

**REGULAR MEETING  
DUNSMUIR CITY COUNCIL  
COUNCIL CHAMBERS  
5902 DUNSMUIR AVE.  
JANUARY 16, 2014  
REGULAR SESSION: 6:00 PM**

**As a courtesy, please turn off cell phones and electronic devices while the meeting is in session. Thank you.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CLOSED SESSION - NONE**
- 4. FLAG SALUTE**
- 5. ELECTION OF NEW COUNCIL OFFICERS (MAYOR AND VICE-MAYOR)**
- 6. APPROVAL OF AGENDA AND MINUTES /AGENDA REVISIONS**
- 7. COMMITTEE REPORTS**
- 8. ANNOUNCEMENTS AND PUBLIC COMMENT**

City Council meetings are televised on Channel 15 to keep the City residents informed of City Council actions and deliberations that affect the community (meetings are scheduled to be televised on the 1<sup>st</sup> and 3<sup>rd</sup> Thursday of each month. Meetings that take place on dates other than the 1<sup>st</sup> and 3<sup>rd</sup> Thursday will not be televised). Make your announcements or comments from the podium so that residents at home can hear what is being said. The Mayor will recognize you and ask for your name and address so that City staff can follow up on any issues requiring City action. People making announcements or comments may address any matter. City Council can only take action on matters that are on the Agenda, but may place matters brought to their attention at this meeting on a future Agenda for consideration. The Mayor reserves the right to limit the length of any comments or presentations.

- 9. ANNOUNCEMENTS AND REPORTS FROM COUNCIL AND STAFF:**  
Members of the Council or staff may ask questions, request reports for a later meeting, or ask that an item be placed on a future agenda on any subject within the Council's jurisdiction.

**10. CONSENT AGENDA**

- A) December 2013 – Warrant Run
- B) New Committee Assignments from 12/19/13

**11. PUBLIC HEARING – None**

**Public Hearing Protocol:**

- 1. Mayor will describe the purpose of the Public Hearing**
- 2. City Staff will provide the Staff Report**
- 3. City Staff will respond to questions by the City Council**
- 4. Mayor will open the Public Hearing**
- 5. Citizens wanting to comment will come to the podium, provide the City Clerk with their name and address and provide their comments.**
- 6. Mayor will close the Public Hearing**

## 12. OLD BUSINESS

- A) Discussion and possible action to approve Children's park month to month lease until an agreement can be reached with Benson Roofing regarding Children's Park.
- B) Discussion and possible staff direction to consider Gary Benson's request to keep Children's Park the way it is and lease two hangers at Mott Airport to Gary Benson to house Benson Roofing's equipment and supplies in lieu of reducing Children's park to create storage for Benson Roofing.
- C) Discussion and possible action scheduling a joint city council and planning commission meeting to discuss establishing regularly scheduled, noticed meetings, guidelines, reporting requirements and an action plan from the Planning Commission's Historic District Delegates to administer Chapter 17.28 of the Dunsmuir City Code – Historic District Preservation.
- D) Discussion and possible action Resolution 2014-02 appoint two Planning Commission candidates to fill vacancies.
- E) Discussion and possible staff action – Direction to City Manager or designee to communicate with council members with respect to city business.
- F) Discussion and possible action – Resolution 2014-01 Authority of Mayor and City/Council representation at meetings, tours, hearings, trainings, ceremonies and correspondence.
- G) Discussion and possible action – Appointment of David Hicks, A.P.L.C. as City Attorney.

## 13. NEW BUSINESS

- A) Discussion and possible action – request from Mrs. Harriet Alto regarding the purchase of a memorial council chambers audience chair and plaque.
- B) Possible Council Chamber Multi Media, Audio and Visual Upgrade and Design Presentation by Mr. Bill McIntyre.
- C) Discussion and possible action disposition of Siskiyou County Economic Development Council support for the Enterprise zone which terminated December 31, 2013.
- D) Discussion and possible action – Create new City Council committee to assist the Friends of the Library with future funding opportunities.
- E) Discussion and possible committee assignment to identify property to establish a dog park.
- F) Discussion and possible action – Resolution 2014-03 contract award for grant management services on Community Development Block Grant 13-CDBG-8868.
- G) Discussion and possible action – Brown Act training scheduled by Vice Mayor Wilde.
- H) Discussion and staff direction – Possible research request to annex a portion of property east of Interstate 5, located north of the Siskiyou Avenue on ramp and south of the Mott Road exit for commercial development.
- I) Discussion and staff direction – Possible addition of a stop sign at the intersection of Dwight Way and North Dunsmuir Avenue.

### **13. ADJOURNMENT:**

**Copies of this agenda were posted at City Hall, Dunsmuir City Library, the Dunsmuir Park and Recreation District Office and at the Post Office on or before 6:00 PM Monday, January 13, 2013.**

**The City of Dunsmuir does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disability or any other legally protected classes in employment or provision of services. Persons who need accommodations for a disability at a public meeting may call City Hall at (530) 235-4822 for assistance. Notification 48 hours prior to the meeting will enable the City reasonable arrangements to accommodate participation in the meeting.**

**CITY OF DUNSMUIR  
CITY COUNCIL MEETING MINUTES  
DECEMBER 19, 2013**

**CALL TO ORDER:**

Meeting was called to order at 6:00 pm by Mayor Keisler.

**ROLL CALL:**

Council members present: Steele, Welch, Wilde, Padula, Keisler. (Council member Steele in attendance via teleconference from Boulder, Colorado)

City staff present: Bains, Kenny

City official present: Wilson

**CLOSED SESSION:**

Mayor Keisler stated that a two-year evaluation will be done for City Manager Bains in March.

Flag salute.

Council member Wilde requested permission to do an invocation in the spirit of Kwanzaa. She reviewed the seven principles of Kwanzaa which included unity, self-determination, collective work and responsibility, cooperative economics, purpose, creativity, and faith. She asked that everyone embrace these ideals for the City of Dunsmuir.

**APPROVAL OF AGENDA AND MINUTES:**

Motion to approve by Wilde, second by Padula. Voice vote: 5-0-0-0, motion carried.

Mayor Keisler spoke regarding neighborhood watch, and the Rod and Gun Club presented a \$400 check for the purchase of new signs.

**COMMITTEE ASSIGNMENTS:**

Discussion regarding committees.

Finance: Wilde, Welch

Public Facilities and Services: Steele, Wilde

Economic Development/Tourism: Steele, Welch

Public Safety: Keisler, Wilde

IRWMP(Integrated Regional Water Management Plan): Steele, Padula

Chamber of Commerce: Padula

SCORE(Small Cities Organized Risk Effort): Steele

Mossbrae Committee: Keisler

Parking Committee: Steele, Keisler

Council member Keisler requested that a Parking Committee be created. He also stated that the Chamber representative will be a liaison for the Chamber and the City, attending meetings and becoming a member.

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 2**

Chamber of Commerce Interim Executive Director Nora Silber was unsure how or if this could be done. She stated that there are currently two vacant seats on the board, and if a council member wanted to join, it might be possible. She explained that she would need to speak to the Chamber board regarding.

Council member Wilde stated that she has been participating in an informal group regarding Joint Powers Authority, and that she would like to continue. Mayor Keisler felt that this would be a good idea.

Mayor Keisler appointed himself and council member Steele to the Parking Committee, with the remaining committee to be filled by CM Bains and interested citizens.

**COMMITTEE REPORTS:**

CM Bains gave a Mossbrae Trail update, explaining that the St. Germaine Foundation is asking for a third appraisal. She stated that Union Pacific will not fund another appraisal, and that the UP attorney has been sending letters to St. Germaine stating that the only way St. Germaine members can access the falls is by trespassing on Union Pacific land. She stated that she believed that a Union Pacific representative would be walking the potential trail on January 6.

**ANNOUNCEMENTS AND PUBLIC COMMENT:**

Audience member Peter Arth asked about public participation in committees, expressing his interest in water and sewer issues. City Attorney Kenny stated that committees are open to the public.

Mr. Arth stated that he would like to create a community garden in 2014. He expressed a need to reduce community hunger and to promote a healthy lifestyle. He offered three lots for the project, and stated that the Community Resource Center may also be able to prepare some food. Mr. Arth stated that he was looking for the support of the City, and hoped to make the project a partnership.

Chamber representative Nora Silber stated that Winterfest has been postponed until February 15 due to lack of snow.

Corporal Adam Zanni gave the November statistic.

Audience member David Hicks spoke regarding the possible changes to the Children's Park. He stated that if the exchange goes through, he would be willing to donate land to add in a bocce ball court for a lease of \$1 per year.

Audience member Reverend Jean Baker expressed concern regarding the Tesla car charging station. She stated that the Tesla Company had chosen Dunsmuir first, and wanted to know why it had not been followed up on. She asked to see an answer in writing. CM Bains stated that there was not adequate power in Dunsmuir to power the site. Reverend Baker again requested a written statement including Pacific Power's findings.

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 3**

**CONSENT AGENDA:**

- A) November 2013-Warrant Run
  - B) US Bank-Signature Cards for new council members
  - C) Treasurer's Report-First Quarter 2013/2014
  - D) City Hall Holiday Schedule
  - E) Resolution 2013-66 Maintenance of Effort (MOE) calculation for AB2788
  - F) 2014 City Council Meeting Schedule
- Motion to approve by Wilde, second by Welch. Voice vote: 5-0-0-0, motion carried.

**OLD BUSINESS:**

A) Discussion and planning staff report regarding Resolution 2013-60 to hold a public hearing and initiate process to abandon the portion of Spruce Street that rests between parcels 1 (currently rented by Benson Roofing) and 8 (currently the Children's Park). CM Bains gave the staff report, stating that the Planning Commission has reviewed the item and responded favorably. She stated that the Commission had expressed concern about whether it was a legal use of land, and what would be done with the memorial Dogwood trees located in the area. She stated that the item would be revisited at the next regular meeting.

B) Discussion and possible action Resolution 2013-63 establishing regularly scheduled, noticed meetings, guidelines, reporting requirements and an action plan from the Planning Commission's Historic District Delegates to administer Chapter 17.28 of the Dunsmuir City Code-Historic District Preservation with full support from the City.

CM Bains reviewed the item, brought to the City by Mr. Peter Arth, who felt that the historic properties in the City had not been kept up.

Council member Welch stated that he had previously been a Historic District delegate. He stated that he had shied away from Mark Juarez and Peter Arth as he did not want to get in the middle of the conflict. He stated that he did review buildings and make suggestions to the City Manager, especially regarding fin signs and the continuity of the Historic District. He stated that he would not vote for the Resolution as it does not talk kindly, that it is disparaging and talks about failure, whereas he would prefer to be positive. Mr. Welch discussed a vision of Planning Commission Chair Dick Kelby, in which a separate commission could be established specifically for preservation of the Historic District.

Audience member Peter Arth stated that the Historic District ordinance is about saving what is left of the history around the City's railroad origins for future generations. He stated that the City unanimously adopted the ordinance protecting the Historic District, and that it means nothing if it is not going to be enforced. Mr. Arth expressed concern that time is running out for the remaining buildings.

Audience member Mark Juarez reviewed the history of the California Theater and stated that he could have had the sign replicated in aluminum with LED lights, but that the City would not allow it. He reviewed the damage to the marquee and stated that it cost him

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 4**

over \$154,000 to repair. He stated that the City has road blocked him all the way, and that he has not been treated fairly. Mr. Juarez stated that the sign is old, the wiring is faulty, and that it needs to be taken down and re-done. He stated that he had indicated that he would open the theater if the City provided parking, which did not happen. He stated that it would be unrealistic to utilize the theater for movies, and that he has a plan to put all of his buildings together to create a health and conference center.

Planning Commission chair Dick Kelby stated that the City ordinance states that buildings must be maintained in a safe condition, in perpetuity, inside and out. He stated that the problem is not just with one individual, and that one entire block on the west side of Dunsmuir Avenue looks horrible. He stated that business owners need to be brought into compliance and do what that ordinance says.

Mr. Kelby stated that the proposed ordinance change would require regular monthly meetings. He explained that every time there was a Historic District item on the Planning Commission agenda, the Historic District representatives met and gave recommendations at the meeting as per the ordinance. Mr. Kelby felt that this is an insufficient number of people to represent the Historic District, and agreed that the City needs another commission to deal directly with the Historic District in its entirety. Discussion. Mr. Kelby suggested that the City encourage each property owner to grant historic easements, giving the City the ability to make sure the buildings are maintained.

City Attorney Kenny stated that the City Council as well as the Planning Commission should look at the possibility of creating a separate commission and determine if that is what they want. He suggested tabling the item, and possibly holding a joint Council/Commission meeting.

Motion to table the item by Welch, second by Steele. Voice vote: 5-0-0-0, motion carried.

**7:35 pm 10 minute recess.**

**NEW BUSINESS:**

A) Discussion Dunsmuir Recreation and Parks District

CM Bains stated that Vice Mayor Wilde had placed the item on the agenda.

Recreation and Parks District Administrator Mike Rodriguez reviewed the history of the Recreation and Parks District. He stated that the mission of the district is to provide diversified recreation and to maintain safe and adequate facilities.

Council member Wilde stated that a citizen had expressed concern to her that the P&R was going to close and lock the baseball field regarding something the football team was concerned with. She stated that the team has only six home games per year.

Mr. Rodriguez explained that the field is also used for baseball throughout the summer, as well as rugby, festivals, and other uses.

Council member Wilde stated that the public uses the field to exercise their dogs, and that it is an unofficial dog park. She stated that the lease talks about use for public, and that the City's General Plan regarding land use states that the staff shall continue to increase

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 5**

public access to parks. She stated if the board closes off access out of concern for the football team, her job is to seek out another option. Ms. Wilde stated that a board member had stated that the park was going to be closed.

Mr. Rodriguez stated that the concern was brought to the board at the November meeting. He stated that the issue is not just with this park, but with all parks. He stated that all Rec and Park districts are looking at the issue due to health and safety. He stated that the issue has not been decided, and will be discussed at the January meeting.

Discussion.

Mr. Rodriguez explained that there is a leash law, and it is the ones that do not leash their dogs that create the problem. He stated that feces on the ball field is an unsafe, unhealthy condition.

Council member Wilde suggested moving the doggy station inside the fence. Mr. Rodriguez stated that people that are respectful use the station or bring their own bags. Council member Wilde stated that most people are respectful. She stated that so many people use the park, and that Code Enforcement Officer Tony Congi stated that the City accepts the fact that people do bring their dogs there. She suggested operating the field as a dog park as a trial run.

Mr. Rodriguez stated that the board is open to hearing both sides, and that they will make the decision at a meeting.

Council member Wilde asked if the ball field could be severed from the lease if the issue was not resolved. Mr. Rodriguez stated that it could, but questioned why, and explained that the City would become responsible for the maintenance.

Mayor Keisler suggested looking into a strip of property owned by the City, located south of Manfredi's, or possibly the airport as a location for a dog park.

Discussion.

Audience member Mario Rubino stated that the maintenance, time, and labor is significant to take care of a park.

Council member Wilde stated that the City ordinance affects the park even if the P&R manages it. Mr. Rodriguez stated that as stewards of the park, the P&R has the authority to make regulation.

Audience member Mario Rubino stated that the issue is of health and safety, and that animal waste is a serious issue. He stated that the right thing to do would be to put in a dog park. Mr. Rodriguez stated that the issue is not with dogs, but with the owners. He stated that a dog park would be a good solution, and offered his services.

B) Discussion and possible action Resolution 2013-67 Fire Department 50/50 Cal Fire Grant for year 2013/2014.

Review by CM Bains, grant will be for wildland firefighting gear.

Motion to approve by Steele, second by Wilde. Voice vote: 5-0-0-0, motion approved.

C) Discussion and possible action to consider rescheduling the January 2, 2014 City Council meeting.

Brief discussion. Motion by Wilde to cancel the January 2 meeting with the caveat that if

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 6**

something arises, a special meeting could be held. Second by Steele. Voice vote: 5-0-0-0, motion carried.

D) Discussion and possible action Resolution 2013-65 appoint two new Planning Commission members.

Review by CM Bains.

Mayor Keisler stated that he will appoint the positions at the next City Council meeting and that a packet would be provided at City Hall reviewing the General Plan and the duties of the Commission. Mayor Keisler stated that the applicants should have more information about what it means to be a Commissioner first.

Motion to table by Wilde, second by Steele. Voice vote: 5-0-0-0, motion carried.

E) Discussion and possible action Resolution 2013-64 to repeal Ordinance 537 and remove Chapter 17.34 from the Dunsmuir Municipal Code

CM Bains reviewed the item at the request of council member Wilde. She reviewed the history of the ordinance, and the creation of by committee and approval by the City Council.

Audience member Arlis Steele stated that a battle over this item at this time would split the town again. He stated that council member Wilde owns a marijuana store. He did not believe that the ordinance could be changed by Resolution.

City Attorney Kenny stated that the ordinance could not be repealed by Resolution.

Mr. A. Steele stated that the agendas are supposed to be more specific and transparent, however it was not noted what the ordinance even is. He stated that when the ordinance was approved, the discussion went on for many months. He stated that the ordinance allows for cultivation, but also allows people to enjoy their backyards. Mr. Steele stated that the recall effort would be starting soon and suggested that this item be removed as it is not appropriate at this time.

Audience member Peter Arth stated that he relies on medical marijuana. He stated that since the dispensary opened, there have been no crimes in relation to it. He stated that the ordinance is unbalanced, and makes it as difficult and expensive as possible for people to get their medicine. Mr. Arth recommended finding a balance and learning to coexist. He stated that California permits medical marijuana and that Colorado and Washington allow for recreational use. He stated that during the lifetime of the ordinance, two people have been cited. He stated that if he is considered to be the type of undesirable personality that is not wanted in the community, then the City should continue with the ordinance. He stated that Council should do what is right in the interest of those who elected them.

Audience member Dick Kelby stated that looking at the number of citations is the wrong way to look at the subject. He stated that the number of complaints should be viewed, and explained that if a complaint is received, the party is given 30 days to come into compliance.

Council member Welch asked council member Wilde if she would be recusing herself. She stated that there would be no conflict of interest as there is no cultivation done at the dispensary. She stated that she is a true believer in this item and that she did create the

**DECEMBER 19, 2013**  
**CITY OF DUNSMUIR MEETING MINUTES**  
**PAGE 7**

Resolution. Council member Wilde read a fax and requested that it be submitted into record. She stated that the Planning Commission had declined to make a recommendation regarding the ordinance two times. She stated that no one took part in writing the ordinance besides Diane Dolf and Dick Kelby. She stated that when she joined the council, she wanted to form a committee to review the ordinance, and was contacted by Planning Commission members who wanted to join the committee. Ms. Wilde stated that previous commissioner and current council member Tim Padula felt that the ordinance should be repealed in its entirety, and the City go back to state law. She stated that commissioners Scott Welch and Steve Kirkwood crossed-out every section of the ordinance, stating that it needs to be re-written or repealed. Ms. Wilde stated that CM Bains had previously stated that the ordinance was the biggest waste of money the City ever spent. She reviewed the changes she would like to see made to the ordinance, beginning the process to repeal Chapter 17.34.

City Attorney Kenny stated that if it is the will of the Council, they could refer the item to the Planning Commission for their consideration. He stated that the Commission will make a recommendation and then the Council does what they feel is appropriate. He explained that a public hearing would be needed.

Council member Scott Welch stated that the concern is for children, and that he does not think that much of the City is trying to regulate the adults. He felt that it would be right to consider the item as a lot of people still have opinions to express.

Council member Steele stated that the item should be sent back to the Planning Commission for amendment rather than repeal as there needs to be some local control.

Council member Wilde stated that there was no ordinance in place from 1996-2011. She stated that she is tired of people disparaging medical marijuana patients and that the issue is generational. She stated that Council is required to protect the right of the minority.

Council member Padula stated that the concluding statement of a member of the group involved in creating the ordinance asked that cultivation be made as expensive as possible. He stated that the ordinance should be repealed.

Motion to send the item to the Planning Commission for amendment by Padula, second by Wilde. Voice vote: 4-1-0-0, Mayor Keisler voting Nay.

Motion to amend the vote to change the motion by Wilde. Council member Padula amended the wording of his motion to state "amend or repeal". Motion seconded by Welch. Voice vote: 3-2-0-0, Steele and Keisler voting Nay.

**ANNOUNCEMENTS AND REPORTS FROM COUNCIL AND STAFF:**

Council member Padula stated that Gold Hills Oregon is making a whitewater park with little to no investment from the city. He also expressed concern about the stop sign near the bottling plant, stating that it is dangerous.

Council member Padula requested that an item be added to the next agenda looking into annexing the property located between Penny's Diner and that airport as he would like to see a truck stop built in the area.

**DECEMBER 19, 2013  
CITY OF DUNSMUIR MEETING MINUTES  
PAGE 8**

**ADJOURNEMENT: 8:55 pm**

\_\_\_\_\_  
**Mayor Keisler**

**ATTEST:**

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**City Clerk Wilson**

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 \*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

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CONNECTION TEL		2258944
SUBADDRESS		
CONNECTION ID		
ST. TIME	05/10 12:47	
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PGS. SENT	1	
RESULT	OK	

May 10, 2011

Via Fax 530 225-8944

FROM: Diane Dolf

TO: John Kenny

I have been trying to finalize my thoughts on the cultivation ordinance and I have a couple of questions for you before our next meeting. If we remove the Historical District from the ordinance will this remove the liability of violating Mr. Arth's rights? I need your response as soon as possible. Thank you If you wish to call me my home number is 235-2518. We only have one more shot at this and I still need some answers.

#### SUGGESTION

Remove: "Medical marijuana cultivation is prohibited in the Dunsmuir Historical District."

#### REASONS:

1. Leaving the Historical District in could be perceived as targeting someone
2. We have no other towns with a Historical District to seek answers from

#### CONCLUSION

1. If we remove the Historical District everyone would have to abide by the ordinance stating they can only grow on the parcel they reside on.
2. Rules of the ordinance apply to everyone in Dunsmuir and Mr. Arth would have to comply just like everyone else

**CITY OF DUNSMUIR  
CITY COUNCIL MEETING MINUTES  
JANUARY 5, 2014**

**CALL TO ORDER:**

Meeting was called to order at 2:02 pm by Mayor Keisler.

City Clerk Wilson read a statement regarding the legality of the meeting, stating that she did not believe that the meeting was noticed properly pursuant to California government code 54956. She also cited a potential Brown Act violation in the form of a serial meeting as a majority of the Council were in communication in order to establish the need for the meeting.

Mayor Keisler stated that he would conduct the meeting under protest.

**ROLL CALL:**

Council members present: Welch, Wilde, Padula, Keisler

Council members absent: Steele

City staff present: Bains

City official present: Wilson

Flag salute.

**ELECTION OF NEW COUNCIL OFFICERS (MAYOR AND VICE MAYOR):**

Mayor Keisler reiterated before moving on that he felt that the meeting was unethical and that all items on the agenda should be discussed at a regular meeting, not a special meeting.

Council member Wilde made a motion to elect new officers.

Mayor Keisler stated that he had the gavel, and made a motion to table (at this point council member Padula made a second) the meeting until the regularly scheduled meeting time. Council member Wilde stated that there was a motion and a second to elect new officers. Mayor Keisler reiterated his motion, seconded by Welch.

Council member Welch stated that government moves slowly, that the meeting was being done in haste, and that people were upset. He stated that council member Padula came by his house on Friday, and then council member Wilde came by. Mr. Welch stated that he felt that the clerk had a good point. He stated that there is no easy way around a hard situation, that these are items that need to be discussed, but nothing that would merit a Sunday afternoon meeting. He stated that he just went along with it and probably should have gotten more information. Mr. Welch stated that he would like to adjourn the meeting in light of what the City Clerk said, to a regular scheduled meeting.

Council member Padula stated that he called the meeting. He stated that he felt the items were legal and in the interest of the people. He expressed concern about a Mossbrae tour that had occurred on the previous Friday. He stated that there are five people on the Council, not just one. Mr. Padula stated that he is the one that called Union Pacific to schedule the tour, and that he had wanted the Council and the representatives to get to

**JANUARY 5, 2014**  
**CITY COUNCIL MEETING MINUTES**  
**PAGE 2**

know each other. He stated that he and the other council members were left out, and he was angry and wanted to do something about it. Mr. Padula stated that if he could not do something today, he would do it another day, however, his job was calling him away for long hours. He stated that he may not be able to make it to the January 16 meeting, and that was his reason for calling the special meeting.

Council member Wilde stated that the issues go beyond what had happened on Friday. She stated that Mayor Keisler had arbitrarily determined that he and Dick Kelby would develop a test for Planning Commission appointment. She stated that he had let people sit for three hours during a meeting thinking they were going to be appointed. Ms. Wilde stated that City Manager Bains had known nothing about it either, nor what would be going into the packet. She stated that council member Welch had told her that Dick Kelby had informed him that he and Mayor Keisler had devised a test to give to prospective Planning Commissioners. She stated that it was probably geared toward installing Guy Shoop on the Commission. She stated that this is very disturbing as no one has had to take a test in the past. Ms. Wilde stated that the Dunsmyre Municipal Code states that the Mayor will nominate someone for the position and Council will vote. She felt that the rest of the Council should have been involved in this decision. She felt that in less than a month, Mayor Keisler had created/tried to put people on committees. She stated that she then read in the newspaper that there was going to be a Mossbrae tour, and that she had asked the City Manager on multiple occasions to keep the Council informed about hearings, trainings, ceremonial dinners, tours, but that she had to find out from the newspaper that CM Bains and Mayor Keisler were both going on the tour. She stated that this came on the heels of Mayor Keisler attending a dinner with the same people, and expressed concern that the Mayor is representing the City on City business without Council's knowledge. She stated that there is no way to bring accountability, transparency, and fairness to the Council with Mr. Keisler as Mayor.

Mayor Keisler stated that council member Wilde is wrong. He stated that all he has done so far is in the tradition of the past, that the Mayor makes the appointments with the consent of the council. He stated that the way he has done things is the way he has been told. Mayor Keisler stated that he received from UP representative Lisa Stark asking if he wanted to go on the Mossbrae tour. He stated that he asked if the other council members could go and was told no. He stated that the following day he spoke to Buck Groeschel and was informed again that council member Wilde could not go. He stated that he is on the Mossbrae Committee, that his job is to go, observe, come back to council and inform them on what he saw. He stated that he did nothing wrong, that he had just done his job. Mayor Keisler stated that there was a motion on the floor to postpone the items until the January 16<sup>th</sup> meeting. Mayor Keisler call for a vote: Keisler Aye, Wilde Nay. Welch and Padula declined to vote.

Audience member Chris Raine stated that it is confusing for private citizens to hear about a transparency ordinance and then find out about a special meeting, discussing serious issues, called on a Sunday. He stated that the Council had unanimously appointed Mr.

**JANUARY 5, 2014**  
**CITY COUNCIL MEETING MINUTES**  
**PAGE 3**

Keisler as Mayor. He stated that Mr. Keisler did his job, and council member Wilde didn't get to go. He reminded council that if three members are to attend a City related function, it has to be noticed. Mr. Raine questioned if there was an issue with the City Attorney. He stated that Mr. Kenny has decades of experience with the City and that he is highly spoken of. He questioned the key employee replacement being done on a Sunday afternoon. He stated that there had been no notice, no request for proposals, no 30 day application period, that it had not been put in the paper. He stated that this smacked of good-ol'-boy croneyism, and that in this small town, everyone sees who's cars are parked at who's houses. He asked how council could advocate for transparency, to say that they want to be more transparent, and then pull something like this off. He suggested that Council table the meeting and think about what they are trying to do. Council member Padula stated that there was nothing against Mr. Kenny, but that it was about creating jobs in Dunsmuir for people who live in Dunsmuir. Mayor Keisler again took the vote for the adjournment of the meeting. Welch and Keisler voted Aye, Wilde voted Nay, Padula declined to vote.

**ADJOURNMENT: 2:20 pm**

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**Mayor Keisler**

**ATTEST:**

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**City Clerk Wilson**

One duty of the City Clerk is to ensure that agendas are posted and City Council members adhere to the government code and the Brown Act.

I did discuss my concerns with Vice Mayor Wilde via email yesterday, and did inform her that I would be voicing my concerns.

California Government Code 54956 pertains to special meetings and notification of.

The code indicates that council members will be notified 24 hours in advance of a meeting unless waived. My email indicated that it was sent at 2:53, it is unclear if Council Members were notified previously as they did receive the same email.

Council Member Steele is currently in Colorado-it is unclear if he received notice early enough to be posted at his location. The agenda would have to be posted 24 hours in advance in order to allow for his participation.

Written notice is to be given to the newspaper 24 hours in advance, I was informed that the editor was contacted, but it is unclear if that notification was in writing.

Notice is to be posted on the City Website 24 hours in advance.

Additionally, there could be a potential Brown Act violation in the form of a 'serial meeting.' A majority of the Council called the meeting, however, it is unclear as to how these Council Members communicated. It can not be certain that discussion or deliberation of items did not occur. Typically these issues are avoided through staff preparation and notification.

Again, I want to reiterate that this does not come from a place of animosity, I believe it is my duty to help prevent litigation and potential controversy.

# Check Register Report

Check Register December 2013

Date: 01/09/2014

Time: 5:32 pm

Page: 1

City of Dunsmuir

BANK: U.S. BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>U.S. BANK Checks</b>							
44970	12/06/2013	Printed		1215	ALSCO	P.W.&WWTP CVRALLS	47.32
44971	12/06/2013	Printed		9447	AUS SMALL BUSINESS	C.H.MATS, WKLY LNDRY 12-4-13	47.79
44972	12/06/2013	Printed		2800	BAXTER AUTO PARTS, INC.	WHT LITH GREASE	71.09
44973	12/06/2013	Printed		6325	CLEMENS WASTE REMOVAL	DUMP FEES NOV `13	4,469.12
44974	12/06/2013	Printed		6630	ANTHONY CONGI	REIMB FOR WORK BOOTS	148.37
44975	12/06/2013	Printed		9850	DUNSMUIR HARDWARE	NOV `13 SUPPLIES/MATRL'S	515.49
44976	12/06/2013	Printed		9885	DUNSMUIR TIRE	WIPER BLADE #18	9.66
44977	12/06/2013	Printed		999999244	GOOD MEDICINE A MEDICAL CORP	DAVID THOMPSON (DFD)	120.00
44978	12/06/2013	Printed		18627	HILL TOOL & ENGINEERING	PLOW PINS	494.50
44979	12/06/2013	Printed		31424	KEITH MC KINLEY	NOV `13 PLANNING SVCS	1,215.00
44980	12/06/2013	Printed		31625	MEYER & SONS HEATING	GALV NIP 1 1/2X5	64.69
44981	12/06/2013	Printed		9870	MT SHASTA AREA NEWSPAPERS	LGL #6888 PUBLIC NOTICE C.U.P.	129.20
44982	12/06/2013	Printed		33130	MT SHASTA CITY	NOV `13 LAB FEES	40.00
44983	12/06/2013	Printed		9201	O'REILLY AUTO PARTS	1-BATTERY	96.34
44984	12/06/2013	Printed		39005	PACE ENGINEERING, INC.	BTRFLY AVE BRDGE SCOUR RPR	1,332.25
44985	12/06/2013	Printed		47520	SHASTA AUTO SUPPLY	NOV `13 TANK RNTL	15.09
44986	12/06/2013	Printed		47647	SISKIYOU COUNTY RECORDER	2012/13 LAFCO OPER.COSTS	1,065.88
44987	12/06/2013	Printed		47676	SMITH BUILDING SERVICES, LLC	NOV `13 BLDG INS SVCS& PLN CK	1,462.57
44988	12/06/2013	Printed		49875	TERMINIX INTERNATIONAL	5902 DUNS AVE	555.52
44989	12/06/2013	Printed		53799	UPS	UPS SVCS	8.62
44990	12/06/2013	Printed		50850	VERIZON WIRELESS	CELL SVC NOV `13	129.39
44991	12/12/2013	Printed		9277	A CUT ABOVE TREE SERVICE, INC	REMOVAL OF 5 TREES,CHIP&DISPOS	8,035.00
44992	12/12/2013	Printed		1225	ACME COMPUTER	COMPUTER SVCS	71.25
44993	12/12/2013	Printed		1000	AIELLO,GOODRICH,TEUSCHER	SVC FOR 11-30-13	5,384.75
44994	12/12/2013	Printed		1103	ALLIED INSURANCE	SURETY BOND 12-28-13/12-28-14	532.00
44995	12/12/2013	Printed		9447	AUS SMALL BUSINESS	CH MATS, WKLY LAUNDRY 12-11-13	47.79
44996	12/12/2013	Printed		2800	BAXTER AUTO PARTS, INC.	DERMA-LITENITRILE	51.69
44997	12/12/2013	Printed		3572	BLUE CROSS OF CALIF	1-1-14 TO 2-1-14 LIFE INS PREM	197.70
44998	12/12/2013	Printed		10017	CAL-ORE COMMUNICATIONS	INTERNET CHRGES DEC `12	19.95
44999	12/12/2013	Printed		5325	REBECCA CATLETT	CLN SVC 12-1,5,8,9-13	132.00
45000	12/12/2013	Printed		5219	CV SUPPLY FERGUSON ENTERPRISES	1" SERVICE MATERIAL	999.95
45001	12/12/2013	Printed		9303	FASTENAL COMPANY	LG 5MIL NATLTXGLV 100CT	50.07
45002	12/12/2013	Printed		10070	FIRE TRUCK HEADQUARTERS	12-REFLECTV STRIPE, 6-STRIFE WH	43.40
45003	12/12/2013	Printed		26425	KEN ELGIN	WINTER SVC OIL & FLTR	2,285.94
45004	12/12/2013	Printed		9870	MT SHASTA AREA NEWSPAPERS	PLN COMM VAC ADS	245.00
45005	12/12/2013	Printed		33151	MT SHASTA RECREATION	NOV `13 SENIOR NUTRITION	120.00
45006	12/12/2013	Printed		33148	MT. SHASTA TIRE FACTORY	WHL SPN BAL, STCK TPMS,CRD,BND	802.02
45007	12/12/2013	Printed		10045	RA MARTIN CONSTRUCTORS INC	WWTP IMP PROJ	546,691.79
45008	12/12/2013	Printed		10011	RTA CONSTRUCTION, INC.	WWTP IMPROV PROJ	203,180.30
45009	12/12/2013	Printed		47520	SHASTA AUTO SUPPLY	6-FUEL COND	55.15
45010	12/12/2013	Printed		47647	SISKIYOU COUNTY RECORDER	2013/14 LAFCO OPER COSTS	975.11
45011	12/12/2013	Printed		53810	US BANK EQUIPMENT FINANCE	11/20/13-12/20-13 PRINTER RNT	486.29
45012	12/12/2013	Printed		999999806	USDA FOREST SERVICE	2720 SPCL USS MTS107701 MSRNGR	59.36
45013	12/12/2013	Printed		10020	WRINKLEDOG, INC.	NOV `13 ONLINE SVCS	60.00
45014	12/20/2013	Printed		9437	BLUE STAR GAS	214.0 PROPANE F.D.	1,103.84
45015	12/20/2013	Printed		5325	REBECCA CATLETT	CLN SVC 12-13,15,18,22-13	148.50
45016	12/20/2013	Printed		6325	CLEMENS WASTE REMOVAL	RECYCLING & SORTING	12,903.12
45017	12/20/2013	Printed		5219	CV SUPPLY FERGUSON ENTERPRISES	BOXES (4)	193.38
45018	12/20/2013	Printed		48731	DEPARTMENT OF TRANSPORTATION	ST OTDR ADVRT 2014,15,16,17,18	400.00
45019	12/20/2013	Printed		8611	DEPT OF PUBLIC HEALTH	PRINC PYMNT THRU 10-31-13	1,395.00
45020	12/20/2013	Printed		13004	FAILSAFE TESTING	TESTED GRND LADDERS	701.20

Check Register Report

Check Register December 2013

Date: 01/09/2014

Time: 5:32 pm

Page: 2

City of Dunsmuir

BANK: U.S. BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>U.S. BANK Checks</b>							
45021	12/20/2013	Printed		9819	GEMPLER'S	1-PAIR SPRT BOOTS	145.08
45022	12/20/2013	Printed		24875	LILLY JONES	DEC '13 CEMETERY MAINT	583.33
45023	12/20/2013	Printed		40485	PRINTING SYSTEMS, INC.	W2'S, 1099'S	101.13
45024	12/20/2013	Printed		57228	SOLANO'S HOME IMPROVEMNT	TAILIGHT ASSY, CAB FILTER CTR	637.74

<b>Total Checks: 55</b>	<b>Checks Total (excluding void checks):</b>	<b>800,876.72</b>
<b>Total Payments: 55</b>	<b>Bank Total (excluding void checks):</b>	<b>800,876.72</b>
<b>Total Payments: 55</b>	<b>Grand Total (excluding void checks):</b>	<b>800,876.72</b>

**City of Dunsmuir**  
**City Council Committees Assignments**  
Last updated December 19, 2013

**City Council Committees**

**FINANCE:** Members: Wilde, Welch, CFO, Treasurer

Purpose: created to provide council oversight of city finances but should also include debt management, bond ratings, and grant and loan oversight.

Meets: Second Tuesday of the month as needed.

**PUBLIC FACILITIES AND SERVICES:** Members: Steele, Wilde, Staff, Arth

Purpose: created to develop and monitor policy and operations of Utilities (sewer, water & solid waste), airport, historic district and railroad.

Meets: TBD

**ECONOMIC DEVELOPMENT / TOURISM:** Members: Steele, Welch

Purpose: created to develop an economic development strategy and incentive program.

Meets: Fourth Tuesday of the month as needed.

**PUBLIC SAFETY:** Members: Keisler, Wilde, Fire Chief, Code Enforcement, Sheriff, Sgt., City Manager

Purpose: created to address policing issues in Dunsmuir but should include code enforcement, animal care, emergency plan & control and fire issues.

Meets: Third Wednesday of each month as needed.

**IRWMP (Integrated Regional Water Management Plan):** Members: Steele, Padula, City Manager

Purpose: created to oversee city's participation creating the IRWMP with various governmental and nongovernmental agencies.

Meets as needed

**City of Dunsmuir**  
**City Council Committee Assignments**  
(continued)

**Committees (cont)**

**S.C.O.R.E. (Small Cities Organized Risk Effort)**: Members: City Manager and Steele  
Purpose: attend mandatory S.C.O.R.E. quarterly meetings to discuss insurance matters, financial information and pooled risk.

Meets: quarterly

**CHAMBER OF COMMERCE**: Members: Padula  
Purpose: To act as liaison between City Council and Chamber of Commerce.

Meets: TBD

**MOSSBRAE FALLS TRAIL**: Members: Keisler, City Manager.

Meets: as needed

**PARKING**: Members: Keisler, City Manager

Meets: as needed

**JPA**: Member: Wilde

**Council Memo 2014-01**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager  
Subject: Children's Park Lease Agreement

**BACKGROUND:**

The city leased the property known as Children's Park from the Dunsmuir Elementary School beginning September 1, 1998 for a 15 year term. The cost to the city was \$1.00 per year. Gary and Jada Benson purchased the Dunsmuir Elementary School including the Children's Park in 2003 and assumed the ongoing lease with the city. The lease expired August 31, 2013. Gary Benson notified the city the Children's Park lease would not be extended as his intentions are to erect a building for his roofing company. Gary and Jada Benson have determined a month to month lease is in order if the city chooses to maintain Children's Park in its current location. The monthly rent as of September 1, 2013 will be \$625.00.

The city hosted several negotiations and public meetings with Mr. Gary Benson to attempt an agreement for an exchange of property with the City with no current agreement pending.

**CURRENT REQUEST:**

Mr. Benson is requesting a lease be approved by the City Council and remain in effect until a mutually acceptable agreement has been reached.

**RECOMMENDED ACTION:**

Direct staff to execute month to month lease

# Benson Roofing

P.O. Box 525

Dunsmuir, CA 96025

(530) 926-4700 Fax: (530) 235-4931

Lic. No. 353376

Date: July 5, 2013

Re: Children's Park Lease Agreement

To Whom It May Concern,

Back in February of this year, I began discussion with the City of Dunsmuir regarding the upcoming end of the lease for the children's park located on our property at 5707 Sacramento Avenue. The lease ends on August 31, 2013. In the course of several meetings with Brenda Baines and Mark Juarez (owner of the gas station we now occupy for storage) we currently have the understanding that we will go to a month-to-month lease agreement, until we can make a decision about our storage needs, the practicality of the children's park remaining, and Mark's gas station building, which I understand he wants to eventually use for parking.

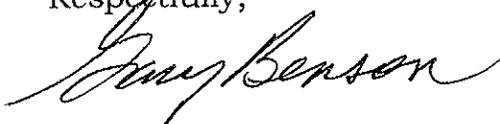
It has recently come to our attention that our liability insurance carrier is not willing to cover our exposure as a lessee on the children's park. That being the case, we would be unable to continue the lease agreement we have had with the City of Dunsmuir up until this time (it was in place when we purchased our property). If the park is to remain, the city would have to own it outright. Our needs for storage apart from the gas station need to include at a minimum, Spruce Street and the back half of the park (if the city would consider trading Spruce Street for the front half of the park).

If the front half of the park and lack of parking on Spruce Street is deemed impractical, then we would be willing to just develop the park area into a nice structure in front, with storage in back by way of Spruce Street (see attached drawing of possible layout option).

At this time, I would like to request a decision on the future of the Children's Park and our development of storage for future use from the City of Dunsmuir. If we are unable to resolve this issue very soon, we will need to be compensated for the use of the park property in the amount of the lease payment we pay for the gas station building (\$625/month). Again, our liability insurance is unwilling to cover our exposure, even with being named as additional insured on the city's insurance policy.

I look forward to a formal consideration of this matter, and a respectable solution for all the needs in question.

Respectfully,



Gary Benson  
Benson Roofing

Recording requested by:

When recorded, mail to:

---

Space above this line for Recorder's use

### CHILDRENS' PARK LEASE AGREEMENT

This lease agreement is made and entered into by and between the CITY OF DUNSMUIR, hereinafter referred to as "Lessee," and GARY BENSON AND JADA BENSON d.b.a. BENSON ROOFING, hereinafter referred to as "Lessor." The purpose of this lease agreement is to maintain a short-term lease arrangement between the parties over the Childrens' Park until the completion of a land trade that the parties are working towards.

#### RECITALS

A. Lessor owns the real property which is the site of the former Dunsmuir Elementary School, which property is delineated in the Assessor's Parcel Map which is attached hereto, marked Exhibit A and incorporated herein by reference.

B. A Children's Park was developed on a portion of the described real property, being Lot 17 and 18 as shown on the Assessor's Parcel Map attached hereto as Exhibit A.

C. Lessee desires to lease the property comprising the Children's Park for the continued benefit of the community and general public. "The property" hereinafter referred to consists solely and only of the portion of the entire piece of property upon which is located the Children's Park. All the remainder of the property is excluded from this lease. "The property" included in this lease, i.e., the Children's Park, is outlined in red on Exhibit A.

D. Lessee and Lessor have negotiated this lease on the mutually acceptable terms stated below.

#### TERMS

For the reason above stated and in consideration of the covenants and provisions contained in this lease, the parties agree as follows:

1. **DURATION:** Lessor leases the property, i.e. the Children's Park, as Lessor, and Lessee takes possession of the property for a term commencing on September 1, 2013 and continuing thereafter month-to-month until the parties' land trade is completed or until this lease is terminated in accordance with California law.

2. **RENT:** Though the parties agree that the lease is to be treated as a month-to-month lease, in consideration of the lease, Lessee shall pay to the Lessor annual rent of \$1.00 (one dollar), payable at the commencement of the lease and continuing thereafter until the parties' land trade is completed or until this lease is terminated in accordance with California law.

3. **USE:** The Property will be used as a Children's Park for the benefit of the community and the general public.

4. **ASSIGNMENT AND SUBLETTING:** Lessee will not assign this Lease or sublet any portion of the premises without prior written consent of the Lessor, which will not be unreasonably withheld. Any such assignment or subletting without consent will be void and, at the option of the Lessor, will immediately terminate this Lease.

5. **TERMINATION:** This lease is a month-to-month lease and may be terminated at any time by either party by providing thirty (30) days written notice to the other party, except if Lessee has leased the property pursuant to the terms of this lease for 12 months or more, then Lessor shall be required to provide sixty (60) days written notice to lessee.

6. **ORDINANCES AND STATUTES:** Lessee will comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force which pertain to the use of the premises, and which such compliance is necessary to accomplish the purpose of this lease. The commencement or continued pendency of any state or federal court abatement proceeding affecting the use of the premises will, at the option of the Lessor, be deemed a breach of this Lease.

7. **MAINTENANCE, REPAIRS, ALTERATIONS:** Unless otherwise indicated, Lessee acknowledges that the premises are in good order and repair. Lessee shall, at its own expense, maintain the premises, including all equipment and facilities in a good and safe condition. Lessee will be responsible for all repairs required during the lease term, including maintenance of the public sidewalks along Dunsmuir Avenue. The Lessor shall, at its expense, maintain any water, electrical, sewer or other utility conduit or right of way over, under or across the Children's Park which connects to and services the remainder of the old school gym property, which shall remain the responsibility of the Dunsmuir Elementary School District and be maintained at the District's sole expense. All playground equipment, apparatus and fixtures installed by the City shall be and remain the property of the City until the termination of this lease when all such property at the option of the Lessee shall become the property of the Lessor unless the Lessor requires the Lessee to remove some at the end of this Lease, at no cost to the Lessor.

8. **DUTY TO MAKE ALTERATIONS REQUIRED BY LAW:** If, during the term of this lease, any law, regulation or rule requires that an alteration, addition, or other change be made to the demised premises, Lessee will make them and bear all expense connected with such alterations, additions, or changes; except and excluding expenses connected or relating to any water, electrical, sewer or other utility conduit or right of way over, under or across the Children's Park which connects to and services the remainder of the old school gym property, which shall remain the responsibility of the Lessor and be maintained at the Lessor's sole expense.

9. **INDEMNIFICATION AND HOLD HARMLESS OF LESSOR:** Lessor will not be liable for any damage or injury to Lessee, or any other person, or to any property, occurring on the premises. Lessee agrees to hold Lessor harmless from any and all liability or damages by reason of the use, occupancy, and maintenance of the Children's Park, excepting as to those

maintenance items as are set forth in paragraph 6 above, and to indemnify Lessor for any loss or expense incurred by Lessor by reason of the Lessee's use or occupancy of the premises, or in defending any claims relating thereto.

10. **INSURANCE:**

a. **Lessee to maintain liability insurance:** Lessee agrees that it will, at its own expense, at all times during the term of this lease, maintain in force insurance protection or coverage as provided by the small cities organized risk effort and/or the California joint powers risk management authority, which will insure Lessor and Lessee against liability for injury to or death of persons or loss or damage to their property occurring in or about the demised premises. The liability under such insurance shall not be less than one-million dollars (\$1,000,000) for any one person injured or killed, one-million dollars (\$1,000,000) for any one accident, and one-hundred thousand dollars (\$100,000) for property damage. Lessee shall cause said policy or insurance coverage to name the Lessor as an additional named insured.

b. **Lessee to maintain workers' compensation insurance:** Lessee agrees to maintain and keep in force workers' compensation insurance for all employees of the lessee as required under the laws of the State of California.

c. **Lessee's waiver of casualty insurance proceeds:** In the event the demised premises shall be damaged or destroyed by fire or other casualty so insured against, Lessee agrees that it will claim no interest in any insurance settlement arising out of any such loss where Lessor is named as the sole beneficiary, and that it will sign any and all documents required by Lessor or the insurance company or companies that may be necessary for the use in connection with the settlement of any such loss.

11. **UTILITIES:** Lessee agrees that it will be responsible for the payment of all utilities, including water, gas, electricity, heat and other services delivered to the property.

12. **LESSOR'S LIABILITY:** In the event of a transfer of Lessor's title or interest to the property during the term of this Lease, Lessee agrees that the grantee of such title or interest will be substituted as the Lessor under this Lease, and the original Lessor will be released of all further liability.

13. **RESERVATION OF ACCESS:** The Lessor hereby reserves the right for itself and sublessees and the public reasonable access to other portions of the property by traversing over and through the Children's park leased to the Lessee hereunder.

14. **ENTIRE AGREEMENT:** The foregoing constitutes the entire agreement between the parties and may be modified only in writing signed by all parties thereto.

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Dated: \_\_\_\_\_

CITY OF DUNSMUIR

\_\_\_\_\_  
Brenda Bains, City Manager

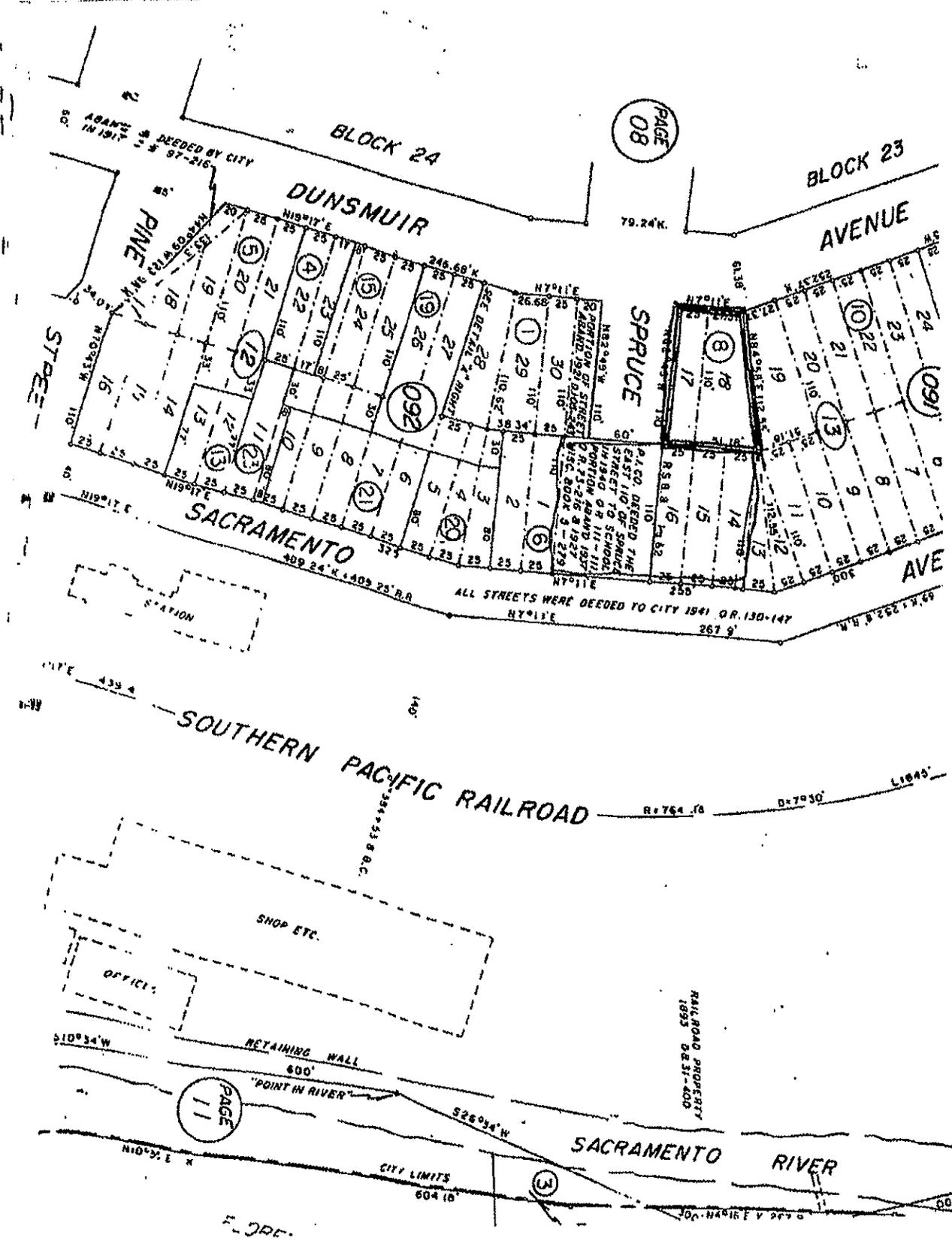
Dated: \_\_\_\_\_

BENSON ROOFING

\_\_\_\_\_  
Gary Benson, Benson Roofing

EXHIBIT A – Property as Shown by Assessor’s Parcel Map

4849-1294-3382, v. 1



PAGE 08

PAGE 11

EXHIBIT A

## Council Memo 2014-02

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager  
Subject: Children's Park Lease Agreement Property Exchange

### **BACKGROUND:**

The city leased the property known as Children's Park from the Dunsmuir Elementary School beginning September 1, 1998 for a 15 year term. The cost to the city was \$1.00 per year. Gary and Jada Benson purchased the Dunsmuir Elementary School including the Children's Park in 2003 and assumed the ongoing lease with the city. The lease expired August 31, 2013. Gary Benson notified the city the Children's Park lease would not be extended as his intentions are to erect a building for his roofing company. Gary and Jada Benson have determined a month to month lease is in order if the city chooses to maintain Children's Park in its current location. The monthly rent as of September 1, 2013 will be \$625.00.

The city hosted several negotiations and public meetings with Mr. Gary Benson to attempt an agreement for an exchange of property with the City.

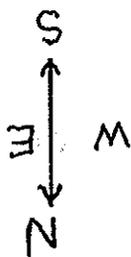
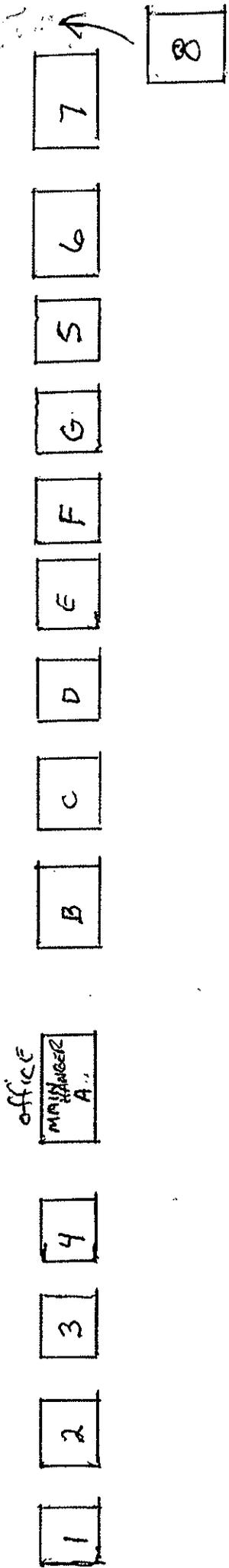
### **CURRENT REQUEST:**

Mr. Benson is now requesting the exclusive use of two hangars (A & B) at Mott Airport. Both hangars are owned by the city. In exchange for a long term \$1.00 per year for the hangars, the Benson's will lease Children's Park to the City for \$1.00 per year, long term.

At this time the two hangars are leased by Castlerock Water until June 30, 2014.

### **RECOMMENDED ACTION:**

Direct staff



NUMBERED HANGERS ARE PRIVATE  
 LETTERED HANGERS ARE CITY OWNED

**Council Memo 2014-03**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Joint City Council / Planning Commission Meeting

**DISCUSSION:**

At the December 19, 2013 City Council meeting the council asked that a City Council and Planning Commission joint meeting be scheduled to consider the creation of a new Historic District Commission.

Historically, joint meetings are held during a regularly scheduled City Council meeting. The City Council meeting schedule is attached.

**RECOMMENDED ACTION:**

Choose a date to host the joint meeting.

2014 REGULAR  
CITY OF DUNSMUIR COUNCIL MEETINGS

DATE	DAY	TIME
February 6, 2014	Thursday	6:00 pm
February 20, 2014	Thursday	6:00 pm
March 6, 2014	Thursday	6:00 pm
March 20, 2014	Thursday	6:00 pm
April 3, 2014	Thursday	6:00 pm
April 17, 2014	Thursday	6:00 pm
May 1, 2014	Thursday	6:00 pm
May 15, 2014	Thursday	6:00 pm
June 5, 2014	Thursday	6:00 pm
June 19, 2014	Thursday	6:00 pm
July 3, 2014	Thursday	6:00 pm
July 17, 2014	Thursday	6:00 pm
August 7, 2014	Thursday	6:00 pm
August 21, 2014	Thursday	6:00 pm
September 4, 2014	Thursday	6:00 pm
September 18, 2014	Thursday	6:00 pm
October 2, 2014	Thursday	6:00 pm
October 16, 2014	Thursday	6:00 pm
November 6, 2014	Thursday	6:00 pm
November 20, 2014	Thursday	6:00 pm

**Council Memo 2014-04**

Date: December 19, 2013  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Appointments to Planning Commission

**DISCUSSION:**

The Dunsmuir City Mayor appoints and council approves Dunsmuir Planning Commissioners.

The City's current five Planning Commission appointees are Mr. Richard Kelby, Mr. Rick Galassi, Ms. Barbara Cross, Mrs. Ann Powers and Mr. Steve Kirkwood.

Due to a recent City Council election two Planning Commission seats were vacated. Letters of interest were received from:

Mr. Don Harley  
Mr. Bill McIntyre  
~~Mr. Guy Shoop~~  
Ms. Kenna Conway

Mr. Guy Shoop has since withdrawn his letter of interest.

A copy of The Planning Commission booklet handed out to each candidate is included with this memo.

**RECOMMENDATION:**

Staff recommends appointment of two Commissioners.

**RESOLUTION 2014-02**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF DUNSMUIR  
APPOINTING COMMISSIONERS TO THE DUNSMUIR PLANNING  
COMMISSION**

**WHEREAS**, the City Council of the City of Dunsmuir appoints members to the Planning Commission; and

**WHEREAS**, the Dunsmuir Planning Commission performs a variety of duties essential to the community; and

**WHEREAS**, due to the City Council candidate election, two Commissioner vacancies have been created; and

**WHEREAS**, the City Manager has solicited letters of interest from the community for those who wish to serve on the Planning Commission and;

**WHEREAS**, four letters of interest were received; and

**WHEREAS**, one of those letters has been rescinded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Dunsmuir, to appoint \_\_\_\_\_ and \_\_\_\_\_ to the Planning Commission for terms ending June, 2016.

\* \* \* \* \*

**IT IS HEREBY CERTIFIED** that the foregoing Resolution 2014-02 was introduced and duly adopted by the City Council of the City of Dunsmuir at a regular meeting held on the 16th day of January, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mayor

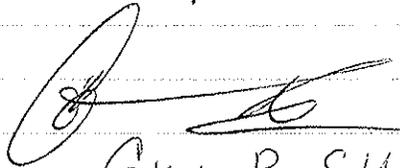
ATTEST:

\_\_\_\_\_  
City Clerk

1-6-14

I Guy R. Sloop III

AM Dropping out of planning  
Commissions Due to the  
petition Recall of Leslie Wilde  
That I am Involved  
in, Sorry and Thank you  
For your support!

  
Guy R. Sloop III



## Part One

# The Planning Commission

## Four Basic Questions

### 1. *What is the planning commission?*

It is a permanent committee of 5 or more citizens who have been appointed by the city council (or the mayor in some cities) or county board of supervisors to review matters related to planning and development. A commission holds public hearings on a regular schedule (in some jurisdictions, as often as once a week) to consider land use matters. These include such things as the local general plan, specific plans, rezonings, use permits, and subdivisions. Commissioners serve at the pleasure of the council or supervisors, so commission membership changes in response to changes in those bodies.

The commission is the city council's or county board of supervisors' advisor on land use planning. The council or board may choose to follow the recommendations of the commission or not. Accordingly, they may reverse or modify commission actions or send proposals back to the commission for further review. In addition, commission decisions are subject to appeal to the council or board. The council and board have the final say in all city and county matters, respectively.

Because the commission focuses on planning issues, it is a valuable intermediary between the public and the city council or county board of supervisors. When matters run smoothly, the commission has a low profile. However, when there is a controversy, it is there, in the thick of things, doing its best to sort through the facts and make a good decision.

### 2. *Why have a planning commission?*

The idea of appointing a group of laymen to make decisions and recommendations about land use planning originated at the turn of the century. Government reformers, seeking to take local government out of the hands of party "machines," reorganized administrative procedures in an attempt to reduce political influence on decisions. One solution was to create a planning commission, made up of appointed citizens, that would be responsible for setting the community's development direction.

California law does not require each city and county to have a planning commission. Nonetheless, almost all do. In those jurisdictions that don't, Kern County for example, the city council or county supervisors considers planning matters directly. On the other hand, some jurisdictions, such as Sacramento County, think that planning commissions are so useful they have two.

### 3. *How does it relate to the planning department?*

The city or county planning department is the commission's research staff. The planners can advise the commission on the general plan, specific plans, zoning ordinance, subdivision ordinance and other land use regulations. In addition, they provide background information and recommendations on the proposals that are under the commission's consideration, answer technical questions, and make sure that meetings have been properly advertised in advance. A planning department staff member will always be in attendance at commission meetings. Other attendees may include representatives of the city attorney's or county counsel's office and of the public works department.

#### ***4. What does it do?***

Cities and counties "plan" in order to identify important community issues (such as the direction of growth, housing needs, and environmental protection), project future demand for services (sewers, roads, fire protection, etc.), address potential problems (such as overloaded sewers or crowded roads), and establish goals and policies for directing and managing future development.

The city council or county supervisors may assign any or all of the following tasks to its planning commission (Government Code sections 65103, 65401, 65402):

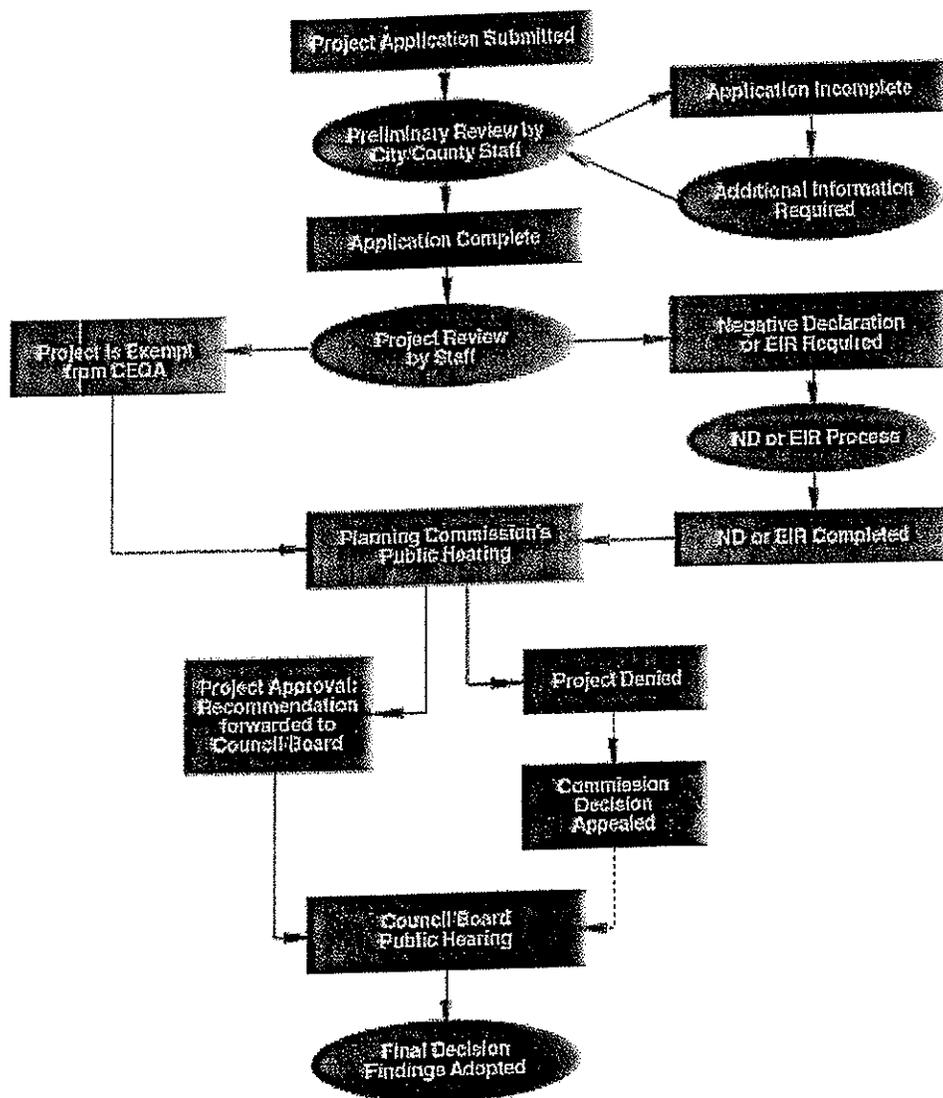
- Assist in writing the general plan and community or specific plans and hold public hearings on such plans;
- Hold hearings and act upon proposed amendments to the general plan and community or specific plans;
- Hold hearings and act upon proposed changes to the zoning ordinance and zoning maps;
- Hold hearings and act on tentative subdivision maps;
- Annually review the jurisdiction's capital improvement program and the public works projects of other local agencies for consistency with the general plan;
- Promote public interest in the general plan;
- Consult with and advise public officials and agencies, utilities, organizations and citizens regarding implementation of the general plan;
- Coordinate local plans and programs with those of other public agencies;
- Report to the legislative body on the conformity of proposed public land acquisition or disposal with the adopted general plan; and,
- Undertake special planning studies as needed.

Commissioners can learn about their commission's particular responsibilities by asking the planning department and referring to their local zoning and subdivision ordinances.

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Figure 1

### **Development Project Flow Chart**



**Note:** Local procedures may vary. Negative Declaration and EIR documents vary in processing time.

## Meetings

The planning commission holds meetings -- lots of them. State law requires public hearings before planning actions are taken. At its regularly scheduled hearings, the planning commission weighs planning proposals in light of state and local regulations and potential environmental effects and listens to testimony from interested parties. If necessary, the commission may continue a hearing to a later time to allow more information to be gathered or to take additional testimony. The commission usually considers several items at each hearing; considering each proposal separately and taking action before moving on to the next item on the agenda.

Depending upon local ordinance provisions, the commission's decision on a project may be: (1) referred to the city council or board of supervisors as a recommendation for action (this is common for general plan amendments and rezonings); or (2) considered a final action unless appealed to the council or board (this is common for subdivisions, variances, and use permits). The council or board will hold a noticed public hearing on the projects referred to it by the commission (or received on appeal).

Pursuant to the Ralph M. Brown Act (Government Code section 54950), all meetings, including study sessions and workshops, must be open and public. This means that a quorum of commissioners can only discuss commission business in a public meeting. Furthermore, meeting agendas must be posted at least 72 hours in advance and topics are limited to those on the agenda. For more information on the Brown Act see *California Land Use and Planning Law*, by Daniel J. Curtin, Jr., and *Open and Public: A Users Guide to the Ralph M. Brown Act*, published by the League of California Cities.

## Notice

In counties and general law cities, the planning commission must publish advance notice of general plan, specific plan, zone change, conditional use permit, variance, and subdivision public hearings in a newspaper of general circulation. Notice of proposed general plan and specific plan adoption or amendment must be mailed directly to the involved property owners. When a zone change, conditional use permit, variance or subdivision is involved, notice must also be mailed to the owners of property within 300 feet of the project boundaries. Charter cities may adopt different notification procedures than the above.

## The Chairperson

The commission chairperson is responsible for making sure that meetings proceed in a fashion conducive to rational decisionmaking. The chair must be familiar with the commission's procedures and with the agenda items to be discussed at each meeting. The chairperson sets the tone of the hearing, keeps the discussion on track, encourages fairness, moderates and contributes to discussions, and helps direct testimony to the issues at hand. The chairperson will usually:

### Open the meeting.

- Explain why the meeting is being held.
- Review the agenda and note any changes thereto.
- Review the procedures, rules and time limits to be in effect.

### Moderate discussion.

- Describe, or ask staff to describe, the item to be discussed.
- Ask that speakers identify themselves and take turns when giving testimony.
- Ask speakers to limit themselves to new testimony.
- Ask that commission members wait to be recognized prior to speaking.
- Intervene when necessary to prevent more than one speaker from talking at one time.
- Ask staff for information or clarification, as necessary.
- Intervene when speakers ramble or get away from the issues.
- Close the meeting to testimony prior to deliberations.

### Lead deliberations.

- Summarize the issues.
- Ask for input from the commission as a whole.
- Ask for more information from staff if necessary.
- When commissioners disagree, assist them in expressing their various concerns.
- When a motion is proposed, make sure that it is stated understandably and in full before a vote is taken.

- Encourage the commissioners to make timely decisions.
- Make sure that findings are adopted when required.

### An Important Lesson - "Be Prepared"

Prior to every hearing, each of the commissioners should have reviewed the items on the meeting agenda. This means reading the staff report and environmental assessment document, looking at the general plan and zoning ordinance sections pertinent to the particular project, and asking questions of the planning staff when necessary.

At the hearing, commissioners should be able to both ask and answer questions about the project, its relationship to the general plan and to the zoning or subdivision ordinances, and its potential impacts on the community. If legal questions arise, don't be afraid to ask the city attorney or county counsel for his/her opinion. Don't take legal advice from anyone but the city's or county's own lawyer.

### Recipe for an Effective Planning Commission

Effective planning commissions share certain qualities. These include:

- **Ability to focus on the subject under consideration.** Focusing means not being distracted by personalities, groups or issues that do not have anything to do with the agenda item being discussed.
- **A clear view of the big picture.** A good commission has the aggregate ability to identify the main points of an issue and to concentrate on addressing those. Keeping the big picture in mind is important so that the commission doesn't bog down in excessive attention to minor detail.
- **Established rules for conducting meetings.** These needn't be as formal as Robert's Rules of Order, but they should define the responsibilities of the chairperson, the other commissioners, and the staff. They should also establish the rules for testimony, such as the length of time available, speaker identification, etc.
- **Effective leadership.** An effective chairperson assists the flow of ideas and helps keep the proceedings on track.
- **Informed commissioners.** Prior to the hearing, commissioners should have read the staff reports, reviewed the pertinent sections of the general plan, zoning ordinance or other codes, and looked through the environmental assessment pertinent to each agenda item.
- **Attention to legal requirements.** A commissioner must keep basic legal requirements in mind. Among them: Is the proposal consistent with the general plan? Does it meet all applicable zoning or subdivision ordinance requirements? Are the environmental impacts of the project, if any, being reduced or eliminated by the conditions of approval? Is the commission's decision supported by findings of fact based on substantial evidence in the record? When in doubt, ask the city attorney or county counsel for their advice.
- **An open flow of ideas.** The chairperson and the other commissioners share responsibility for seeing that there is a continuing flow of ideas and discussion among all parties, including applicants, staff, members of the public, and the commissioners themselves. Be objective and ask questions.
- **A sense of pace.** The chair should be able to recognize that point in time at which testimony must be closed off so the commission can deliberate. Commissioners should hold their motions until the discussion has reached its conclusion. Both the chair and the other commissioners should know whether to continue a hearing or to make a decision.

## **The Commissioner's "Survival Kit"**

Commissioners should bring the following to every meeting:

- The meeting agenda.
  - Staff reports and environmental documents for each of the projects to be considered.
  - A copy of the general plan.
  - A copy of the zoning ordinance.
  - If subdivisions are to be considered, a copy of the subdivision ordinance.
  - A pad of paper and pencils.
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Back to [Table of Contents](#)

Next: [The Legal Side of Planning](#)

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State of California

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## Part Two

# The Legal Side of Planning

Countless volumes have been written about the legal basis for planning and all the court decisions on the subject. This paper is too brief to go into more than just the bare outline of some of planning's legal side. Commissioners should rely upon the city attorney or county counsel for detailed legal opinions. In addition, several books in the reference section of this publication have good discussions of planning law.

## The Police Power

Planning and the regulation of land use are based upon local government's "police power." The courts have held that the police power may be used to regulate a wide and expanding variety of activities as long as it is exercised in a manner that is reasonably related to the protection of the public's health, safety, and welfare, is not preempted by federal or state law, and is within the framework of state statute. Community planning, zoning laws, subdivision regulations, rent controls, sign controls, community growth management regulations, and dedications of private land as a condition of development approval are some examples of the police power at work. Constitutional guarantees of equal protection, free speech, due process, and just compensation for the taking of private property define the boundaries of the police power. An illegal "taking" may occur as a result of either the public's acquisition of private property without just compensation or of excessively restrictive land use regulations that deprive a property owner of all uses of his/her land.

## Findings

Planning commission decisions must be based on a rational decision-making process. Often, the commission must adopt written "findings" explaining the factual reasons for its decision. A finding is a statement of fact relating the information that the commission has considered to the decision that it has made. If a decision is challenged in court, the findings will be used to trace the commission's reasoning and to determine whether its action was legally justified.

Findings must be supported by evidence in the hearing record (i.e., testimony, reports, environmental documents, etc.) and should not contain unsupported statements. Complete findings should be included in the commission's resolution of approval or denial. Keep in mind that findings will not rescue a decision if the commission has failed to follow the other procedures required by law.

## Some actions requiring findings:

**Zone change** -- finding of consistency with the general plan and any specific plans.

**Subdivision** -- finding of consistency with the general plan and any specific plans; findings supporting approval/denial per state and local codes.

**Specific plan adoption or amendment** -- finding of consistency with the general plan.

**Conditional use permit** -- locally required findings (if any), findings supporting approval and conditions.

**Variance** -- specific findings required by state statute.

**Design review approval** -- locally required findings (if any), findings supporting approval and conditions.

**General plan amendment limiting the number of newly constructed dwellings** -- specific findings required by state statute.

**Adoption of a local ordinance affecting regional housing needs** -- specific findings required by state statute.

**Approval of a housing project when density is lower than that which was allowed when application was accepted** -- specific findings required by state statute.

**Projects involving an EIR** -- findings of overriding consideration, findings of significant effect.

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Back to [Table of Contents](#)

Next: [A Short Primer on State Planning Law](#)

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## Part Three

# A Short Primer on State Planning Law

### The General Plan

#### Zoning

#### Subdivisions

#### The California Environmental Quality Act

#### The Permit Streamlining Act

#### Annexation and Incorporation

The state delegates most local land use and development decisions to the cities and counties. State law requires that each of the 452 incorporated cities and 58 counties adopt "a comprehensive, long-term general plan for [its] physical development." This general plan lays the groundwork for community decisions that will affect the future location of housing, business, industry, roads, parks, and other land uses, protect the public from noise and other environmental hazards, and conserve natural resources. Each city council and county board of supervisors, upon recommendation of their planning commission, carries out its general plan through its zoning, subdivision and other ordinances.

There is no requirement that adjoining cities or counties have identical, or even similar, plans and ordinances. Each city and each county adopts its own general plan and development regulations. In turn, each is solely responsible for the planning decisions made within its jurisdiction.

## The General Plan and Zoning Are Not the Same

A general plan is a set of long-term goals and policies that the community uses to guide development decisions. Although the plan establishes standards for population density, building intensity, and the distribution of land uses, it does not directly regulate land use.

Zoning, on the other hand, is regulatory. Under the zoning ordinance, development must comply with specific, enforceable standards such as minimum lot size, maximum building height, minimum building setback, and a list of allowable uses. Zoning applies lot-by-lot, whereas the general plan has a community-wide perspective.

Put another way, the general plan is a blueprint and zoning is a tool for making it a reality. The plan is the basis for programs such as the zoning and subdivision ordinances. In turn, zoning is a means of putting into action the plan's long term goals.

## THE GENERAL PLAN

The general plan is a community's blueprint for future development. It describes a community's development goals and policies. It also forms the basis for land use decisions made by the planning commission and city council or board of supervisors.

### Contents

A general plan consists of at least two parts. There is a written text describing the community's goals, objectives, and policies toward development. There is also a map (or maps) and diagrams illustrating the generalized distribution of land uses, the major road system, seismic and environmental hazard areas, the open space system, and other policy statements that can be illustrated (see Government Code Section 65302).

The general plan must contain at least seven components (called "elements") addressing a set of basic planning issues (see Government Code section 65302). Each city and county determines the relative importance of these issues to their local circumstances and decides how they are to be discussed in the local general plan. Jurisdictions may also adopt additional elements, at their option, covering subjects of local interest such as recreation, community design, or public facilities. See the General Plan Guidelines published by OPR for detailed information on plan contents.

State law does not require that a general plan have seven distinct and separate elements. It is quite common for a general plan to have only three or four "super-elements" which combine the essences of the seven elements. Along this same line, there is no requirement for the number of maps and diagrams that must be adopted as part of the plan. Each local government decides the specific format and organization of its general plan. Element Consolidation, by the Office of Planning and Research, gives examples of how elements may be merged and streamlined.

Although general plans are not required to follow a standard format, many contain similar features. Some of the things to look for in the written portion of your local plan are goals (abstract and general expressions of community values), objectives (specific intermediate steps in attaining a goal), policies (specific statements that guide decision making), and implementation programs (descriptions of how the goals, objectives, and policies are to be put into action). Many plans also contain background information about the community, such as population projections, traffic levels, seismic hazards, community history, and housing characteristics. Appendices to general plans often contain technical studies of seismic hazards, housing surveys, and traffic studies and forecasts.

General plans use maps and diagrams to identify the locations of proposed and existing land uses, flood hazard areas, open space lands, roads, and other features. The maps and diagrams must work together with the written portions of the plan to establish a clear view of the community's future.

### ***The Seven Required Elements:***

1. **Land use element:** designates the general location and intensity of housing, business, industry, open space, public buildings and grounds, waste disposal facilities, and other land uses.
2. **Circulation element:** identifies the general location and extent of existing and proposed major roads, transportation routes, terminals, and public utilities and facilities. It must correlate with the land use element.
3. **Housing element:** assesses current and projected housing needs for all economic segments of the community and region. It identifies local housing policies and the programs that implement those policies.
4. **Conservation element:** addresses the conservation, development, and use of natural resources including water, forests, soils, rivers, and mineral deposits.
5. **Open-space element:** details plans and measures for preserving open-space for natural resources, the managed production of resources, outdoor recreation, public health and safety, and the identification of agricultural land.
6. **Noise element:** identifies and appraises noise problems within the community and forms the basis for distributing land uses.
7. **Safety element:** establishes policies to protect the community from seismic, geologic, flood, and

wildfire hazards.

## **Consistency**

The general plan is important because it is the basis for many local land use decisions. Zoning (except in most charter cities), subdivisions, and public works projects can only be approved when they are consistent with the general plan. An action, program or project is consistent with the general plan if, considering all its aspects, it will further the goals, objectives and policies of the plan and not obstruct their attainment.

Not only must governmental actions be consistent with the general plan, the plan itself must be internally consistent. Each part of the general plan, be it a goal, policy or map/diagram, must mesh with all of the other parts of the plan. For instance, the land use element must not contain statements or assertions that conflict with the housing element. Similarly, the maps and diagrams adopted as part of the plan must agree with one another. For example, the location of a major highway on the land use element diagram must match its location on the circulation element diagram as well.

## **Approving and Amending the Plan**

The process of adopting or amending a general plan encourages public participation. Cities and counties must hold public hearings for such proposals. Advance notice of the place and time of the hearing must be published in the newspaper (when there is no paper, notice must be posted in the vicinity of the project site) and also mailed directly to the involved property owners. Copies of the adopted or amended plans must be available for public purchase within two days of a final decision.

Each of the general plan's seven required elements can be amended only four times per calendar year. More than one change may be considered at each of these four opportunities. Optional elements, on the other hand, can be amended at any time.

The planning commission and the city council or county board of supervisors must each hold at least one public hearing prior to approving or amending the plan. The commission will hold its hearing first and make specific recommendations to the council or board. A recommendation for approval must be made by a majority of the total membership of the commission.

The council or board will take final action on the proposals at their hearing. Approvals must be made by a majority of the total membership of the council or board. If they make substantial changes to any planning commission recommendations, those items must be sent back to the commission for further study and recommendations before a final decision is made. The commission will have 40 days in which to make any further recommendations.

## **Community Plans**

"Community plans" focus planning efforts on a smaller area or neighborhood. A community plan is part of the local general plan. It addresses issues pertinent to a particular area or community within the city or county and supplements the policies of the general plan. Accordingly, it must be consistent with the general plan in all respects.

## **Specific Plans**

A "specific plan" implements, but is not technically a part of, the local general plan. Specific plans describe allowable land uses, identify open space, and detail infrastructure availability and financing for a portion of the community. In some jurisdictions, specific plans also take the place of zoning. A specific plan must be consistent with the general plan. In turn, zoning, subdivision, and public works decisions must comply with the provisions of the specific plan. For a detailed discussion of specific plans and their contents, see OPR's *The Planner's Guide to Specific Plans* (see Part Five).

### *Amendment Considerations*

The general plan shouldn't be amended casually. In fact, state law requires that amendments only be made when "in the public interest." Commissioners should be able to answer all the following questions affirmatively when approving an amendment.

- Is the amendment in the public interest (i.e., it advances community goals, describes a community interest, etc.)?
- Is the amendment consistent with all other parts of the general plan (in other words, it doesn't conflict with any of the goals, objectives, policies maps or diagrams contained in any of the general plan's other elements)?
- If the amendment creates a "ripple effect," necessitating other changes to the plan, are those related changes being considered at the same time?
- Will the amendment necessitate changes in zoning or other ordinances and are those changes to be considered within a reasonable time?
- If a mitigated negative declaration or an EIR is adopted or certified for the amendment, have the mitigation measures been incorporated into the amendment?

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## ZONING

The zoning ordinance regulates land uses within the community. It assigns each piece of property to a "zone" which describes the rules under which that land may be used. These classifications, such as "R-1" for single-family residences or "C-1" for commercial uses, cover in specific terms the range of uses that is discussed broadly in the general plan.

A typical zoning ordinance may describe 10 or more zone classifications. Each of these zones identifies allowable uses and sets standards such as minimum lot size, maximum building height, and minimum front yard depth. In most local ordinances, development of allowable uses does not require a public hearing. Increasingly, however, communities are requiring a public review of the project's design before a building permit is issued.

The distribution of residential, commercial, industrial, and other zones must be based on the pattern of land uses established by the community's general plan. Zoning maps illustrate how zones have been distributed.

Zoning is adopted by ordinance and carries the weight of local law. Land may be put only to those uses listed in the zone assigned to it. For example, if a commercial zone does not allow 5-story office buildings, then no such building could be built on land which has been assigned that zone.

In many communities, the planning commission is not the only body responsible for making zoning decisions. A board of zoning adjustment or a zoning administrator may be appointed to consider use

permit and variance requests. Building design may be subject to approval by a design review or architectural review board. Public notice of zoning hearings must be given at least 10 days before the hearing by advertisement in a newspaper of general circulation and by direct mailing to the owners of property located within 300 feet of the proposal's boundaries.

## Rezoning

If a landowner proposes a use that is not allowed in that zone, then he/she must obtain a change of zone if that use is to occur. The local planning commission and the city council or county board of supervisors must hold public hearings, before property may be rezoned. The council or board is not obligated to approve requests for rezoning and, except in charter cities, must deny such requests when the proposed zone conflicts with the general plan. Typically, zoning ordinances also provide for limited waivers to zoning regulations (variances), subject to a public hearing.

### Rezoning Considerations

Commissioners should be able to answer the following questions affirmatively when approving a rezoning.

1. Is the proposed zone consistent with all component parts of the general plan (including text and maps)?
2. Is the proposed zone and its allowable uses compatible with existing and planned uses in the area?
3. If significant environmental effects have been identified as a result of the proposed rezoning, are actions being required or programs initiated to mitigate those effects?
4. If the proposal is part of a larger project, has the entire project been addressed in the environmental analysis?

## Prezoning

Cities can "prezone" lands outside their corporate limits in the same way that they approve zoning. Prezoning is done before a city formally annexes a site in order to facilitate its transition into the city. Prezoning does not affect allowable uses, it is just a way for the city to show how the land will be zoned once it is annexed. County zoning regulations remain in effect until annexation is actually completed.

## Variances

A variance is a limited waiver of development standards. It may be granted, after a public hearing, in special cases where: (1) strict application of the zoning regulations would deprive property of the uses enjoyed by nearby lands in the same zone; and (2) restrictions have been imposed to ensure that the variance will not be a grant of special privilege. A variance must not be granted if it would permit a use that is not otherwise allowed in that zone (for example, a commercial use may not be approved in a residential zone by variance). In addition, economic hardship alone is not sufficient justification for approval of a variance.

Typically, variances are considered when the physical characteristics of the property make it difficult to use. For instance, in a situation where the rear half of a lot is a steep slope, a variance might be approved to allow a house to be built closer to the street than usually allowed.

## Variance Considerations

Commissioners should be able to answer the following questions affirmatively when approving a proposed variance.

- Are there special circumstances applicable to the proposal site (such as size, shape, topography, location or surroundings) whereby strict application of the zoning ordinance would deprive it of privileges enjoyed by nearby properties with the same zoning? Identify them specifically.
- Do the proposed conditions ensure that the approval will not be a grant of special privilege?
- Is the use for which the variance is being granted already allowed in that zone? (A variance cannot be approved if the use isn't already allowed.)
- Are the proposed conditions reasonably related to the use proposed by the variance?

See OPR's publication *The Variance* for more information.

## Conditional Use Permits (CUPs)

Some types of land uses are only allowed upon approval of a conditional use permit (also called a CUP or special use permit) after a public hearing. These uses might include community facilities (i.e., hospitals or schools), public buildings or grounds (i.e., fire stations or parks), temporary or hard-to-classify uses (i.e., Christmas tree sales), or uses with potentially significant environmental impacts (i.e., hazardous chemical storage or surface mining). The local zoning ordinance specifies the uses for which a conditional use permit is required, the zones they may be allowed in, and the public hearing procedure. When allowing a project, the CUP will impose special development requirements to insure that the use will not be detrimental to its surroundings. Requirements might include such things as additional landscaping, soundproofing, limited hours of operation, additional parking, or road improvements. A CUP does not rezone the land.

## Conditional Use Permit Considerations

Commissioners should be able to answer the following questions affirmatively when approving a conditional use permit.

- Is the site appropriate for the proposed use?
- Is the proposed use, as conditioned, compatible with its surroundings and with the uses of nearby lands?
- Is the project design, as conditioned, suited to the site?
- As conditioned, will adequate water (including fire flows), utilities, sewage disposal, drainage, roads, fire protection, and other services be provided to the project?
- If significant environmental effects have been identified as a result of the proposed CUP, have conditions been required (or the project redesigned) to mitigate those effects?
- Are the imposed conditions reasonably related to the use proposed by the CUP (i.e. they address concerns raised by 1-4 above)?

See OPR's publication *The Conditional Use Permit* for more information.

## SUBDIVISIONS

In general, land cannot be subdivided in California without local government approval. Dividing land for sale, lease or financing is regulated by local ordinances based on the state Subdivision Map Act (commencing at Government Code section 66410). The local general plan and the zoning, subdivision, and other ordinances govern the design of the subdivision, the size of its lots, and the types of improvements that will be required as conditions of approval.

### Subdivision Types

There are basically two kinds of subdivision: parcel maps, which are limited to divisions resulting in fewer than 5 lots (with certain exceptions), and final or tract map subdivisions, which create 5 or more lots. Local ordinances apply less stringent development standards to parcel maps than to tract maps.

### Processing

Tract maps and, where provided by local ordinance, parcel maps are approved in two stages.

1. Consideration of a "tentative map." Upon receiving an application for a tentative subdivision map, the city or county staff will examine the design of the subdivision to ensure that it meets the requirements of the general plan and the subdivision ordinance. An environmental impact analysis must be done and an advertised public hearing held before a tentative map is considered for approval. If approved, the map will be subject to conditions that the subdivider must meet within a specific time period. At this stage, while conditions remain to be met, no lots have been officially approved.
2. Approval of the "final map." When all of the conditions set out in the approved tentative map have been satisfied, and compliance certified by city or county officials, the city council or county board of supervisors will approve a final map. Unlike a tentative map, which can be denied if it does not meet city or county standards, the final map must be approved (with some exceptions) if it substantially complies with the previously approved tentative map. The subdivider may now record the map at the County Recorder's office.

Subdivision approval is conditioned upon the subdivider providing public improvements such as streets, drainage facilities, water supply or sewer lines to serve the subdivision. They may also be required to dedicate park land to the community. These improvements must be installed or secured by bond before the city or county will grant final map approval and allow the subdivision to be recorded in the county recorder's office.

Lots within the subdivision cannot be sold and are not legal divisions of land until a final map has been recorded. The subdivider has at least two years (and with extensions, usually more) in which to comply with the improvement requirements, gain final administrative approval, and record the final map.

### Subdivision Considerations

Commissioners should be able to answer the following questions affirmatively when approving a subdivision map.

- Is the proposed map consistent with the general plan and any applicable specific plans?
- Is the proposed design or improvement of the subdivision consistent with the general plan and any applicable specific plans?

- Is the site physically suited to the proposed type and density of development?
- Is the design of the subdivision or type of improvements unlikely to cause serious public health problems?
- Is the design of the subdivision or the proposed improvements unlikely to cause either substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat?
- Have adequate conditions been applied to the approval (or the project redesigned) to mitigate the environmental effects identified in the environmental analysis done for the project?
- Are all dedications and impact fees reasonably related to the impacts resulting from the subdivision?
- If a mitigated negative declaration or EIR have been adopted or certified for the project, have the mitigation measures identified therein been made conditions of approval or otherwise required as part of the approval?

## THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The California Environmental Quality Act (commencing at Public Resources Code section 21000) requires local and state governments to consider the potential environmental effects of a project before making a decision on it. CEQA's purpose is to disclose the potential impacts of a project, suggest methods to minimize those impacts, and discuss project alternatives so that decision-makers will have full information upon which to base their decision. CEQA is a complex law and the following discussion is extremely general. Refer to the California Environmental Quality Act Guidelines or ask your planning staff for specific information. Information is also available online at the Resources Agency's website: <http://ceres.ca.gov/ceqa>.

The role of the planning commission in the environmental review process varies among jurisdictions depending upon local environmental review procedures. In some cities and counties, the commission conducts hearings on draft environmental impact reports (note: CEQA does not require public hearings during the preparation of an environmental impact report or negative declaration, however some jurisdictions choose to hold them). In others, the commission has no active role.

### Lead Agency

The agency with the principal responsibility for issuing permits to a project (or for carrying out the project) is called the "lead agency." As such, it is responsible for determining whether or not a project will significantly impact the environment and, when necessary, for analyzing the project's possible environmental impacts (or contracting for this work to be done under its direction). The planning department is usually lead agency in local planning matters.

### Analysis

Analyzing a project's potential environmental effects is a multi-step process. Many minor projects, such as single-family homes, remodeling, and accessory structures are exempt from the CEQA requirements (for a complete list see the California Environmental Quality Act Guidelines). Exempt projects receive no environmental review.

When a project is subject to review, the lead agency prepares an "initial study" to assess the potential adverse environmental impacts. If the project will not cause a significant impact on the environment or if it has been redesigned to eliminate any impacts, a "negative declaration" is written. If significant

environmental effects are identified, then an Environmental Impact Report (EIR) must be written before the project can be considered by decision makers. Upon approval of a project for which a negative declaration is adopted or an EIR certified, the city or county must also adopt a monitoring program to ensure that the mitigation measures will be completed as required.

### **Negative Declaration**

A negative declaration describes why a project will not have a significant impact and may require that the project incorporate a number of "mitigation measures" to ensure that there will be no significant impacts resulting from the project. A negative declaration cannot be used when significant impacts are not totally eliminated. Also, when a project consists of several parts, a negative declaration cannot substitute for an EIR if the total project will cause environmental impacts.

### **Environmental Impact Report (EIR)**

An EIR discusses the proposed project, its environmental setting, its probable impacts, realistic means of reducing or eliminating those impacts, its cumulative effects in the context of other development, and realistic project alternatives. CEQA requires that Negative Declarations and draft EIRs be made available for review by the public and other agencies prior to consideration of the project. The review period (a minimum of 20 days for Negative Declarations and a minimum of 30 days for draft EIRs) allows concerned citizens and agencies to comment on the contents and adequacy of the environmental document prior to its completion. The final EIR must incorporate written responses to the comments submitted by reviewers.

In 1993, a master EIR was also included as a choice when completing an environmental assessment (AB 1888). Under this chapter, a master EIR may be prepared for a variety of projects to evaluate the cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment. The review of each project is substantially reduced due to their impacts having been reviewed and mitigated in a certified master EIR.

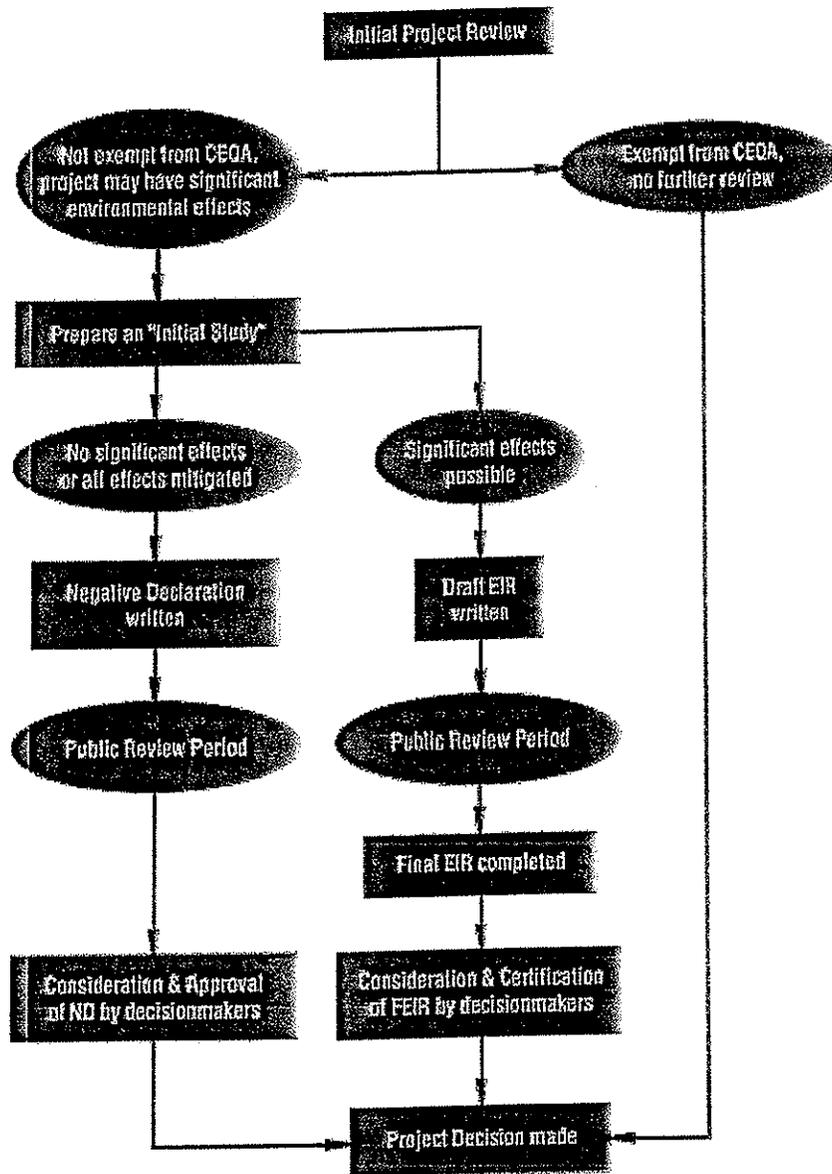
When the city council or board of supervisors approves a project, it must certify the adequacy of the Negative Declaration or EIR. If its decision to approve a project will result in unavoidable significant impacts, as identified in the EIR, the city council or board of supervisors must state, in writing, its overriding reasons for granting the approval. In addition, when mitigation measures are adopted as a result of a negative declaration or EIR, the council or board must enact a program for reporting on or monitoring the implementation of those measures.

Both negative declarations and EIRs are objective, informational documents. They neither approve nor deny a project. Environmental analysis must be done as early as possible in the process of considering a project and must address the entire project. The CEQA Guidelines describes the several different types of EIRs that may be prepared. Tracking CEQA Mitigation Measures Under AB 3180 (published by the Office of Planning and Research) can help design a mitigation reporting or monitoring program.

---

*Figure 2*

### **Simplified CEQA Flow Chart**



**Note:** This chart illustrates the three common paths for project processing. Processing times and the level of complexity of Negative Declarations and EIRs are not the same.

### THE PERMIT STREAMLINING ACT

This law sets time limits for governmental action on some types of projects (see Government Code sections 65920-65963.1). Failure to act within those time limits can mean automatic approval of a project. The act applies to discretionary projects (those which the local government has the power to deny or conditionally approve) which are "adjudicative" in nature. An adjudicative decision applies existing policies and regulations to a particular situation. Use permits, subdivisions, and variances are all actions subject to the Permit Streamlining Act. The Act does not apply to the adoption or amendment of a general plan or of a zoning ordinance.

Generally speaking, local government must take action on administrative projects within 180 days of the date upon which the project's final EIR is certified. This period is 60 days when a negative declaration is

adopted or the project is exempt from CEQA. A project may be automatically approved under the Act if the jurisdiction fails to make a decision within the time limit and the developer takes certain actions to provide public notice.

If you have questions about how the Permit Streamlining Act applies to a particular project, check with your planning staff or city attorney/county counsel.

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## ANNEXATION AND INCORPORATION

The planning commission is not directly involved in the approval of annexations nor in the city incorporation process. However, these are subjects with which a planning commissioner should be generally familiar.

Annexation (the addition of territory to an existing city) and incorporation (creation of a new city) are controlled by the Local Agency Formation Commission (LAFCO) established in each county by state law. A LAFCO is made up of elected officials from the county, cities, and, in some cases, special districts. LAFCO duties include: establishing the "spheres of influence" that designate the ultimate service areas of cities and special districts; studying and approving requests for city annexations; and, studying and approving proposals for city incorporations. Following is a very general discussion of annexation and incorporation procedures. For detailed information on this complex subject, contact your county LAFCO.

### Annexation

When the LAFCO receives an annexation request, it will convene a hearing to determine the worthiness of the proposal. Annexations may be requested by affected landowners or by a city. In cases where the proposed annexation is being initiated by a city, its planning commission may be asked to study the proposal before a formal application is filed with the LAFCO.

The LAFCO will deny, approve or conditionally approve annexation proposals based on its policies and state law (for example, annexation cannot occur unless the LAFCO has adopted a sphere of influence for the city and the area proposed to be annexed is within the city's sphere). The LAFCO delegates tentatively approved annexation requests to the affected city for hearings and, if necessary, an election. Annexations which have been passed by vote of the inhabitants or which have not been defeated by protest (in those instances where no election was required) must be certified by the LAFCO and meet all its conditions before they become final. The LAFCO, not the city, has final responsibility for the annexation process.

### The Sphere of Influence

The sphere of influence is a plan for the probable ultimate physical boundaries and service area of a city or special district. The LAFCO is responsible for establishing a sphere for each city and special district in the county. The purpose of the sphere is to act as a benchmark for future annexation decisions.

Cities cannot establish their own sphere of influence. The LAFCO has sole responsibility for doing this. However, a city may request that the LAFCO amends its sphere.

Some cities use their sphere of influence as a convenient boundary for their general plan. These cities

plan beyond their city limits although they usually have no actual authority over land uses in county areas. This planning anticipates the eventual annexation of land into the city.

## **Incorporation**

When a new city is proposed to be formed, the LAFCO studies the financial feasibility of the proposed city, its financial impact on the county and special districts, and the provision of public services. If the proposal cannot be shown to be feasible, the LAFCO can terminate the proceedings. If the proposed city appears to be feasible, LAFCO will refer the proposal (and a set of conditions to be met upon incorporation) to the county board of supervisors for a public hearing to be held. Incorporation proceedings are terminated if the supervisors receive protests from a majority of the voters residing within the proposed city boundaries. If they do not receive a majority protest, an election will be held on the question of whether to create the city and to elect city officials.

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Back to [Table of Contents](#)

Next: [Glossary of Common Planning Terms](#)

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State of California

**Governor's Office of Planning and Research**  
1400 Tenth Street  
Sacramento, CA 95814  
916-445-0613

UNITED STATES DEPARTMENT OF THE INTERIOR  
HERITAGE CONSERVATION AND RECREATION SERVICE

NATIONAL REGISTER OF HISTORIC PLACES  
INVENTORY -- NOMINATION FORM

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CONTINUATION SHEET 2

ITEM NUMBER 4 PAGE 6

- |  |   |
|--|---|
| <p>13. 5731, 5737 Dunsmuir Avenue<br/><br/>Pickthorn, Grace A.<br/>P.O. Box 316<br/>Dunsmuir, CA. 96025</p> <p>14. 5727 Dunsmuir Avenue<br/><br/>Cornet, Christopher<br/>Cornet, Michelle Joen<br/>411 South Arroyo Parkway<br/>Pasadena, CA. 91101</p> <p>15. 5721 Dunsmuir Avenue<br/><br/>Vogt, Sharon<br/>861 Balboa<br/>Foster City, CA. 94404</p> <p>16. 5711, 5717 Dunsmuir Avenue<br/><br/>Jessel, Lynn<br/>5715 Dunsmuir, CA 96025<br/>Dunsmuir, CA. 96025</p> <p>17. 5726, 5728 Dunsmuir Avenue<br/>Arata, James D. and Diane M.<br/>P.O. Box 43<br/>Castella, CA. 96017</p> <p>18. 5732, 5736 Dunsmuir Avenue<br/><br/>Erickson, Russell E. and Eloise<br/>5732 Dunsmuir Avenue, #A<br/>Dunsmuir, CA. 96025</p> | <p>19. 5744 Dunsmuir Avenue<br/>5751 Sacramento Avenue<br/><br/>Carbon, Michael A. and Rosa<br/>5744 Dunsmuir Avenue<br/>Dunsmuir, CA. 96025</p> <p>Carbon, Michael A. Jr, and Susan<br/>1109 Lynhurst Way<br/>San Jose, CA. 95118</p> <p>Oliver, George F. and Florence<br/>14542 Ramsted Drive<br/>San Jose, CA. 95127</p> <p>20. 5800 Dunsmuir Avenue<br/>4100, 4118 Pine Street<br/><br/>Bank of America, N.T. &amp; S.A. #842<br/>P.O. Box 37000<br/>San Francisco, CA. 94137</p> <p>21. 5804 Dunsmuir Avenue<br/><br/>Mei, Guido J.<br/>5804 Dunsmuir Avenue<br/>Dunsmuir, CA. 96025</p> <p>22. Vacant (near Dunsmuir Avenue)<br/><br/>Hull, Richard T. and Constance A.<br/>2209 Timberlane Avenue<br/>Simi Valley, CA. 93063</p> <p>Mei, Guido<br/>5804 Dunsmuir Avenue<br/>Dunsmuir, CA. 96025</p> |
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CONTINUATION SHEET 3

ITEM NUMBER 4 PAGE 7

23. 5814, 5816 Dunsmuir Avenue  
Hull, Richard T. and Constance A.  
2209 Timberlane Avenue  
Simi Valley, CA. 93063

24. 5824, 5826 Dunsmuir Avenue  
Petrovics, Victor and Margaret J.  
8431 Rocky Road  
Weed, CA. 96094

25. 5832, 5832A Dunsmuir Avenue  
Stromsness, Chris and Sharon  
P.O. Box 587  
Dunsmuir, CA. 96025

26. 5836 Dunsmuir Avenue  
Van Fossen, Elinore Vesta  
Mason, Katharine L.  
P.O. Box 706  
Dunsmuir, CA. 96025

27. 5838, 5840 Dunsmuir Avenue  
Turner, Veneil M. and Phyllis F.  
5840 Dunsmuir Avenue  
Dunsmuir, CA. 96025

28. 5844, 5866 Dunsmuir Avenue  
Harrison, Elinore V.  
P.O. Box 706  
Dunsmuir, CA. 96025

29. 5902 Dunsmuir Avenue  
City of Dunsmuir  
Drawer 377  
Dunsmuir, CA. 96025

30. 5902 Dunsmuir Avenue  
Dunsmuir Fire Protection Dist.  
P.O. Box 856  
Dunsmuir, CA. 96025

31. 5911 Sacramento Avenue  
Goehring, Charles J. and Betty L.  
P.O. Box 33  
Dunsmuir, CA. 96025

32. 5901 Sacramento Avenue  
Dominguez, Ruben E. and Darlene M.  
5901 Sacramento Avenue  
Dunsmuir, CA. 96025

33. Vacant (Sacramento Avenue)  
Hullquist, J. P. or Alta  
P.O. Box 158  
Happy Camp, CA. 96039

34. Vacant (Sacramento Avenue)  
Dominguez, Ruben E. and Darlene M.  
4209 Oak Street  
Dunsmuir, CA. 96025

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CONTINUATION SHEET	4	ITEM NUMBER	4	PAGE	8
35.	5859 Sacramento Avenue Burr, Clifford E. 5859 Sacramento Avenue Dunsmuir, CA. 96025	41.	5819 Sacramento Avenue Roberts, George B. and Lillian G. 5819 Sacramento Avenue Dunsmuir, CA. 96025		
36.	5853 Sacramento Avenue Albers, Laurel S. Shannon 2195 Singletree Lane Redding, CA. 96002	42.	Vacant (Sacramento Avenue) Thompson, Willis E. and Claudia J. 5384 River Avenue Dunsmuir, CA. 96025		
37.	5841 Sacramento Avenue Van Fossen, L. Mason, Katharine L. P.O. Box 706 Dunsmuir, CA. 96025	43.	Vacant (Sacramento Avenue) Wheeler, Ernest M. Jr. 4409 Holly Avenue Dunsmuir, CA. 96025		
38.	5827, 5831 Sacramento Avenue Motto, Peter 5827 Sacramento Avenue Dunsmuir, CA. 96025	44.	5801 Sacramento Avenue Sweo, Allan V. and Leah L. P.O. Box 226 Dunsmuir, CA. 96025		
39.	5825 Sacramento Avenue Gardella, Henry and Eleanor 3745 Mission Street San Francisco, CA. 94110	45.	5749 Sacramento Avenue Templeton, Ronald E. 4639 Coldwater Cyn #3 Studio City, CA. 91604		
40.	5821 Sacramento Avenue Evans, Gregory Steed Van Fosson, F. B. 6711 El Colegio, #10 Goleta, CA. 93017	46.	5743 Sacramento Avenue Ballantyne, Jeffrey A. Tr. P.O. Box 164 Dunsmuir, CA. 96025		

FHR-8-300A  
(11/78)

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CONTINUATION SHEET 5

ITEM NUMBER 4

PAGE 9

47. Vacant (Sacramento Avenue)

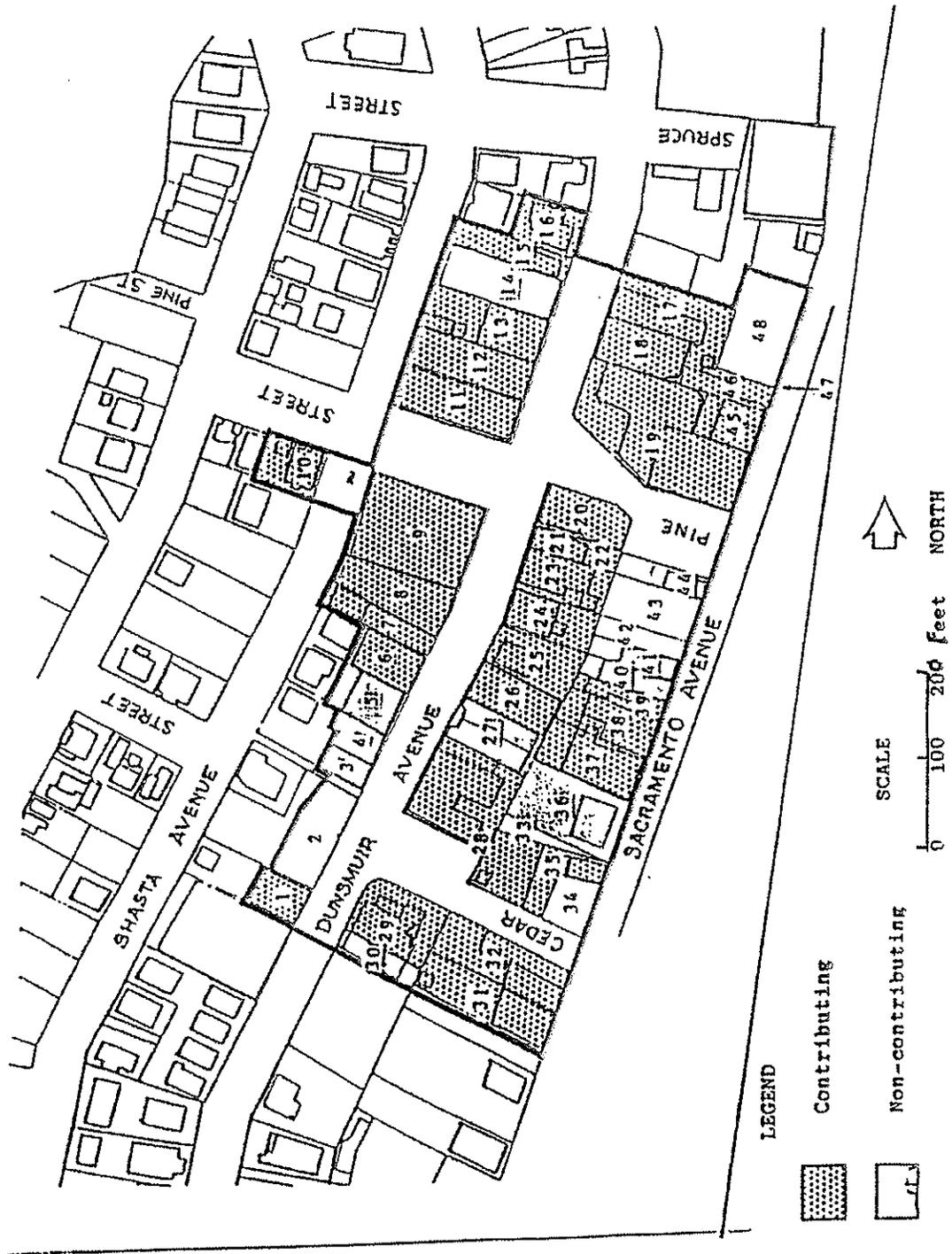
Ballantyne, Jeffrey A. Tr.  
P.O. Box 165  
Dunsmuir, CA. 96025

48. Vacant (Sacramento Avenue)

Templeton, Ronald E.  
6539 Coldwater Cyn #3  
Studio City, CA. 91604

FIGURE 17.28

DUNSMUIR HISTORIC COMMERCIAL DISTRICT



DUNSMUIR'S HISTORIC COMMERCIAL DISTRICT

**RESOLUTION 2014-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR  
ESTABLISHING POLICY OF OFFICIAL REPRESENTATION OF COUNCIL  
MEMBERS AND COMMUNICATION BETWEEN CITY MANAGER AND COUNCIL**

NOW, BE IT RESOLVED, The Mayor or Vice-Mayor or any member of the City Council shall not publically or privately state or represent the City's position on City business that has not been approved by the majority of the Council, including but not limited to tours, meetings, hearings, official proceedings, ceremonies, and

NOW, BE IT FURTHER RESOLVED, The Mayor or Vice-Mayor or any member of the City Council shall not publically or privately state or represent the City, or City's position on City business and without first informing the other City Council members and City Manager, or designee, and

NOW, BE IT FURTHER RESOLVE, At times, the Mayor, Vice-Mayor or other members of the City Council may be called upon to respond in writing or to written inquiries received from the public, or to sign official correspondence on behalf of the City; all such requests or correspondence shall reflect the position of the full Council and shall be copied to the City Manager or designee and the full Council, and

NOW, BE IT FURTHER RESOLVED, the Council directs that the City Manager or designee shall communicate and copy TO every member of the Council on all correspondence, emails, and keep every member of the Council informed with regard to all City business, including but limited to meetings, hearings, ceremonies, tours, official proceedings and telephone and personal conversations regarding City business.

\*\*\*\*\*

IT IS HEREBY CERTIFIED that the foregoing Resolution was introduced and duly adopted by the City Council of the City of Dunsmuir at the regularly scheduled meeting on \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

City of Dunsmuir  
City Hall  
Dunsmuir CA 96025

January 5, 2014

David Hicks, A.P.L.C.  
PO Box 562  
Dunsmuir CA 96025

The City of Dunsmuir hereby appoints you as the City Attorney for the City of Dunsmuir until further notice, under the following terms and conditions:

1. Legal fees shall be the same as currently being charged to the City by John Kenny, plus ordinary costs and out of pocket expenses as you bill to other clients.
2. You shall immediately contact Mr. Kenny's office and request the City legal files, and review the state and content of the City's files in the interim, to prepare a report to the City Council on the legal issues currently pending for the City of Dunsmuir at the next regularly scheduled meeting of the City Council.

---

Mayor, City of Dunsmuir

Acceptance of appointment by:

---

## Brenda Bains

---

**Subject:** Dunsmuir City Councilors

I respectfully request your consideration of the purchase of a chair which would be placed in the audience area of the Council Chambers in the front row in honor of Rita Green. The chair would be purchased by Rita's friends and be placed in her usual "spot" and be could used by anyone attending Council meetings. If possible, it is our hope that a small plaque could also be placed on the chair with her name and a few appropriate words.

Not only I, but many other community members realize the contribution Rita made to the City of Dunsmuir by her ever faithful attendance and eager participation at the City Council meetings.

When Rita came to the podium to speak, she always spoke with a calm demeanor and presented her thoughts in a reasoned way. It was the polite manner in which she presented her viewpoint that often helped to bring a sense of inspiration to those present.

Thank you for your consideration of this request.

Sincerely,

Harriet Alto  
4423 Gill Ave.  
Dunsmuir, CA

**Council Memo 2014-06**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Completion of the Economic Development Enterprise Zone

**DISCUSSION:**

On May 21, 2009, the City of Dunsmuir entered into a Memorandum of Understanding (MOU) between the California Enterprise Program and the Siskiyou County Enterprise Zone. The MOU is included with this memo.

The Siskiyou County Enterprise Zone was created to join the State's Enterprise Tax Incentive Program to expand job and economic opportunities for all Californians.

The Siskiyou County Development Council was contracted to assist local government entities with disseminating tax incentive information about the program, qualifying businesses and vouchering employees. The City of Dunsmuir paid monthly installments to the Economic Development Council totaling \$5,000 annually for these services.

On December 31, 2013 the State of California ended the Enterprise Zone Program which was scheduled to continue through 2023.

The Economic Development Council will continue to support the cities of Siskiyou County, however it is a decision of the city council whether or not the monthly monetary support from the City of Dunsmuir is to continue.

**RECOMMENDED ACTION:**

Continue the monthly support to the Siskiyou County Economic Development Council.

Discontinue the monthly support to the Siskiyou County Economic Development Council.

## **MEMORANDUM OF UNDERSTANDING**

**between**

**The County of Siskiyou, the Cities of Dorris, Dunsmuir, Etna,  
Fort Jones, Montague, Mt. Shasta, Tulelake, Weed and Yreka  
and Siskiyou County Economic Development Council  
for the Administration of the Siskiyou County Enterprise Zone**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is for the purpose of administration of the Siskiyou County Enterprise Zone and is made and entered into this 22 day of June, 2008, by and between the County of Siskiyou (hereafter referred to as "County"), the Cities of Dorris, Dunsmuir, Etna, Fort Jones, Montague, Mt. Shasta, Tulelake, Weed and Yreka (hereafter collectively referred to as "Cities") and the Siskiyou County Economic Development Council (hereafter referred to as "SCEDC").

WHEREAS, the Siskiyou County Enterprise Zone has been designated as an enterprise zone by the California Department of Housing and Community Development pursuant to the Enterprise Zone Act (Government Code sections 7070 et seq.) and the regulations promulgated pursuant thereto (California Code of Regulations, Title 25, sections 8430 et seq.); and

WHEREAS, County and Cities are desirous of stimulating economic growth, new employment and investment in the economically depressed areas of their respective jurisdictions, and in encouraging economic growth by encouraging new business locations and the expansion of existing businesses; and

WHEREAS, County and Cities have agreed and committed to provide effective, innovative and comprehensive regulatory, tax, program and other incentives to attract private sector investment to the proposed zone and to service the existing businesses located within the Siskiyou County Enterprise Zone; and

WHEREAS, County and Cities wish to enter into this MOU to delineate the specific commitments each will make to the Enterprise Zone; and

WHEREAS, SCEDC has received the acknowledgment and support of County and Cities, has been recognized as the administrative agency for the Enterprise Zone and has agreed to take the lead role in coordinating the overall administration for the Enterprise Zone area on behalf of the County and Cities, acting as the designated Zone Manager and Vouchering Agent.

**NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:**

1. This MOU shall become effective upon execution by all parties and shall remain in full force and effect for the period of the Enterprise Zone designation, unless earlier terminated by the parties. This MOU may be terminated by either party upon ninety (90) days written notice and in

compliance with the Enterprise Zone Act and any requirements of the California Department of Housing and Community Development.

2. An Enterprise Zone Policy Board is hereby established consisting of one representative each from the County of Siskiyou, the City of Dorris, the City of Dunsmuir, the City of Etna, the Town of Fort Jones, the City of Montague, the City of Mt. Shasta, the City of Tulelake, the City of Weed, and the City of Yreka. The SCEDC shall be an advisory member of the Enterprise Zone Policy Board. The Enterprise Zone Policy Board shall review and monitor the progress and activities of the Enterprise Zone and shall make such recommendations as it deems appropriate to the County and Cities.

3. The County of Siskiyou and the Cities of Dorris, Dunsmuir, Etna, Fort Jones, Montague, Mt. Shasta, Tulelake, Weed and Yreka shall each:

a) provide staff support to administer programs, projects, or incentives provided by their respective jurisdictions within the Siskiyou County Enterprise Zone;

b) coordinate appropriate economic and business development activities related to the Enterprise Zone through SCEDC;

c) partner with SCEDC to work with existing and prospective new businesses to explain the incentives, programs and projects which may benefit the businesses and to identify unmet needs or problems facing said businesses; and

d) make appropriate referrals to SCEDC or local service providers if County or Cities' staff identifies an Enterprise Zone need for financial or job assistance on the part of a business.

4. SCEDC shall:

a) comply with all statutes and regulations governing enterprise zones, including but not limited to Government Code sections 7070 through 7089 and California Code of Regulations, Title 25 sections 8430 through 8467.

b) function as the "Coordinating Agency" in marketing and promoting the Siskiyou County Enterprise Zone area pursuant to the Economic Development Plan of the Siskiyou County Enterprise Zone;

c) administer and coordinate all aspects of the Siskiyou

County Enterprise Zone with regular input and comment from County and Cities as to content, level of activity and level of participation;

d) work closely with local governmental entities to ensure that businesses located within the boundaries of the zone are made aware of zone benefits;

e) conduct economic development activities in mutual cooperation and coordination with County and Cities to encourage the development of new business, new business attraction and local business assistance activities;

f) provide quarterly reports to County and Cities regarding the progress of fully implementing the Siskiyou County Enterprise Zone, periodically review the achievement goals of the Enterprise Zone and verify compliance with the reporting requirements to the State and all the members of the Enterprise Zone.

g) provide direct staff assistance in the vouchering of all eligible new hires as submitted by those companies located within the designated zone;

h) provide full documentation for verification of eligibility;

i) assist business within the Enterprise Zone with screening, job placement and hiring tax credit eligibility screening;

j) certify a "qualified employee" for vouchering as well as verification of an employee from a targeted employment area as defined by the HCD guidelines for vouchering;

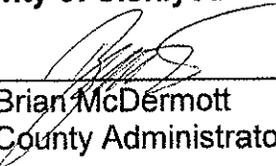
k) collect vouchering fees and submit them to HCD as presented in the Vouchering and Remittance Plan of the Siskiyou County Enterprise Zone Economic Development Plan.

5. SCEDC may contract with Siskiyou Training and Employment Program, Inc. (STEP) to provide services included in the Job Development and Vouchering Plan section of the Siskiyou County Enterprise Zone Economic Development Plan. SCEDC shall retain primary responsibility for such services and shall include in its agreement with STEP a requirement that STEP comply with all applicable statutes and regulations. SCEDC may contract with an alternative third-party contractor with the written consent of County and Cities.

6. This MOU may be amended only by the mutual written agreement of all parties.

**IN WITNESS WHEREOF**, the parties hereto have executed this Memorandum of Understanding on the day, month and year first above written.

**County of Siskiyou**

By:   
Brian McDermott  
County Administrator

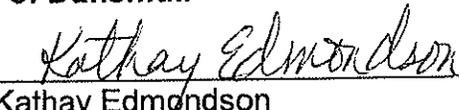
Date: 5/12/09

**City of Dorris**

By:   
Carol McKay  
City Administrator

Date: 5/22/09

**City of Dunsmuir**

By:   
Kathay Edmondson  
Mayor

Date: 5/21/09

**City of Etna**

By:   
Pamela Russel  
City Clerk

Date: 5-15-09

**Town of Fort Jones**

By:   
Linda Romaine  
City Clerk

Date: 5-15-09

**City of Montague**

By: Janie Sprague  
Janie Sprague  
City Clerk

Date: 5-19-09

**City of Mt. Shasta**

By: Kevin R. Plett  
Kevin R. Plett  
City Manager

Date: 5/21/09

**City of Weed**

By: Earl Wilson  
Earl Wilson  
City Administrator

Date: May 13, 2009

**City of Tulelake**

By: Jennifer Cooney  
Jennifer Cooney  
Mayor

Date: 5-9-09

**City of Yreka**

By: Brian Meek  
Brian Meek  
City Manager

Date: 5/20/2009

**Siskiyou County Enterprise Zone**

By: Tonya Dowse  
Tonya Dowse, Executive Director  
Siskiyou County Economic Development  
Council

Date: 6/1/2009

**Council Memo 2014-07**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Library funding committee

**DISCUSSION:**

At the November 21, 2013 City Council meeting the Memorandum of Understanding (MOU) between Siskiyou County and the City of Dunsmuir was discussed. At that time Mr. Tim Holt with the Friends of the Library stated the library would be funded through June 30, 2014.

On Thursday, January 9, 2014, Siskiyou County Librarian, Michael Perry called to inquire if a council committee had been formed to assist the Friends of the Library with future library funding.

**RECOMMENDED ACTION:**

Appoint a committee of the council to research future funding for the library.

**Council Memo 2014-08**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Dog Park committee

**DISCUSSION:**

At the Thursday, January 9, 2014 Dunsmuir Parks and Recreation District Board meeting the board reviewed the City of Dunsmuir Municipal Code 11.08.060-B regarding dogs on the ball field. Mayor Keisler was in attendance and requested an item be placed on this city council agenda to create a committee to identify an area to be used as a dog park.

**RECOMMENDED ACTION:**

Appoint a committee of the council to research future site for dog park.

**DUNSMUIR RECREATION & PARKS DISTRICT  
BOARD OF DIRECTORS  
REGULAR BOARD MEETING  
THURSDAY, JANUARY 9, 2014  
6:00 PM**

**I CALL TO ORDER**

**II ROLL CALL**

**III ELECTION OF OFFICERS**

\*Nominations will be taken from the Board for new Board Officers for 2014; Chairman, Vice-Chairman and Board Clerk. Election for each office position to follow after close of nominations – Action Item.

**IV MINUTES**

\*Approval of November 14, 2013 minutes

**V CORRESPONDENCE**

\*None

**VI AUDIENCE NOT ON AGENDA**

\*Please Note: This time slot is for information from the public to the Board of Directors; no action will be taken at this time.

**VII AUDIENCE ON AGENDA**

\*Ray Kellar, Dunsmuir High School Principal & Coaches

**VIII NEW BUSINESS**

\*Review of the City of Dunsmuir Municipal Code #11.08.060-B regarding Dogs on the Ball Field. Ray Kellar, along with other possible coaches will be in attendance to request consideration to prohibit dogs on the Ball Field. Administrator Report/Discussion/Possible Action.

**IX REPORTS**

\*Maintenance: Current Projects/Recommendations

\*City Park

\*Ball Field

\*Community Center Building

\*Equipment

\*Recreation:

\*Administrative:

\*Rotary Craft Fair, 2013 Update

**X BOARDMEMBERS**

**XI OTHERS**

**XII DISBURSEMENTS**

\*Approval of the December 2013 Warrants, January 2014 Warrants, and November, December 2013 Payroll.

**XIII DONATIONS**

**IV ADJOURN**

## **Council Memo 2014-09**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Award of Grant Management Contract for 13-CDBG-8968

### **DISCUSSION:**

Community Development on Call ranked the highest of three agencies participating in our request for proposals for grant management services on the city's \$2,000,000 CDBG grant. Community Development on Call has released the following schedule:

- January 21, 2014 - Release of RFQ for Engineers
- February 15, 2014 - Selection of Engineer
- Development of plans and specifications by Engineer
- May 31, 2014 - Bid Document Release
- June 21, 2014 – Selection of Construction Firm

A copy of Community Development on Call's proposal is included with this memo.

### **RECOMMENDED ACTION:**

Award grant contract management for 13-CDBG-8968 to Community Development on Call.

**RESOLUTION 2014-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR  
APPROVING THE BID OPENING, RANKING AND CONTRACT AWARD OF  
GRANT MANAGEMENT SERVICES FOR 13-CDBG-8968**

**WHEREAS**, the City has requested proposals for grant management services, and

**WHEREAS**, the City received proposals from Adams Ashby Group, Economic Development on Call and Community Development on Call, and

**WHEREAS**, the proposals were ranked based on the following:

- A. The understanding of the work to be done,
- B. The knowledge of local conditions and project area,
- C. The quality of past performance on similar projects,
- D. The qualifications of individuals within the Consultant's organization directly responsible for the work, and
- E. The familiarity with state and local procedures.

**WHEREAS**, the scoring was Adams Ashby Group - 77, Economic Development on Call - 82 and Community Development on Call - 100.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Dunsmuir hereby approves the contract award to manage the 13-CDBG-8968 grant.

**IT IS HEREBY CERTIFIED** that this resolution was introduced and duly adopted by the Dunsmuir City Council at the special meeting held on January 16, 2014 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

**ATTEST:**

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**MAYOR**

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**CITY MANAGER**

# **City of Dunsmuir**

**State of California Department of Housing and Community  
Development**

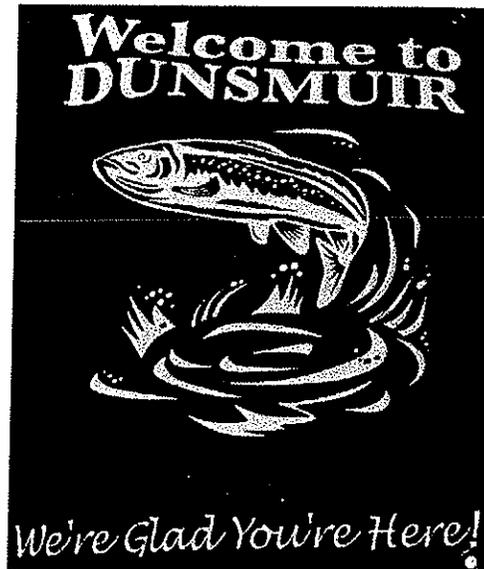
**Community Development Block Grant # 13-CDBG-8968**

## **Response to Request for Proposal for CDBG Grant Project Administration**

**Qualifications, Proposed Scope of Work, Budget, and Sample  
Contract**



**8 December 2013  
Community Development on Call  
P.O. Box 459  
Montague, CA. 96064  
(530) 598-5693**



Thank you for considering Community Development On Call to assist your City administer your State of California Department of Housing and Community CDBG Grant # 13-CDBG-8968.

### **PROJECT UNDERSTANDING**

Community Development On Call, with Jim Cook as the project manager, understands that the Administrative Contractor will be asked to perform all program initiation (general administration), program implementation (general administration) and all project implementation (activity delivery) duties required by the grant #13-CDBG-8968 related to the water line construction project, the community center renovation, the rate study and water system master plan portions of the grant including, but not limited to, preparing the following for grantee approval and signature.

- environmental documentation
- all special and general conditions approval documentation
- procurement documents
- supervision of contract development
- review of construction management

- collection and preparation of all data for fiscal reporting including:
  - quarterly reports, FARs, annual reports, progress reports, wage reports, section 3 reports, and all other reporting duties as required
- attend workshops and public meetings
- grant closing documentation
- and all other duties associated with the successful completion of this grant.

**STAFF QUALIFICATIONS (CD On Call history)**

Community Development On Call limits the number of grants each manager administers in order to provide comprehensive service to our clients.

Mr. Jim Cook - As Project Manager (PM), Jim Cook, has been administering State of California Community Development Block Grants for over 28 years. He has never had unresolved grant findings. Most recently, he has administrated a water line



Figure 1 Dunsmuir Community Center

replacement project for the County of Modoc. The project entailed 1 million dollars from the CDBG program and 2 million dollars from "Prop. 50". He is also administrating a project in the City of Tulelake consisting of 4 million dollars from the State Water Resources Control Board and 1 million CDBG funds along with a \$5 million dollar CDBG funded

multi-project program for the County of Trinity which includes the regional hospital renovation, a local park renovation and fire suppression water storage construction and other tasks.

**Mr. Cook has administered CDBG infrastructure construction projects for the communities of Dunsmuir, Weed, Grenada, Tennant, Montague, Dorris, Tulelake, Hornbrook, Callahan, Sawyers Bar, and industrial building construction in Klamath Falls.**

**In addition, Jim has acted as the labor compliance officer for numerous construction projects over the past 15 years. While we understand that the City of Dunsmuir may select a compliance firm, and we agree that another firm should conduct that activity, Jim's extensive expertise will assist the City oversight of that activity.**

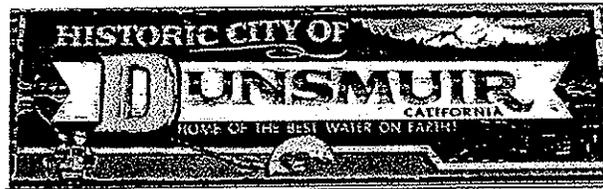
**Additional staff – While Jim will be the PM and principle and will be located in Dunsmuir for this project, additional staff for CD on Call includes:**

**CD on Call has formed a strategic partnership with The Dixon Department and Ms. Monique Dixon- Ms. Dixon has wide-ranging experience administrating CDBG grants as well as having written and administered numerous grants from other State and Federal agencies.**

**Ms. Ann Cook occasionally provides office support for CD on Call and has many years experience with agency requirements.**

### **LOCATION OF OFFICE**

**Due to the timelines associated with this project we will attempt to establish office space in Dunsmuir. Mr. Cook will staff the office in Dunsmuir and will be the only staff assigned to this project.**



## **SCOPE OF SERVICES and DELIVERABLES**

**Community Development On Call will be responsible for completing general administration and activity delivery of the State of California Department of Housing and Community Development CDBG Grant # 13-CDBG-8968 in a manner satisfactory to the City of Dunsmuir staff and consistent with any standards required by the State of California CDBG program. Duties will include those considered General Administration and Activity Delivery by the CDBG program.**

**Due to the time constraints associated with this project, following is a suggested methodology and schedule. This schedule is based on Administrator selection by 26<sup>th</sup> of December and will be modified as directed by the City staff:**

- Release of RFQ for Engineers – 21 January**
- Selection of Engineers – 15 February**
- Development of plans and specifications**
- Bid document release - 31 May**
- Selection of construction firm – 21 June**

**Although the above schedule is ambitious compared to “normal” CDBG projects we believe that it can be achieved with a concerted effort on behalf of the grant administrator, program manager, architect or engineers and construction firms.**

**In addition, the following are included in the tasks for the program:**

- Weekly or daily meetings with City personnel and construction inspection personnel. The PM will also meet with the City staff on an as needed basis and at their convenience.**
- Monthly public meetings – our staff will be available on a monthly basis during the construction season to appear before the City Council to review grant status.**

- **Wage Compliance monitoring – Compliance auditing can be reviewed by the PM and field interviews can be conducted by the PM.**
- **Fiscal reporting (the PM shall assist with the preparation of complete drafts of the quarterly reports, cash requests, annual reports, wage reports, section 3 reports, and all other reporting duties)**
- **Grant closing documentation.**
- **Other administration duties associated with the successful completion of this grant.**

### **TIMELINES**

**We commit to meeting all of the CDBG timelines. If selected, we will meet with City staff review and establish all the above timelines.**

### **Proposed Costs, Rates and Billing Procedures**

**This project will be completed and not exceed your grant administration budget regardless of tasks required by CDBG. We use OMB Circular A-122 Cost Principles for a Non-Profit Organization as a guideline to develop our invoices so that your community and the grant will be fairly charged. Our billing invoice will allow for a transparent understanding of our commitment to your CDBG program and projects.**

**In addition, by our contract, we will not require payment from the City until the State has paid the City after incurred costs. This should assist with cash flow issues should the State, withhold payment for any reason.**

Costs listed below are for those activities considered General Administration and Activity Delivery by the CDBG program and should allow for comparison with other firms. Additional negotiations may be necessary if additional major general administration tasks are required by the City.

General Administration Services, including completed environmental documentation and special conditions documentation for 13-CDBG-8968 will not exceed \$100,000 over the 3 year length of the grant, additional minor general administration tasks will not increase the “not to exceed” price and are to be expected. This will leave nearly \$40,000 for City staff wages for those activities they assist with. Additional General Administration tasks will need to be negotiated, however, in absolutely no case, will costs exceed grant budget.

Implementation Services (activity delivery) will be extensive and will not exceed \$100,000 for the 3 year life of the grant. That will allow nearly \$38,000 for the wage compliance consultant. Should that amount not be adequate, CDoC will renegotiate and reduce our costs for implementation. CDoC has negotiated both with the jurisdiction and the wage compliance consultants in the recent past so that the projects can be completed within the budget.

Our most important goal related to staff rates is that the projects be completed without cost to the city.

### **Staff Rates**

<u>Classification</u>	<u>Rate</u>
Grant Manager / Project Manager	\$65.00 per hour
Assistant Project Manager	\$55.00 per hour
Clerical	\$25.00 per hour
Labor Compliance	(N/A)

Travel mileage – Mileage will be reimbursed at the federally approved mileage rate from Dunsmuir to construction sites or State offices.

## **Timeline and Costs Chart**

**All hours are for PM**

**estimated**

<b>General Administration</b>	<b>500 hours</b>
<b>Release of RFQ for Architect/ Engineers –</b>	<b>90 hours</b>
<b>Selection of Architect –</b>	<b>20 hours</b>
<b>Development of plans and specifications –</b>	<b>360 hours</b>
<b>Bid document release –</b>	<b>220 hours</b>
<b>Selection of construction firm –</b>	<b>20 hours</b>
<b>Construction-</b> includes wage compliance review, inspection review, cash requests, other CDBG reports	<b>1,800 hours</b>
<b>Grant Close preparation and monitoring –</b>	<b>300 hours</b>

# Appendix

References

Resumes

## References

- **Trinity County – Wendy Tyler, County Administrator – \$5 million project - (530) 623-1382**
  - Hospital renovation, re-roof and HVAC; PUD transmission line brushing; fire suppression water tanks; others
  
- **The City of Tulelake – Lorraine Fine, City Treasurer — \$5 million project (530) 667-5522**
  - Wastewater renovation project, library renovation
  
- **The County of Modoc – Darcy Locken, County Auditor – \$3 million project (530) 708-1301**
  - Newell water system project
  
- **The City of Weed – Kelly McKinnis, City CFO – (530) 938-5027**
  - Water line construction projects

**James C. Cook**  
P.O. Box 459  
Montague, CA. 96064  
(530) 598-5693  
[jimcook@snowcrest.net](mailto:jimcook@snowcrest.net)

EDUCATION: M.S. 1983 California State Polytechnic University,  
Pomona, California  
B.S. 1976 California State Polytechnic University,  
Pomona, California

State of California, Department of Health Services  
Certified Water Treatment Operator, Grade II

PROFESSIONAL EXPERIENCE:

2008- present

**COMMUNITY DEVELOPMENT ON CALL**  
**Community Development Grant Administrator**

Assisting communities in the Pacific Northwest access funding to improve their regions infrastructure and economic future. Successful grant applications and management of Community Development Block Grants, State Water Resources Control Board grants and Integrated Regional Water Management Implementation Grants.

1985 - 2009

**GREAT NORTHERN CORPORATION.**

Rural Resources Specialist duties include:

**Community Development Coordinator**

Providing technical assistance to local government regarding community development matters including water, wastewater, and solid waste management; assisting with procurement of engineering and construction services; compliance with local, state, and federal regulations. Preparation of program budgets and fiscal reports, liaison with appropriate agencies. Preparation of environmental documents for local development projects. Preparation of applications for grants and loans for various local concerns.

**Director, Natural Resources Division**

Development of new Natural Resources Division including grant preparation, program budgets, procurement of personnel for programs, and fiscal reports. Division's initial concern- stream and riparian habitat restoration.

**Economic Development Specialist**

Assist individuals and small communities with economic projects, including development of project through business funding and start-up planning. Grant preparation and management.

**Siskiyou County Supervisor** Elected 2004 Re-Elected 2008

- 1981 - present     **Willow Mountain Ranch Owner**  
Raising Meat Goats  
Raising Fallow Deer for venison sales, also raising Emus,  
and Rheas  
Certified Dairy Goat Judge, American Goat Society
- 1981 - 1985     **Natural Systems Research Co. Associate Director and Staff Wildlife Biologist** specializing in terrestrial ecology and resource management throughout the western United States. Responsibilities included:
- \* Impact assessments of land and energy developments
  - \* Interpretation of environmental regulations and guidelines
  - \* Baseline inventories of wildlife populations
  - \* Terrestrial wildlife monitoring programs
  - \* Wildlife management and habitat improvement
- 1978 - 1981     **VTN Consolidated, Inc. Environmental Consultant and Staff Wildlife Biologist** specializing in impact assessments, baseline surveys and inventories, wildlife management and literature surveys.
- 1976 - 1979     **Independent Environmental Consultant** specializing in California biota, impact surveys and management of resources.
- 1976 - 1978     **City of Los Angeles. Zookeeper** specializing in avian species, in charge of zoo incubation facilities, also experience with hoof stock, and primates.
- 1976     **Quemetco, City of Industry. Air pollution control,** air pollutant location, identification and control methods.

## Resume

## **PROJECT LIST**

The following is a list of projects which I have conducted as a project manager. The list is not complete, but is intended to be representative of my experience as a consultant.

### **Community Development Block Grant Program (CDBG):**

Client: County of Trinity; Cities of Tulelake, Dorris, Montague, Weed, Dunsmuir, Mt Shasta, Yreka, Ft. Jones, Etna and Klamath Falls Oregon. Siskiyou County including Happy Camp, Sawyers Bar, McCloud, Grenada, Hornbrook

Description: Prepared and managed over 48 million dollars in successful CDBG applications. No unresolved management findings in 28 years.

### **Business/Economic Development:**

Established over 7 million dollars in business loan portfolios for rural communities: County of Siskiyou; City of Montague; City of Dorris; City of Tulelake; City of Etna; Klamath County, OR. Assisted 49 businesses access capital for startup or expansion. Creating over 142 permanent jobs. Managed facilities construction for Klamath County business attraction, creating a total of 423 jobs. Wrote and managed EDA grants for the City of Weed increasing infrastructure (water, wastewater and roads) allowing for the creation of 125 jobs. Developed concept, wrote grants, built site and managed operations for Food Processing Technical Assistance Site.

Wrote and implemented successful economic development grants from CDBG, USDA RD and EDA.

### **Infrastructure:**

Prepared and managed grants for:

#### Drinking water systems, sewage treatment collection and treatment.

Alturas, Canby, Newell, Tulelake, Dorris, Montague, Hornbrook, Grenada, McCloud, Weed, Mt. Shasta, Dunsmuir, and Sawyers Bar (CDBG, USDA RD, DWR, IRWMP, others)

#### Hospital renovation.

Trinity County

#### Fire Hall construction.

Crescent Lake OR (USDA RD Loan), Modoc Point OR (private foundations and USDA RD), Montague CA. (CDBG)

#### Housing Rehabilitation

Montague (CDBG)

**City Planning:**

General Plan revisions, Housing Element revisions.  
Montague, Dorris, Tulelake, Mt. Shasta, Etna, Ft. Jones

**Fisheries Habitat Restoration:**

Developed concept, wrote grants, oversaw all projects for more than a million dollars of fisheries habitat restoration work, primarily on the Shasta River.  
(CDFG, NMFS)

**Council Memo 2014-10**

Date: January 16, 2014  
To: Mayor and Council  
From: City Manager / CFO  
Subject: Brown Act Training

**DISCUSSION:**

Vice Mayor Wilde has scheduled Brown Act training for the City Council at this council meeting.

Our City Attorney, John Kenny offered Brown Act training at no charge last summer. The training was delayed until we had a full council.

**RECOMMENDED ACTION:**

Allow training

Schedule training with the City attorney

Do nothing