

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 21, 2023**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Garnes.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Carter, Councilmembers Orr, Wilson and Woodall

Others Present: City Manager Knopp, Finance Director Sanborn, Chief of Police Allen, Wastewater Superintendent Taylor
Superintendent Taylor, and Senior Fiscal Assistant Maciel

Absent: Community Development Director Caldwell, Water/Roadways Superintendent Jensen and City Clerk Dunham (excused)

PUBLIC PRESENTATIONS

Mayor Garnes called for public comment on non-agenda items.

An unidentified member of the public addressed the Council and said that he had a home in McKinleyville for 20 years, was diagnosed with cancer and moved closer to his son in Eureka and was ultimately evicted, lost his job and his kid and has been going through resources for the homelessness since then. He expressed disappointment in the County Board of Supervisors for allowing this to happen. He said it was a struggle to get the County to let him have one shower. He said that he has to walk 22 miles a day to catch the bus to get to Rio Dell and although Fortuna is closer, Rio Dell is a lot friendlier place. He commended Sarah and the Community Resource Center for doing a great job and urged her and her staff to find solutions for the homeless.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public would like to remove any item from the consent calendar for separate discussion. No items were removed.

Motion was made by Woodall/Carter to approve the consent calendar including the following items:

- 1) Minutes of the March 7, 2023 regular meeting;
- 2) Receive & File FY 2023-24 Operating and Capital Budget Calendar;
- 3) Approve purchase of Wastewater DE Nora CT-100 Onsite Hypochlorite Generator;
- 4) Authorize the Finance Director to sign and submit the City's Annual Transportation Development Act (TDA) Claim for FY 2023-24; and
- 5) Receive and File Check Registers for December, January and February

Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and announced that on Wednesday, March 29th there would be tsunami warning test taking place. He also reported on the tour of the most recent indoor cannabis cultivation site at the Humboldt-Rio Dell Business Park, and gave special kudos to Supervisor Bushnell for requesting speed radar signs be deployed by Caltrans to the Bellevue neighborhood in anticipation of the weekend closure of Fernbridge. He noted that staff is working on the California Disaster Assistance Act (CDAA) compliance and had a kickoff meeting with CalOES, and GHD.

Mayor Pro Tem Carter asked Finance Director Sanborn about the discussion he had with the new owner of 70 Wildwood Ave. regarding the Façade Improvement Program.

Finance Director Sanborn said that the owner did inquire about fixing their plumbing and possibly adding some paint and improvements to the front of their building. He said that he provided them a Façade Improvement packet and application and staff is assisting them through the process.

Councilmember Wilson mentioned reports regarding speeding traffic on Bellevue Ave. and questioned enforcement.

Chief Allen commented that the department is in the process of trying to install speed signs in various spots in the City and there is a grant application pending to purchase electronic speed signs.

Councilmember Woodall commented that apparently there were some kids on the bridge throwing paint balls and asked the Chief if he was aware of the incident.

Chief Allen said that he was aware of it and that they are trying to identify the responsible parties, noting that one of the police vehicles actually had some damage.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

Approve Resolution No. 1578-2023 temporarily waiving sewer fees for customers whose residences have been “Red-Tagged” by the December 20, 2022 Earthquake Disaster
Finance Director Sanborn provided a staff report and explained that widespread damage was reported throughout Humboldt County as a result of the recent earthquakes with major disruptions to homes and infrastructure in the City of Rio Dell which included approximately 45 homes deemed to be “Red-Tagged”.

At the February 21, 2023 City Council meeting, the Council directed staff to take action on this item with regard to sewer bills for homes that were possibly red-tagged. As such, staff

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established a Sewer Bill Adjustment Claim Policy that offers ratepayers whose homes were red-tagged the ability to file claims to waive their sewer bill for up to six months after the December and January earthquake disasters. The claim form will offer up to 100% forgiveness on sewer charges incurred after the earthquake disasters. The program would become effective immediately and end on June 30, 2023.

Councilmember Woodall noted that she had asked staff if the City Attorney had reviewed the policy and if the red-tagged homes had water shut off. Staff informed her that the City Attorney had reviewed the policy and that there was no water being supplied to red-tagged homes at this time.

