaine responded that it was between \$5,000 and \$9,000 per year. Councilmember Thompson asked what the cost to get an item on the ballot was and he stated he thought it was approximately \$7,000 and wondered if there would be a benefit. Jim Stretch responded that revenues could potentially double forever.

Mayor Woodall asked what current vendors do to provide gross receipts. Jim Stretch answered that he did not know if the City follows up with review of receipts. Finance Director Beauchaine responded she did not know either as she did not administer the program.

Councilmember Marks stated that she currently has a business license in Rio Dell and does she need to abstain from this item based on that. City Manager Henrickson responded yes it would be appropriate for her to abstain.

Alice Millington asked if the Transient Occupancy Tax was separate. Jim Stretch responded yes it was.

Jim Stretch then requested council give direction to staff with regard to the 4 recommendations made in the staff report.

Councilmember Marks abstained from all direction while the remaining councilmembers verbally agreed to the following direction for staff:

Support Recommendation 1: *Calendar a public hearing on proposed amendments to the Cities Business License Ordinance 267-2010 and adoption of Resolution No. 1097-2010 to restate the existing license taxes for the program.*

Support Recommendation 2: *Conduct a public hearing on establishing new administrative fees (Resolution 1098-2010) for the Business License Program.*

Council did not support Recommendation 3 as they wanted to move forward with Recommendations 1 and 2.

Council agreed that Recommendation 4 needed to be brought back at a later date with more information.

Councilmember Leonard asked if Recommendation 4 falls under Proposition 218. Jim Stretch replied yes because they would be taxes on citizens.

City Manager Henrickson thanked Jim Stretch for all of his work on this project and pointed out it was all done pro bono.

Approve Labor Agreements with Rio Dell Employees' Association, Rio Dell Police Officers' Association, and Contract Employees - City Manager Henrickson stated they had successfully negotiated all agreements, and he felt it was a significant step forward to properly compensate city positions at 85% of the median in the county for that same position.

Mayor Woodall pointed out that Section 8 in the City Managers contract states that the provisions for executive leave are listed as being in Section 12 and that it should be listed as being under Section 11.

Councilmember Marks stated that she did not know of the 5 step increases that were in all departments and asked if this was new. City Manager Henrickson stated that it was not new and that the Police Department had actually had 7 step increases, but the steps were compressed to give the city better chances at retaining current employees and hiring new employees. Councilmember Marks also asked if the step increases were automatic on a yearly basis. City Manager Henrickson replied that they were based on time on the job and merit.

Mayor Woodall asked if completing the update to the City Personnel Rules was going to be completed in the near future. City Manager Henrickson replied it was on his list but not a top priority at this time.

All Petrovich asked what median wage means. City Manager Henrickson responded that CPS conducted job assessments and then compared those jobs to similar ones in our area and then came up with an average wage for each position based upon those comparisons. Petrovich further inquired if per capita income was looked at. City Manager Henrickson replied no it was not because a jobs or position requires certain skills and you cannot base the pay for skills on the average income of a city's citizenry.

Motion made by Marks/Leonard to Approve Labor Agreements with Rio Dell Employees' Association, Rio Dell Police Officers Association, and Contract Employees. Motion carried 4-0.

## ORDINANCES/SPECIAL RESOLUTIONS

Approve Resolution No. 1106-2011 Memorializing CPS Median Income Salaries-City Manager Henrickson explained that this was a way to formally memorialize the information compiled by the CPS in the Classification Study. Motion made by Marks/Leonard to Approve Resolution No. 1106-2011 Memorializing CPS Median Income Salaries. Motion carried 4-0.

Public Hearing, Introduction, and First Reading (by title only) of Ordinance No. 271-2011 Surplus Property-Finance Director Beauchaine stated that the city has had an internal policy to surplus excess property but this would formalize the process. She further explained that the ordinance had been approved by both the city attorney and auditors.

Mayor Woodall asked what Section II, Subsection E referred to. Finance Director Beauchaine responded it was to establish what was and was not city property.

Councilmember Thompson asked where or when does it come to council. Beauchaine responded that anything over \$10,000 in value would come before council for approval. Councilmember Thompson requested that there be some sort of staff communication with council on any items

being surprised and that some language be added to the ordinance stating that Finance Director Beauchaine noted the request and stated that it would be added for the second reading.

The public hearing was opened to receive public input on the proposed ordinance.