Councilmember Wilson questioned the number of red-tagged homes and said that he understood there were more than 90 red-tagged homes rather than the 45 as quoted in the staff report.

City Manager Knopp said that the number may be in error and recalled the last count as 81 red-tagged homes. He noted that staff did not anticipate that number going up and expected the number to go down with some homes now being downgraded to yellow or green tags.

Mayor Pro Tem Carter said that she agreed with the proposed Sewer Bill Adjustment Claim Policy as proposed.

Mayor Garnes asked if the red-tagged homes would automatically have the sewer bill waived for the six months, or if the waiver would end as the homes are downgraded.

Finance Director Sanborn explained that once the repairs are done and the customer is able to utilize those services, the waiver no longer applies.

Mayor Garnes called for public comment on the proposed resolution.

Steve Saunders, 762 Rigby Ave. addressed the Council and said that he has been a home-owner on Rigby Ave. for 10 years and loves Rio Dell. His home was red-tagged and sustained major damage from the earthquakes. He said that his water and sewer utilities were compromised yet he is being billed for services he can't use. He presented a utility bill for \$54.00 with an additional late fee. He said that he wanted make sure that the City is being fair with regard to red-tagged homes and expressed concern that 6 months may not be long enough to get repairs done. He said that homeowners should not have to pay for utilities they cannot use.

Sharon Wolfe, 3 Painter St. asked for clarification that customers with red-tagged homes will have all water and sewer rates (base rate and usage) waived for 6 months if they sign up for this program. Also, if a home continues to be red-tagged after six months, will they be able to continue to receive the waiver.

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Finance Director Sanborn explained that there is no base rate water charge so if water is shut off there is no water charge. The base rate only applies to sewer. He said that the current policy as presented, expires on June 30, 2023 and to extend it beyond that date, it would require City Council approval.

Councilmember Woodall asked if the waiver would be retro-active.

Finance Director Sanborn explained that the waiver would cover the six-month period from January-June 2023 so customers would get a credit for any sewer fees paid for that period.

Councilmember Wilson expressed concern that some of the red-tagged homes may not be repaired by June 30th and asked if the Council should consider extending the waivers for those customers.

Mayor Garnes suggested adopting the policy as proposed and to bring the matter back to the Council prior to the end of the fiscal year for further discussion.

City Manager Knopp explained that the City recently went through a rate analysis study to establish the current wastewater charges so setting up a plan obsolesce of the relief program is necessary to ease the administrative burden onto staff and contain the costs. He said this is certainly in the Council's purview but reminded the Council that the next item for discussion is the \$25 million worth of infrastructure damage; most of which is related to the wastewater system. He noted that it is not in the best interest of the community to deviate from the original rate structure plan too much. He said that it is understandable to feel for the residents experiencing these issues but there are some resources available to help get some of these repairs done including repairs to water and sewer services.

Councilmember Wilson commented that he didn't have a problem with adopting the policy through June 30, 2023 however, these residents with red-tagged homes need to be a priority. He said that he can't believe that the City would need to go out and have a rate study done in order to allow sewer adjustments to 80 or so customers. He said that he understands infrastructure concerns with the \$25 million in damages which is a big deal for the City but \$54.00/month for Mr. Sanders is a lot for him. He said that right is right and the City needs to do the right thing and help the people that were impacted the most.

City Manager Knopp clarified that he is not suggesting the City do a new rate study but is simply saying that administratively there needs to be a cutoff date for the waivers; whether the Council decides to extend that is entirely up to the Council.

Councilmember Wilson agreed to adopt the policy as proposed and bring it back before June 30th, look at where things are and decide whether to continue the waivers then.

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Motion was made by Carter/Woodall to approve Resolution No. 1578-2023 temporarily waiving sewer fees for customers whose residences have been “Red-Tagged” by the December 20, 2022 Earthquake Disaster. Motion carried 5-0.

Discussion on Earthquake Related Damage to City-Owned Public Infrastructure

Finance Director Sanborn provided a brief update on damages to City owned public infrastructure including water, wastewater and streets and the process for repair.