Alice Millington stated that if an employee brings a personally owned item to work they should tell their supervisor. Water/Streets Superintendent Jensen said they had experienced a situation in the past where employees brought personally owned items to the job, the items were damaged and the City had to replace the items. Jensen stated that his feelings were if the City needs a tool or anything else, the City should purchase the item rather than an employee bringing their own possessions to use on the job.

City Manager Henrikson stated that this section was definitions and that policy should be set elsewhere.

There being no further public comment the public hearing was closed.

Mayor Woodall announced the addition of an unlisted item (Ordinance 272) pursuant to Government Code Section 54954.2 (b.2) as the need to take action arose subsequent to the agenda being posted. Motion made by Marks/Leonard to Accept the addition of unlisted item- *Ordinance 272. Motion carried 4-0.*

Approve Ordinance 272 an Ordinance of the City Council of the City of Rio Dell Adopted as an Emergency Measure Establishing a Temporary Moratorium on the Receipt and Processing of Subdivision Applications for Certain Portions of Blue Slide Road Pending Completion of Rio Dell's Detachment Process, and Declaring the Urgency Thereof. City Manager Henrikson explained that the purpose of the emergency 6 month moratorium prohibits applications for subdivision within the formerly annexed area of Blue Slide Road.

City Manager Henrikson recommended council approve the ordinance stating that this is necessary because a subdivision application could jeopardize detachment if council were to approve detachment at a later time. Councilmember Leonard asked if we did get a subdivision application would it affect the de-annexation. City Manager Henrikson responded that we would have to postpone it. Motion made by Marks/Leonard to Approve Ordinance 272 an Ordinance of the City Council of the City of Rio Dell Adopted as an Emergency Measure Establishing a Temporary Moratorium on the Receipt and Processing of Subdivision Applications for Certain Portions of Blue Slide Road Pending Completion of Rio Dell's Detachment Process, and Declaring the Urgency Thereof. *Motion carried 4-0.*

## PUBLIC PRESENTATIONS

Beth Borter of Bay Keepers stated they were working in conjunction with Humboldt Waste Management Authority (HWMA) on a Countywide Ordinance banning plastic bags and this topic will be up for consideration at the March 10, 2011 Waste Management Meeting.

Councilmember Marks stated that HWMA was developing an Ordinance that was unique to each jurisdiction.

## REPORTS/STAFF COMMUNICATIONS

City Manager Henriksson stated that Chief Hill was not present due to illness.

Finance Director Beauchaine reported that a budget calendar would be coming forward in one month.

Al Petrovich commented that the audits currently on the City website were from 08' and 09' and they were in draft form and inquired as to when we would have the 09' and 10' audits available, to which Beauchaine responded they were coming soon and that we would look into updating the web site.

Wastewater Superintendent Chicora reported that there was no citizen participation on the plant tours.

Councilmember Marks asked how surface water gets into our sewer system if it is a closed system. Chicora responded that 8 years ago, the city performed a smoke test of the system and it was discovered that there are many cracks, some citizens have tied their gutters to the system, and some storm drains are tied in as well.

Water/Streets Superintendent Jensen reported that they were busy with normal daily operations.

## COUNCIL REPORTS

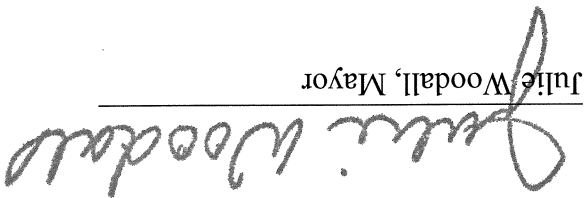
Councilmember Leonard commented he had forwarded a letter to Councilmember Thompson regarding Smart Meters, which was sent to the CPUC from the Humboldt County Board of Supervisors.

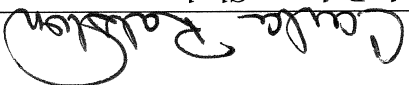
Councilmember Marks commented that HWMA had chosen to award the RFP to the Ukiah Group.

Mayor Woodall stated that at the last Humboldt Transit Authority meeting the board gave the Director an evaluation that resulted in a raise, even though the Director had announced her plans to retire prior to the evaluation.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:45 p.m. to the March 1, 2011 regular City Council Meeting.

  
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Julie Woodall, Mayor

Attest:  
  
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Carla Ralston, Clerk