He reported that staff met with CalOES representative Michael McIntosh who will be helping the City with the recovery process on expenses related to the recent earthquake damage. He presented the list of projects discussed at the meeting and noted that as of the kickoff meeting last Thursday, the City has 60 days to finalize the list.

The initial project list consisted of 15 items including the following:

1) Debris Removal	-	75,000
2) Distribute Aid/Information	-	10,000
3) Building Inspection Costs	-	2,500
4) Sanitation/Water Services	-	130,000
5) Sanitary Sewer Overflow/WWTP Costs	-	10,000
6) Donated Materials	-	25,000
7) Metro Wells – Well #1 Damage	-	1,000,000
8) Emergency Water Line Repairs	-	180,000
9) Replace Water Holding Tank	-	1,600,000
10) Sidewalk Damage	-	50,000
11) On-site Hypochlorite Generator	-	250,000
12) Contain Basin	-	6,000,000
13) Damaged Wastewater Collection Pipes	-	10,202,272
14) Equipment/Building Damage	-	50,000
15) Damaged Water Distribution Pipes	-	5,835,364

Finance Director Sanborn reported that staff submitted two of the items to the State today for reimbursement. He said that the minimum reimbursement rate will be at 75% and staff will be requesting that it be increased to 100% given that the Safety Element of the City's General Plan was amended to include additional language. Staff is continuing to work with County OES and State partners to make sure the City's earthquake related expenses are reimbursable.

Mayor Pro Tem Carter asked which two items were submitted for reimbursement.

Finance Director Sanborn explained that the two that were submitted were completed noting that many of these items have lingering invoices or work that is remaining. He said that Item 1, Debris Removal was submitted which captured all of the costs for the dumpsters, and Item 4 was also submitted which included the portable toilets and showers as well as the initial purchase of drinking water.

Mayor Pro Tem Carter asked if staff was hopeful about the reimbursement process going well.

Finance Director Sanborn said that the City has had great support from CalOES and that they have been incredible in terms of communication with the City. He noted that they came to Rio Dell, met with staff and walked around the City so are very familiar with the infrastructure and have been extremely easy to work with.

Councilmember Woodall questioned the amount expensed for debris removal at \$75,000 versus the amount on the check register of \$51,472 to Recology Eel River.

Finance Director Sanborn pointed out that the numbers on the list are estimates and staff tried to capture the high end of the estimate to make sure all the costs are covered. He explained that the \$75,000 estimate included the \$51,472 as well as a second invoice for \$12,905 to Recology Eel River. He said that the equipment cost for use of the backhoe was also captured in that expense as well as some staff time.

Councilmember Wilson pointed out some of the high dollar amounts totaling approximately \$20 million and asked if that would trigger potential FEMA reimbursement.

Finance Director Sanborn explained that for this disaster, the City did not meet the threshold to qualify for FEMA funding and that those numbers were included in the initial calculation. He commented that related to some of these high cost projects, there are possible avenues for getting advance payment for some of the costs as the City can't obviously take on those expenses up front. There is absolute intent that the State will reimburse the City at least 75% for these project costs.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Carter announced that there would be a Nuisance Advisory Committee meeting tomorrow at 4:00.

Councilmember Woodall reported that she attended an HCAOG meeting on Thursday and they had a presentation on the recent survey done on Humboldt County streets. She will be sharing the report once she receives a copy. She said that she also attended a Rio Dell School Board meeting, and that she went on a ride-along with Officer Landry yesterday which was great. She challenged other council members to go on a ride-along before discussing the upcoming budget as it relates to adding another officer to the force. She added that it is a real eye-opener when you actually go out and see what the officers do.

Councilmember Wilson reported that he would be attending a Redwood Coast Energy Authority (RCEA) meeting on Thursday.

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Councilmember Orr had nothing to report but said that he is happy to be back after being out of town for the past few weeks.

Mayor Garnes reported that she had a Community Services Policy meeting with CalCities last Friday and on March 24th there is going to be a CalCities Business meeting in Arcata. She said that all councilmembers are invited to attend and after the business meeting there will be a reception, walk around the Arcata Marsh followed by a dinner.

ADJOURNMENT

Motion was made by Woodall/Carter to adjourn the meeting at 7:10 p.m. to the April 7, 2023 regular meeting. Motion carried 5-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk