

**AGENDA FOR THE REGULAR MEETING
DUNSMUIR CITY COUNCIL
COUNCIL CHAMBERS
5902 DUNSMUIR AVE, DUNSMUIR, CA
MAY 5, 2016
CLOSED SESSION: 5:00 pm
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. PUBLIC COMMENT ON CLOSED SESSION ITEM**
- 4. ADJOURN TO CLOSED SESSION: Three Items**
 - (1) Conference with Real Property Negotiators Section 54956.8**

Properties: Castle Rock Water Lease
Agency Negotiator: Paul Poczobut
Negotiating Party: Castle Rock Water
Under Negotiation: Lease terms, price, terms of payment
 - (2) Closed Session Conference with Legal Counsel**

Existing Litigation – Government Code § 54956.9
One Case: “Wilde v. City of Dunsmuir”
 - (3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Govt. Code Section 54957)**

Title: City Manager
- 5. REPORT FROM CLOSED SESSION**
- 6. FLAG SALUTE**
- 7. APPROVAL OF AGENDA**
- Page 4-***98. APPROVAL OF MINUTES: April 21, 2016**
- 9. COMMITTEE REPORTS**
 - a. Economic Development/Tourism**
 - b. Finance**
 - c. Public Facilities and Services**
 - d. Public Safety**
 - e. Airport**
 - f. Solid Waste**
 - g. Mossbrae**

10. ANNOUNCEMENTS AND PUBLIC COMMENT

Regular City Council meetings are televised on Channel 15 to keep City residents informed of City Council actions and deliberations that affect the community. Meetings are scheduled to be televised on the 1st and 3rd Thursday of each month. Meetings that take place on dates other than the 1st and 3rd Thursday will not be televised.

This time is set aside for citizens to address the City Council on matters listed on the Consent Agenda as well as other items **not** included on the Regular Agenda. If your comments concern an item noted on the Regular Agenda, please address the Council when that item is open for public comment. **Each speaker is allocated three (3) minutes to speak. Speakers may not cede their time to another speaker.** Comments should be limited to matters within the jurisdiction of the City. Speaker forms are available from the City Clerk, 5915 Dunsmuir Ave, Dunsmuir, on the City's website, or on the podium. The 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. If you have documents to present to members of the City Council, please provide a minimum of seven (7) copies.

11. 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.

12. CONSENT AGENDA

The Consent Agenda consists of proposed actions on business matters which are considered routine and for which approval is based on previously approved City policy or practice. The Consent Agenda will be approved by a single motion to "Adopt the Consent Agenda" and Council Members will vote without debate. Council Members may remove a Consent Agenda matter for any reason and request that it be placed on the Agenda for discussion and consideration. Matters removed from the Consent Agenda will be placed on the agenda as an item of "New Business" for discussion and consideration.

A. Approve check register dated April 29, 2016

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13. PUBLIC HEARING

Public Hearing Protocol:

- a. Mayor will describe the purpose of the Public Hearing.
- b. City Staff will provide the Staff Report.
- c. City Staff will respond to questions from the City Council.
- d. Mayor will open the Public Hearing.
- e. Citizens wanting to comment will come to the podium, provide the City Clerk with their name and address and provide their comments.
- f. Mayor will close the Public Hearing.

NONE

14. OLD BUSINESS

A. Discussion and possible action on Grant Funding Application for water main and downtown tank replacement project

Page 11-12

B. Discussion and possible action to set a date for preliminary work plan interviews with the Dunsmuir City Council Members for the team building retreat with Weed City Manager and Yreka City Manager

Page 13-14

C. Discussion and possible approval of the placement of the Union Pacific light at "Caboose Park"

Page 15

15. NEW BUSINESS

- Page 16 A. Review and possible approval of road closure request for Dogwood Daze
- Page 17-18 B. Discussion and possible approval of CEQA exemption (Section 15061(b)(3) for the Housing Element
- Enclosure C. Review and adoption of 2014-2019 Housing Element
- Page 19-35 D. Review of revenue and expenditures for water, wastewater and solid waste for 2010-2015
- Page 36-43 E. Discussion and possible action to approve resolution 2016-__ Home Energy Renovation Opportunities (HERO)
- Page 44-51 F. Review of City of Dunsmuir water rights

16. ADJOURNMENT:

Copies of this agenda were posted at City Hall, Dunsmuir City Library, Dunsmuir Park and Recreation District Office and at the Post Office on or before May 2, 2016 at 5:00 pm.

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 to make reasonable arrangements to accommodate participation in the meeting.

CERTIFICATION

This is the official Dunsmuir City Council Agenda, created and posted in accordance with the Dunsmuir City Council Protocols.



Julie Iskra, Deputy City Clerk

05-02-16
Date

**CITY OF DUNSMUIR
CITY COUNCIL MINUTES
APRIL 21, 2016**

CALL TO ORDER:

Meeting was called to order at 6:08 pm by Mayor Spurlock.

ROLL CALL:

Council Members present: Deutsch, Keisler, Craig, Shanta, Spurlock

City staff present: Poczobut, Iskra

REPORT FROM CLOSED SESSION:

City Council gave direction to City Attorney regarding litigation

City Council addressed Real Estate. Council Member Shanta and Mayor Spurlock will review the agreement and bring back to City Council

FLAG SALUTE

APPROVAL OF AGENDA:

Motion to approve the agenda by Keisler, seconded by Deutsch. Voice vote: 5-0-0-0

APPROVAL OF MINUTES:

Motion to approve the minutes of April 7, 2016 by Keisler, seconded by Craig. Voice vote: 5-0-0-0

COMMITTEE REPORTS:

a. Economic Development /Tourism

Council member Deutsch announced that the next meeting will be held April 25, 2016 and the agenda has been posted. He reviewed the items on the agenda.

b. Finance

Council member Craig reported that the committee met on March 31, 2016. They reviewed the budget and everything looks good and is on track. The committee reviewed the water loans and bonds and also reviewed the revenue and expenditures from 2010-2015 for water, wastewater and solid waste.

c. Public Facilities and Services

Council member Craig reported that the committee had not met since the last City Council meeting. The next meeting is scheduled for April 26, 2016 at 1:00 pm.

d. Public Safety

Council member Keisler reported that the committee met informally with Sgt Mero, Sgt LaRue and Lt Houtman. Sgt LaRue will has significant commitments at COS so Sgt Mero will be filling in and will also be the Sheriff's Dept representative for Neighborhood Watch.

e. Airport

Council member Deutsch announced that the committee is finalizing their new meeting schedule. They have a temporary plan for commercial leasing of hangars, trailer and auto parking. These rates will be higher than currently charged as there is no subsidy from the FAA. The trees to the west of the airport currently extend into the airspace and will need to be topped.

f. Solid Waste

No meeting.

g. Mossbrae

The committee has not met but they continue to reach out to Union Pacific. Today information was received that UP is interested and wants to come to the table. A meeting needs to be set within the next two weeks. There are three new citizen members: Jerry Totten, Peter Arth, Mark Ostrom.

ANNOUNCEMENTS AND PUBLIC COMMENT:

Ana Mulvaney reminded the Airport Committee that she was aware of aircraft flying over her residence. She asked the committee to consider the public concerns and encouraged the public to attend the Airport Committee meetings.

Arlene Dinges suggested that the City Council consider moving the City Wide Cleanup to a date other than June 18 when the Tribute to the Trees concert is scheduled. The concert date is set by the orchestra and is the major fundraiser for the Botanical Gardens. Many people will be in town and the sight of vehicles filled with garbage is a negative visual of the City of Dunsmuir.

Dylan Lennan agreed that the cleanup date needs to change. He also received a donation of a podium and wishes to donate it to the City once it is refurbished. He also asked about getting some receptacles in the downtown for disposal of cigarette butts. He provided a sample of a container, noted the cost is between \$38 and \$200 depending upon the style and suggested they could be spaced between the garbage cans.

Carolyn Rivard asked what was the largest plane that could land at the airport.

Ann Powers agreed that trucks full of garbage is an embarrassment to the City during a large city function.

Peter Arth again asked about confirming the City water rights. He also asked about a report on the condition of the City sidewalks and the plans to fix them.

Linda Gnesa invited the public to attend a citywide meeting on May 2 at 6:00 pm at the Community Building. There will be a presentation by the Lions Club to possibly lease the property at Bent Rail Park. She also announced a Bicycle Rodeo on May 13 at Dunsmuir Elementary.

ANNOUNCEMENTS AND REPORTS FROM COUNCIL AND STAFF:

Council member Craig asked about the CDBG loan status. CM Poczobut explained that there is one applicant and the City needs to establish a loan committee. Currently we have one person, the manager at US Bank. Craig also stated Keisler is a member. Poczobut stated that Mr. Nash will do the pre-screening and we need a contract. Craig stated that the City Wide Cleanup date needs to be changed and it will be discussed later in the meeting. Craig thanked Mr. Lennan for the podium. He stated that the City and the Chamber need to work together and asked if there is a City representative attending Chamber meetings. Craig asked if Mr. Arth's concerns will be on the May 5 agenda.

Dylan Lennan explained that he will be at all the City Council meetings and will be the liaison.

CM Poczobut stated that the City's water rights go back to 1909 and he will have the documents at the next meeting. The discussion with Castle Rock has nothing to do with water rights. Craig asked about the sidewalks since the City did not receive the STIP grant. CM will submit a request for \$100,000 to the county in July or August, 2016 for sidewalk monies. Craig asked the street trees and sidewalks to be on the May 5 or May 19 agenda.

Council member Keisler thanked Mr. Lennan for the podium. He also thanked PACE for their donation of \$5,000 for the Big Fish Program.

Council member Deutsch stated that any size aircraft could land at the airport. The concern is whether the aircraft has enough room on the runway to take off. There is no monitoring by the City of Dunsmuir. The First Impressions review of cities brought all the cities together. Dunsmuir was reviewed by Weed. Dunsmuir reviewed Etna. The information from Weed was great but was not helpful. The review will be

discussed at Monday's Economic Development meeting. He reminded everyone about the Citizen of the Year/Alexander Dunsmuir award dinner on April 23, 2016.

Mayor Spurlock thanked Mr. Lennan for the podium. He also explained that the City cannot direct airplanes and the City only maintains the airport. The Castle Rock discussion is a negotiation of the rent and there are no water rights to be given.

Motion by Keisler to move the discussion of the City Wide Cleanup to 14C Old Business, seconded by Deutsch. Voice vote: 5-0-0-0

CONSENT AGENDA:

- A. Approve check registers for April 8, 2016 and April 15, 2016
- C. Annual authorization to submit application for CalRecycle
- D. Application for CWSRF Planning Financial Assistance Application

Motion to approve consent agenda by Keisler, seconded by Craig. Roll call vote:

Shanta: yes

Craig: yes

Deutsch: yes

Keisler: yes

Spurlock: yes Approved 5-0-0-0

PUBLIC HEARING: None

OLD BUSINESS:

A. Public Comment:

Ana Mulvaney reminded the Council of the need for an evacuation plan.

Peter Arth stated that the Loan Committee was critically important to the support of small businesses. He also suggested that an interested City Council member needs to step up to the Solid Waste Committee and move forward with green waste, recycling and composting projects.

Mayor Spurlock discussed the Elected, Appointed and Assigned appointments/committees list item by item and made changes as appropriate and agreed upon.

Motion by Spurlock, seconded by Craig to accept the new committee assignments. Voice vote: 5-0-0-0
The updated list is a part of these minutes.

Motion by Craig, seconded by Keisler for a recess at 7:35 pm. Voice vote: 5-0-0-0
7:47 City Council meeting resumed.

B. CM Poczobut explained that the City needs to pay the bills promptly. Some bills need to be paid before the next City Council meeting. This is a request to pay the bills weekly each Friday. A check register will be approved monthly.

Public Comment: None

Motion by Deutsch to pay the bills weekly on Friday with a check register each month, seconded by Keisler. Voice vote: 5-0-0-0

C. CM Poczobut apologized for upsetting the Botanical Gardens Committee. The City staff has been trying to find an appropriate date for the City Wide Cleanup. It has been challenging due to the temporary closure of the Transfer Station. The City will cancel the Cleanup and staff will meet and find another date.

Public Comment:

Richard Dinges thanked the Council for postponing the event.

Ana Mulvaney asked about using the City's Chipper to clean up tree debris.

Arlene Dinges gave a brief description of the Tribute to the Trees concert on June 18, 2016.

The City Council gave direction the City Manager to cancel the City Wide Cleanup and reschedule the date.

NEW BUSINESS:

A. CM Poczobut explained that the City received a donation of a railroad stoplight. It has been suggested that a good placement will be at the "Caboose Park" on City of Dunsmuir property. Public Works will work with Michael Swords to install the light.

Council member Keisler stated that this was one of three lights donated to the City. He would like to remove the apple tree and install it behind the caboose in place of the apple tree. John Poston, the electrician will install solar lights. Some concrete and wire will be all that is necessary and should not be too expensive.

Council members discussed if there was a need to remove the tree. Possibly the tree could remain and move the light to another location.

Public Comment:

Several audience members spoke about not removing the tree.

Motion by Craig to approve the installation of the light at Caboose Park but Council member Keisler will return to the Council for approval of the location of the light, seconded by Deutsch.

Voice vote: 5-0-0-0

B. Motion by Keisler to approve the update of authorized signers to the City of Dunsmuir bank accounts, seconded by Craig. Voice vote: 5-0-0-0

C. CM Poczobut explained that is an opportunity for the citizens of Dunsmuir to improve energy efficiency in their homes and businesses. It would authorize lenders to loan money to property owners and put it on their property taxes for repayment.

Public Comment:

Ana Mulvaney asked if this was prudent if it is tied to taxes.

Arlene Dinges stated that if this is not approved, then it is a loss to the citizens of Dunsmuir.

Council member Shanta said she sees no drawbacks to the City of Dunsmuir. It is between the homeowner and the agency.

Motion by Keisler to approve Resolution 2016-6 for Property Assessed Clean Energy Program, seconded by Craig. Voice vote: 5-0-0-0

D. CM Poczobut explained that there are three positions proposed.

The first is a Utility Maintenance Operator-In-Training. This was budgeted for the full fiscal year. This position would start at \$14.46 per hour.

Motion by Keisler to authorize the City Manager to fill the vacant Utility Maintenance Operator-In-Training at \$14.46 per hour, seconded by Craig. Roll call vote:

Keisler: yes

Craig: yes

Shanta: yes

Deutsch: yes

Spurlock: yes 5-0-0-0

The second position is a seasonal employee from May through October in the Public Works department. This position would start at \$12.00 per hour and would be hired through Personnel Preference.

Motion by Keisler to authorize the City Manager to hire a Public Works Maintenance Seasonal Worker through Personnel Preference for \$12.00 hour, seconded by Deutsch. Roll call vote:

Shanta: yes

Craig: yes

Keisler: yes

Deutsch: yes

Spurlock: yes 5-0-0-0

The third position is a part-time employee who would work 5 hours per day from 10:00 am to 3:00 pm in City Hall as an Assistant Utility Billing Clerk. This position would start at \$15.00 per hour and last a maximum of 8 months. This position would be working with the Deputy City Clerk/Utility Billing Clerk and also with the Accounts Payable Clerk. Motion by Craig to authorize the City Manager to hire a part-time Assistant Utility Billing Clerk at \$15.00 per hour, 5 hours per day not to exceed 8 months, seconded by Deutsch. Roll call vote:

Craig: yes

Keisler: yes

Shanta: yes

Deutsch: yes

Spurlock: yes 5-0-0-0

E. CM Poczobut explained that the City has received a letter from Gary Benson increasing the rent by \$100 per month for Children's Park effective May 2016. He requested direction from City Council. Previously there was a suggested negotiation with the Engine House but due to the asbestos issue, the City cannot agree to this option. The asbestos abatement must be completed by a contractor who is certified in asbestos removal.

Public Comment:

Fred Taylor stated that the asbestos has been there for a long time. How can City workers use the Engine House? CM Poczobut explained that the City owns the building, not the ground and City employees do not work in the building.

Gary Benson stated he could add the C-22 certification to his roofing license within 60 days. He could remediate the asbestos.

Council member Keisler asked if the Council tables the rent increase, would Mr. Benson be open to negotiations. Mr. Benson said no, negotiations have been going on 3 years.

City Council Comments:

Motion by Deutsch to approve the increased payment to Mr. Benson from \$625 to \$725 for the Children's Park, seconded by Keisler. Roll call vote:

Keisler: yes

Deutsch: yes

Shanta: yes

Craig: yes

Spurlock: yes 5-0-0-0

F. CM Poczobut stated a Notice of Abatement regarding a fence that was constructed without a permit and not in compliance with Dunsmuir City Code was sent to Fred Taylor for his property at 6128 Rose Avenue. Mr. Taylor would like to appeal the notice. Poczobut read the memorandum outlining the history of the abatement.

Fred Taylor stated: he is the owner of the property, erected the fence on the suggestion of City employees, decided not to contest the abatement but instead request a variance to leave the fence as it is, if he dropped the fence to 4 feet then it allows a view to Sacramento Avenue and a view of possible blight which could lead to possible City Code violations, his son Ross spends a lot of time at the property and sometimes spends the night there, Ross has a wood stove and a shop on the property, he is here about the fence but is concerned that later the City will begin an abatement of the property, Brenda Bains stated if the fence did not cost more than \$500 then a permit was not needed, and he questioned where the front of the property actually is regarding the placement of a 6 foot fence. Mr. Taylor asked about a variance. Planner Dinges explained that the variance would be reviewed by the Planning

Commission in a Public Hearing. The soonest a variance could be heard would be at the June 2016 meeting and the recommendation would be forwarded to the City Council.

City Council Comments:

Council member Shanta stated that it would be a free-for-all if City codes were not enforced. She commended the Code Enforcement Officer for enforcing the codes. She said she drove by the property and felt it would not take much to lower the height of the fence.

CM Poczobut explained that a variance is requested prior to the construction of a fence, not after.

Mr. Taylor asked if he reduced the fence to a 4 foot height, would he be in compliance.

Council member Deutsch replied that the Council is trying to work through this. There needs to be a line of site at the intersection.

Motion by Keisler to require the fence be reduced to 4 feet and the City will waive the permit and fee, seconded by Deutsch. Voice vote: 5-0-0-0

ADJOURNMENT:

Motion by Deutsch to adjourn at 9:40 pm, seconded by Craig. Voice vote: 5-0-0-0

Mayor Spurlock

ATTEST:

Deputy City Clerk Iskra

City of Dunsmuir

BANK: U.S. BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
U.S. BANK Checks							
48174	04/29/2016	Printed		1225	ACME COMPUTER	MON BILLING FOR MAY '16	833.00
48175	04/29/2016	Printed		1910	AT&T	APR '16 PHONE SVCS	2,167.34
48176	04/29/2016	Printed		9447	AUS SACRAMENTO MC LOCKBOX	C.H.MATS, WKLY LNDRY 4-27-16	96.05
48177	04/29/2016	Printed		2635	BASIC LABORATORY, INC.	FRENCH DRAIN LEACH LINE	139.00
48178	04/29/2016	Printed		4523	BURTON'S FIRE, INC.	VALVE KIT 1.5 SWING	85.16
48179	04/29/2016	Printed		5240	CASCADE FIRE EQUIPMENT CO	FUNCTIONAL TEST	2,687.28
48180	04/29/2016	Printed		10001	CED-REDDING	8&4 FT LAMP RECYC KIT	2,767.32
48181	04/29/2016	Printed		6325	CLEMENS WASTE REMOVAL	RECYCLING & SORTING	13,799.65
48182	04/29/2016	Printed		10350	CLOCKWORK EXTRICATION	ANNUAL MAINT/SVC OF TOOLS	600.00
48183	04/29/2016	Printed		10148	DIVERSIFIED ELECTRICAL SVC,INC	PUBLIC WORKS LIGHTS	1,100.00
48184	04/29/2016	Printed		5219	FERGUSON ENTERPRISES INC,1423	HYD EXT	1,255.93
48185	04/29/2016	Printed		9999999515	FORD AVIATION CONSULTANTS, MARCH '16 INC	PROF SVCS	800.00
48186	04/29/2016	Printed		17055	GOSS ELECTRIC	SWITCH	42.17
48187	04/29/2016	Printed		22145	INTERSTATE SALES	STREET SIGNS	652.71
48188	04/29/2016	Printed		22620	JULIE ISKRA	REIMB FOR PW CAMERA	95.68
48189	04/29/2016	Printed		23425	JIM WILSON MOTORS	INSTRUMENT CLU (1)	532.44
48190	04/29/2016	Printed		24875	LILLY JONES	APR '16 CEMETERY MAINT	583.33
48191	04/29/2016	Printed		35505	NORTHLAND CABLE TELEVISION	APR '16 HIGH SPEED INTERNET	144.13
48192	04/29/2016	Printed		39015	PACIFIC POWER & LIGHT	MAR 17 TO APR 18-2016 ELEC SVC	8,784.83
48193	04/29/2016	Printed		10184	ANN POWERS	REIMB FOR PERDEIUM	55.00
48194	04/29/2016	Printed		48726	ST. WATER RESOURCES	D. DELLABONA GRADE 2 CERTIFICA	80.00
Total Checks: 21						Checks Total (excluding void checks):	37,301.02
Total Payments: 21						Bank Total (excluding void checks):	37,301.02
Total Payments: 21						Grand Total (excluding void checks):	37,301.02

MEMORANDUM

April 28, 2016

From: City Manager

To: Mayor and City Council

A handwritten signature in black ink, appearing to read "Paul Reuter", is written over the "From:" line of the memorandum.

RE: Grant Funding Applications for Projects

The attached email from Paul Reuter is somewhat confusing but provides the city with two options. Mr. Reuter will be at the Council meeting to explain his email and the options.

City Manager

From: Paul Reuter <preuter@paceengineering.us>
Sent: Monday, April 25, 2016 4:03 PM
To: City Manager
Cc: Pam Stock; josh@firewhat.com; brucend75@yahoo.com; Bryce Craig (bryce@pusherhq.com)
Subject: Grant Funding Applications

Paul P., et. al.,

We learned something in the last couple weeks regarding these new planning grants that may change our approach for Dunsmuir. Essentially, we learned that all planning activities must be completed before the City can apply for construction grant funding. In our previous proposal to the City, we anticipated submitting construction funding applications ASAP, and working on design of the facilities in the months following. However, continuing with this approach would require the design to be completed before submitting the construction funding application – essentially adding a year to the project schedule.

Another approach for the City is to forego the planning grants for the two water projects (Water Main Replacement Project and Downtown Tank Replacement Project) and move right into construction funding applications.

Our original intent with the water planning grants was to obtain grant money, upfront, to prepare the construction funding applications, because they are a costly effort. Even without the planning grants, these expenditures are still grant reimbursable with the construction grant – you just have to wait a year+ for reimbursement.

The effort to prepare construction grant applications for the two water projects are:

- | | |
|---------------------------------------|-----------------|
| 1. Water Main Replacement Project: | \$65,000 |
| 2. Downtown Tank Replacement Project: | <u>\$55,000</u> |
| TOTAL: \$120,000 | |

Again, the \$120,000 is grant reimbursable after construction funding is obtained.

Now rewind to the Water Rate Study. As part of the planned Capital Outlay schedule, we showed a \$192,000 expenditure in FY2015-16, and \$150,000 in FY2016-17 to perform design and bidding for these two water projects, with the intent of using long-term loans to fund construction. The point is there should be adequate capital to fund the construction grant funding applications.

The only reason to use this new approach is to shave a year off project implementation. If that isn't important to the City, we can stay the original course. No matter which approach is used, the final "out-of-pocket" cost to the City will be the same – the grant applications are a grant eligible activity.

Feel free to e-mail or give me a call if you have any questions. I can come up and explain to the council if so desired.

Thanks.

Paul J. Reuter, P.E.
Managing Engineer
PACE Engineering, Inc.
1730 South St.
Redding, CA 96001
preuter@paceengineering.us
Ph: 530-244-0202

Ronald W. Stock, CPM, CM, JD

24466 Creamery Lane • Weed, CA 96094 • (530) 859-5040 • E-mail:
rs9588@earthlink.net

February 12, 2016

Ms. Julie Iskra, Acting City Manager
City of Dunsmuir
Via E-mail

Dear Julie:

Steve Baker, the City Manager of Yreka, and I would be delighted to assist the City Council of Dunsmuir in facilitating a meeting or two.

We would suggest that a team building retreat might be an excellent way to introduce Paul Poczobut into the community. We would recommend strongly that the team building exercise occur after Paul is on board and that the goal of the retreat be two fold—to build a strong working relationship between the staff and the Council and to develop a work plan for the next two years that everyone on the team buys into.

A team building exercise must, under the Brown Act be noticed as a regular meeting and must take place within the corporate limits of the community. The public is invited to attend, but the public may not participate. It is recommended that the Department Heads, City Manager, City Attorney and the City Council participate equally. Because of your form of government, I would encourage participation by the Sheriff's Deputy assigned to Dunsmuir. In addition, it is best to use a location which is informal and encourages participation. So we do not recommend that it be held in the Council Chambers.

{ To insure that we meet the needs of your Council and set aside time to discuss the issues that are important to you, we recommend that Steve and I meet individually with each member of the Council. Perhaps these can be one-half hour meeting scheduled back to back on a Friday afternoon or early Friday evening. Your insights would be very helpful in our structuring the activities and pacing the retreat.

We will need to know if this is a half-day, full-day, evening, or Saturday activity. We have no preference, but do want to make sure that you set aside enough time to cover the issues thoroughly and schedule the retreat so that every member of the Council can participate.

In addition, knowing your community as we do, we know that there are a number of engaged citizens, actively involved in civic activities, who have the best interest of the community at heart. These individuals may be frustrated by the inability to participate in a team building retreat. We would suggest a second open public discussion to garner the

public's view on what the community's goals and objectives. It is your decision as to which should take place first. If this community workshop is held before the team building retreat, the citizens' views can be reflected in the work plan. If it is held after the team building retreat, the work plan can be refined and enhanced thereby.

Again, Steve and I would be willing to assist you with one or both of these endeavors.

Sincerely,

Ron Stock

Ron Stock

Cc: Randy Johnson
Steve Baker

Sis 5 P.M. 2.5

T 39 N, R. 4 W. M.D.M.
Section 24

PANEL GRANTOR	DATE	BY	SCALE
11066 City of Durham			

Hally B Chappell et ux

Pacific Power & Light Co

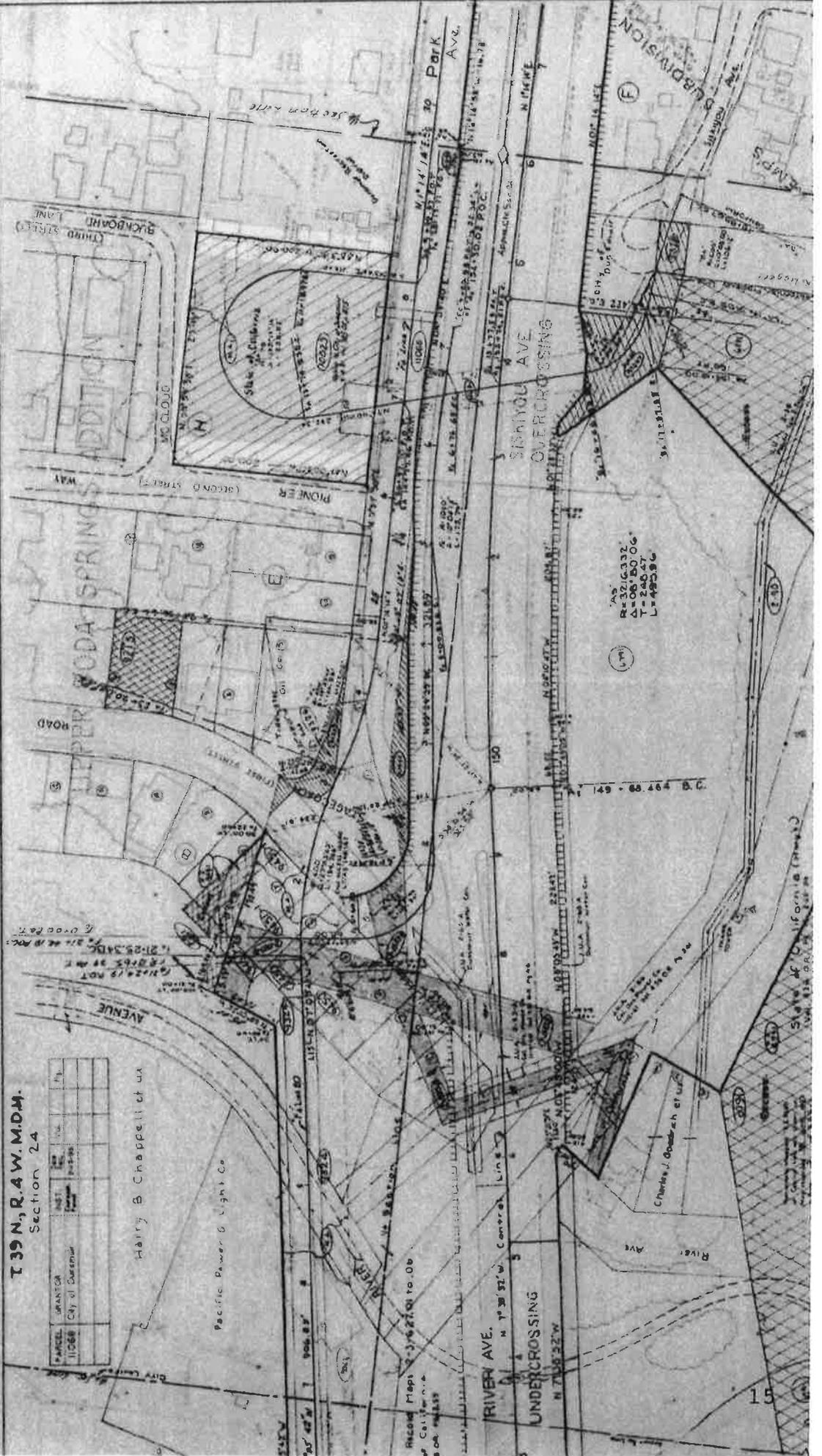
Record Maps 2-16-27-30 to -36
of Calif. No. 4
of 08-19-33

RIVER AVE.

UNDERCROSSING

N. 1° 30' 31" W. Control Line

N. 70° 32' W



$R = 3216332$
 $\Delta = 08' 30'' 06$
 $T = 240' 47$
 $L = 495' 56$



Dunsmuir Chamber of Commerce & Visitors Center

5915 Dunsmuir Avenue, Suite #100

Dunsmuir, CA. 96025

Phone: 530-235-2177, FAX: 530-235-0911

April 26, 2016

City of Dunsmuir

5915 Dunsmuir Avenue

Dunsmuir, CA 96025

RE: Dunsmuir Dogwood Daze Street Closure

The Dunsmuir Dogwood Daze Committee requests the closure and use of Pine Street between Dunsmuir Avenue and Shasta Street Saturday between 8 am and 6 pm On May 28,2016. Dunsmuir Avenue will be Temporarily Closed for the Doggie Parade from 10:30 am to 12:30 pm, Along Dunsmuir Avenue from Pine Street to Cedar Street

Street Closure for The Soap Box Race will be begin on Dunsmuir Ave at 12:00 Across from the Brewery and will continue to 4:00 pm.

Dunsmuir Ave will be closed from 12:30 pm to 4:00 pm, from the brewery to the Siskiyou Arts Museum. A barricade will be placed at the Museum to stop traffic.

Thank you for considering our request.

Richard A. Dinges

Executive Director,

Dunsmuir Chamber of Commerce & Visitors Center

MEMORANDUM

April 27, 2016

From: City Manager



To: Mayor and Council Members

RE: California Environmental Quality Act (CEQA) Exemption

CEQA there is not significant effect on the environment with the Housing Element therefore an exemption is allowed in this case.

The exemption is request to be approved by the City Council and will be submitted with the Housing Element when adopted. The next step is the adoption of the Housing Element which is next on today's agenda.

RECOMMENDATION: Move to approve the CEQA Exemption for the updated 2014 Housing Element.

NOTICE OF EXEMPTION

Form D

To: ■ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025
(Address)

■ County Clerk
County of Siskiyou
510 N Main Street
Yreka, CA 96097

Project Title: Housing Element Update

Project Location - Specific: City Wide

Project Location – City: Dunsmuir **Project Location – County:** Siskiyou

Description of Project: Update of the Housing Element of the Dunsmuir General Plan

Name of Public Agency Approving Project:

City of Dunsmuir

Name of Person or Agency Carrying Out Project:

City of Dunsmuir

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15061 (3) (b)
- Statutory Exemptions. State code number: _____

Reasons why project is exempt: The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The update of the Housing Element is consistent with State requirements, and primarily contains revised demographic information. There are no significant policy changes, rezonings or physical changes to the environment that will occur as a result of the Housing Element update.

Lead Agency - City of Dunsmuir, CA

Contact Person: Arlene Dinges, City Planner Area Code/Telephone/Extension: (530) 235-4822

Signature: _____ Date: _____ Title: City Manager

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: _____ N/A

Attachment C

MEMORANDUM

April 28, 2016

From: City Manager



To: Mayor and City Council

RE: Water/wastewater/solid waste revenues and expenditures 2010-2016.

Starting with wastewater: There are several reasons for the wastewater rate raises in the past:

1. It allows Dunsmuir to qualify for wastewater plant funding.
2. To pay for matching grant funding, our out of pocket expenses for projects.
3. For future grant matches needed. i.e. \$800,000 as explained previously.
4. Infiltration and Inflows also known as I&I projects.
 - Prepares for a 100 year flood. It reduces the overworking of the Wastewater treatment plant.
 - It allows the treatment plant to work more efficiently when Dunsmuir receives that is less than the 100 year flood.

Water: Again qualifies for grant funding for the Downtown water tank replacement. Allows Dunsmuir to provide matching funds for current and future projects.

Solid Waste: The reduction of Solid Waste billing will bring down the reserves that Dunsmuir has in this enterprise fund.

City Manager

From: Paul Reuter <preuter@paceengineering.us>
Sent: Monday, April 18, 2016 10:25 AM
To: City Manager
Subject: Capital Project Needs
Attachments: Grant-Eligibility-Summary.pdf; Sewer-Collection-Projects.pdf; Water-Projects.pdf

Hi Paul,

I am attaching the following:

- **Grant Eligibility Summary:** This spreadsheet summarizes the highest priority capital needs within the sewer and water enterprises. As indicated, the City will be applying for planning grant money for the following projects:
 - Water Main Replacements
 - Downtown Tank Replacement Project
 - Sewer Collection System Improvements
 - Wastewater Treatment Plant Improvements
- **Sewer Collection System Projects:** The second attachment shows copies of Tables 7 and 8 from the Master Sewer Plan. Planning Grant #3 will address these needs.
 - Table 7 shows high I&I projects that are yet to be completed. The yellow high-lighted (Area N-9) is the only project that has been completed. The “orange” highlighted areas have been designed, but not constructed due to funding constraints with the last grant. Nothing has been done for areas D-15 and D-13.
 - Table 8 shows a list of high priority collection system deficiencies that have not been addressed.
- **Water Projects:** The recent Master Water Plan and Rate Study identified a number of water pipelines that need replaced. The third attachment, “Water-Projects” shows two potential planning grants to replace old water mains. The City is pursuing Planning Grant #1 at this time. The remaining pages are from the Master Water Plan. The “yellow” high-lighted projects are proposed to be addressed as part of Planning Grant #1. Planning Grant #2 will address the remaining planning effort for replacing the Downtown Tank.

Let me know if you have any questions.

Paul J. Reuter, P.E.

Managing Engineer

PACE Engineering, Inc.

1730 South St.

Redding, CA 96001

preuter@paceengineering.us

Ph: 530-244-0202

CITY OF DUNSMUIR
POTENTIAL PLANNING AND CONSTRUCTION IMPLEMENTATION GRANTS
 April 5, 2016

Item	Project Description	Planning Phase Cost	Total Project Cost	Planning Grant Amount	Potential Construction Grant Amount	Potential Total Grant Amount	Approx. City Contribution for Construction (1)	PACE Cost to prepare Planning Grant Apps	City of Dunsmuir Grant Eligibility
1	DWSRF (Water) Water Main Replacements (\$4.9M Project) DWSRF Construction Funding Application & PER Environmental Survey/Mapping/Design/Bid Documents	\$55,000	\$4,900,000	\$500,000	\$4,300,000	\$4,800,000	\$100,000	\$15,000	* Planning Grants: \$500K Collection, \$500K treatment; \$1.0M per agency. * Construction Grants: Up to 100% with \$5.0M maximum per project. * Total Grant: \$8.0M max over 5 years.
		\$435,000							
		\$500,000							
2	Downtown Tank Replacement Project DWSRF Construction Funding Application & PER Design/Bid Documents	\$55,000	\$3,200,000	\$235,000	\$2,965,000	\$3,200,000	\$0	\$10,000	
		\$180,000							
		\$235,000							
		TOTALS:	\$8,100,000	\$735,000	\$7,265,000	\$8,000,000	\$100,000		
3	CWSRF (Sewer) Collection System Planning & Improvements I&I Monitoring Program I&I Reduction Study & Capital Improvement Plan Wastewater Utility Rate Study/Prop 218 PER Environmental CWSRF Construction Funding Application Survey/Mapping/Design/Bid Documents (\$3.0M Project)	\$50,000	\$3,200,000	\$500,000	\$1,900,000	\$2,400,000	\$800,000	\$10,000	* Planning Grants: \$500K per project. No limit on number of projects. * Construction Grants: Up to 75% with \$4.0M maximum per project. * Total Grant: \$8.0M max over 5 years.
		\$50,000							
		\$55,000							
		\$35,000							
		\$40,000							
		TOTALS:	\$4,000,000	\$485,000	\$2,515,000	\$3,000,000	\$1,000,000	\$7,500	
4	WWTP Improvements PER CWSRF Construction Funding Application Environmental Survey/Mapping/Design/Bid Documents (\$4.0M Project)	\$40,000	\$7,200,000	\$985,000	\$4,415,000	\$5,400,000	\$1,800,000		
		\$30,000							
		\$355,000							
		TOTALS:	\$15,300,000	\$1,720,000	\$11,680,000	\$13,400,000	\$1,900,000	\$42,500	

NOTES:
 1. A City cash contribution would be required for DWSRF funding in order to limit the total grant amount to \$8.0M. The City contributions shown for CWSRF funding is because the CWSRF offers up to 75% grant - not 100% like DWSRF.

TABLE 7
PRIORITY I&I REDUCTION PROJECTS

ENR=8100

Priority Ranking (1 is Highest Priority)	Sub-Area	Total Project Cost	I & I Removed (MGD)	Accumulated I & I Reduction (MGD)	Cost Per Gallon I & I Removed	Percent of Total I & I Reduction Goal	Accumulated Cost
1	[REDACTED]	\$470,000	0.150	0.150	\$3.13	25%	\$470,000
2	[REDACTED]	\$300,000	0.048	0.198	\$6.25	33%	\$770,000
3	[REDACTED]	\$620,000	0.097	0.295	\$6.39	49%	\$1,390,000
4	D-15	\$105,000	0.015	0.310	\$7.00	51%	\$1,495,000
5	[REDACTED]	\$320,000	0.045	0.355	\$7.11	59%	\$1,815,000
6	[REDACTED]	\$373,000	0.044	0.399	\$8.48	66%	\$2,188,000
7	N-9	\$1,120,000	0.102	0.501	\$10.98	83%	\$3,308,000
8	D-13	\$1,000,000	0.088	0.589	\$11.36	98%	\$4,308,000
9	[REDACTED]	\$200,000	0.013	0.602	\$15.38	100%	\$4,508,000

Inflated Cost
ENR=10,280

135,000

1,270,000

[REDACTED] - Designed but not Constructed

\$1,405,000

In our experience, the most effective way to reduce extraneous I&I is to replace the entire collection system, including laterals to the dwelling, in the high I&I areas. This approach was used successfully in Etna and Weed in Siskiyou County and Mineral in Tehama County. It is widely accepted that a significant portion of the I&I is contributed by the laterals so any I&I Reduction Project that does not address the laterals will not gain the desired results.

Typically, the sewer mains and portion of lateral in the public right-of-way are replaced. Once tested and accepted, the new lateral is connected to the existing building sewer on private property and a cleanout is installed at the property line. The cleanout allows the City to hydrostatically test the remaining portion of building sewer on private property. If leakage rates are above a pre-determined threshold, the property owner is notified to repair the leaks or face stiff financial penalties.

The I&I reduction projects shown in Table 7 are listed in order of priority, based on the lowest

Bid Cost \approx \$500,000 (May 2013) ENR=9516

ENR (Apr 2016) = 10,280

Const Cost = \$500K \times $\left(\frac{10,280}{9,516}\right)$ = \$540,143

Contingency @10%: 54,000

594,143

**TABLE 8
PRELIMINARY COST ESTIMATES FOR
REPAIRING EXISTING COLLECTION SYSTEM DEFICIENCIES**

(1.269)
Apr-16
Inflated
Cost
ENR=10,280

	Location Description	Deficiency Description	(ENR=8100) Estimated Total Project Cost	
①	Patricia Way north of Patricia Place (MH 82 to RH 83)	Roots and broken pipe. Plugs often.	\$73,000	95,000
②	Alpine Drive north of Gleaves and Prospect (MH 57 to MH 79)	Significant roots. Plugs often.	\$115,000	150,000
③	Needham Avenue between Isgrigg and Gray (MH 53 to MH 54)	Significant roots. Plugs often.	\$50,000	65,000
④	Dunsmuir Avenue south of Center Drive (MH 28 to MH 29)	Roots and possible broken pipe. Plugs often.	\$75,000	95,000
⑤	Hemlock Street between Dunsmuir Ave and Spring (MH 19N to MH 20)	Insufficient grade. Grit accumulation. Lack of capacity.	\$45,000	60,000
⑥	Between Pioneer Way and Stage Coach (MH 9 to MH 10)	Roots, grease and grit accumulation. Plugs often.	\$42,000	
⑦	Dunsmuir Avenue north of Ash Street (MH 16 to MH 9)	Insufficient grade. Lack of capacity.	\$190,000	250,000
⑧	Abandon old sewer in Dunsmuir Ave (MH 25 to MH 17). Tie to sewer on west side of Dunsmuir Ave.	Roots and possible broken pipe. Plugs and floods adjacent utility vaults.	\$50,000	65,000
		TOTAL COST FOR CORRECTING EXISTING COLLECTION SYSTEM DEFICIENCIES:	\$640,000	\$780,000

SEWER IMPROVEMENTS:

- 1. Existing Deficiencies: 780,000
 - 2. I/I Reduction (Designed but not built) 700,000
 - 3. I/I Reduction (Not designed) 1,405,000
- \$ 2,885,000
- + 100,000 - I/I Monitoring
 - + 55,000 - Sewer Rate Study
 - + 65,000 - PER/Funding App
- 3,105,000

USE \$3.2 M

POTENTIAL PLANNING PROJECTS FOR WATER UTILITIES

WATER CAPITAL PROJECTS - PLANNING SCOPE OF WORK

Project	Description	Estimated Cost	Cumulative Cost
Planning Grant #1			
		\$15,000	\$15,000
		\$10,000	\$25,000
		\$40,000	\$65,000
		-	-
a	Prospect, Scenic, Needham Water Main Replacement	\$53,000	\$118,000
b	Dunsmuir Elementary School Water System Improvements	\$46,000	\$164,000
c	River Avenue Water & N. Sacramento Avenue R.R. Crossing Water Main Replacement	\$75,000	\$239,000
d	Vista Street Water Replacement Project	\$13,000	\$252,000
e	Butterfly Avenue to Gillis Water Main Replacement	\$39,000	\$291,000
f	Shasta Retreat Water Improvement Project	\$58,000	\$349,000
g	Dunsmuir High School Water Improvements	\$21,000	\$370,000
h	S. Sacramento Avenue Water Replacement	\$26,000	\$396,000
i	S. Dunsmuir Water Improvement Project	\$52,000	\$448,000
j	Downtown Water Improvement Project	\$41,000	\$489,000
k	Stage Coach Road Water Main Replacement Project	\$11,000	\$500,000
Planning Grant #1 Subtotal:		\$500,000	
Planning Grant #2/Alternate Projects			
		\$10,000	\$10,000
		\$40,000	\$50,000
		-	-
a	S. 1st Street Water Improvement Project	\$59,000	\$109,000
b	Katherine & Francis Street Water Main Replacement Project	\$25,000	\$134,000
c	Pine Street, Sacramento Street, & Ash Street Water Main Replacement Project	\$88,000	\$222,000
d	Dunsmuir Avenue & Florence Loop Water Main Replacement Project	\$63,000	\$285,000
e	Dunsmuir Avenue (Caltran Right-of-Way) Water Main Replacement Project	\$87,000	\$372,000
f	Dunsmuir Avenue - Phase I Water Main Replacement Project	\$78,000	\$450,000
g	Dunsmuir Avenue - Phase II Water Main Replacement Project	\$43,000	\$493,000
Planning Grant #2 Subtotal:		\$493,000	
TOTAL:		\$993,000	

~~Projects Under Construction~~
~~Projects seen to be under construction~~

Proposed Projects under Planning Grant #2

Table 1: Cost Estimate Summary

Description	Estimated Project Cost ⁽¹⁾
Current Improvements (2015)⁽²⁾	
1 Scherrer Avenue Water Main Replacement	\$228,000
2 Upper Blackberry Hill Water Main Replacements	\$559,000
3 Willow Street Water Main Replacement	\$151,000
4 Bush Street Water Main Replacement	\$125,000
5 Butterfly Avenue Water Main Replacement	\$129,000
6 Oak Street Water Main Replacement	\$29,000
Total Project Costs:	
\$1,221,000	
Immediate Improvements (2016)⁽³⁾	
1 S. Dunsmuir Water Main Replacements	\$520,000
2 N. Dunsmuir Water Main Replacements	\$730,000
3 0.9 MG Downtown Tank Replacement	\$3,204,000
4 Scenic Avenue & Needham Avenue Water Main Replacement	\$530,000
5 Dunsmuir Elementary School Water Improvements	\$460,000
6 River Avenue Water Main Replacement	\$490,000
7 Vista Street Water Main Replacement Project	\$130,000
8 Butterfly Avenue to Gills Street Water Main Replacement	\$390,000
9 Shasta Retreat Water Improvement Project	\$580,000
10 Dunsmuir High School Water Improvement Project	\$207,000
11 Wood Street Water Main Replacement Project	\$135,000
12 S. Sacramento Avenue Water Main Replacement	\$255,000
13 S. Dunsmuir Avenue Water Improvement Project	\$520,000
14 S. 4th Street Water Improvement Project	\$590,000
15 North Sacramento Ave. R.R. Crossing Water Main Replacement	\$255,000
16 Downtown Water Improvement Project	\$408,000
Total Project Costs:	
\$9,404,000	
Near-Term Improvements (2017 - 2022)⁽⁴⁾	
1 Katherine & Francis Streets	\$225,000
2 Hill Street	\$128,000
3 Rose & Scherrer Avenue	\$159,000
4 Cedar Street	\$143,000
5 Pine Street	\$149,000
6 Sacramento Street	\$602,000
7 Ash Street	\$128,000
8 Dunsmuir Avenue & Florence Loop	\$629,000
9 Dunsmuir Avenue (Caltrans Right-of-Way)	\$870,000
10 Upper Soda Road	\$106,000
11 Stage Coach Road	\$176,000

Construction in 2016

Description	Estimated Project Cost ⁽¹⁾
12 Buckboard Lane & McCloud Avenue Road	\$152,000
13 Dunsmuir Avenue - Part 1*	\$780,000
14 Dunsmuir Avenue - Part 2*	\$430,000
15 Scarlet Way & Shasta View Avenue	\$372,000
16 Shasta Street	\$221,000
17 Patricia Way & Linda Place	\$269,000
Total Project Costs:	\$5,539,000
As-Developed	
1 Zone A - 0.8 MG Reservoir	\$2,454,000
2 Zone A - Wells (3)	\$1,597,000
3 Zone A - 10" and 8" Piping Improvements	\$1,673,000
4 Zone B - 8" Piping and PRV Improvements	\$814,000
5 Zone C - 8" Piping and PRV Improvements	\$1,475,000
Total Project Costs:	\$8,013,000

Note:

(1) Estimated Project Cost includes planning, design, project management, contingency and construction costs. Allowance for environmental documentation and right-of-way procurement were included, however these costs are based on a preliminary review of planning level alignments. These costs will vary based on actual alignments. Individual projects can be combined to reduce the indirect project costs.

(2) Current Improvements are projects that are planned for construction in 2015. The order that the Current Improvements are listed in does not indicate project priority.

(3) Immediate Improvements are projects that are planned for construction in 2016. The order that the Immediate Improvements are listed indicates project priority based on the hydraulic model and input from City staff.

(4) Near-Term Improvements are based on pipeline installation date, material and typical design life. Listed projects include pipelines that have and/or will exceed their design life in the next 5 years. City records are incomplete; therefore, it is likely that more pipelines than are listed have/will exceeded their useful life in the next 5 years. As this is a theoretical evaluation, an investigation of maintenance records and/or field verification of pipeline conditions should be made. The order that the Near-Term Improvements are listed in does not indicate project priority.

	Wastewater 20					
	2010	2011	2012	2013	2014	2015
Expenses						
Permits & Licenses	\$4,677.77	\$5,408.00	\$5,653.24	\$5,828.09	\$1,135.97	\$9,273.55
Intesest	\$53,512.50	\$52,255.00	\$50,045.98	\$48,490.00	\$47,570.00	\$0.00
Salaries	\$125,323.92	\$120,321.49	\$118,162.75	\$112,389.03	\$104,284.56	\$104,296.21
Overtime	\$19,309.79	\$18,311.25	\$18,789.18	\$18,616.54	\$24,347.72	\$20,855.83
FICA	\$10,189.13	\$10,605.70	\$10,476.96	\$10,022.09	\$9,840.37	\$9,574.05
PERS	\$15,418.26	\$17,548.86	\$15,951.65	\$15,473.20	\$14,012.45	\$16,132.32
Group Insurance	\$52,044.20	\$47,814.51	\$50,691.79	\$55,775.97	\$47,941.64	\$46,807.73
Workman Comp. Ins.	\$2,053.00	\$9,016.00	\$9,092.00	\$12,556.00	\$11,481.00	\$15,392.00
Deferred Comp.	\$2,071.22	\$1,203.80	\$0.00	\$0.00	\$2,134.00	\$2,106.66
Training & Education	\$505.04	\$2,804.22	\$1,881.57	\$536.13	\$554.25	\$1,796.85
Physical Exams	\$98.00	\$76.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub/Membership dues	\$0.00	\$397.99	\$467.00	\$615.00	\$246.47	\$76.47
Clothing/Cleaning	\$342.38	\$812.63	\$1,239.99	\$1,894.04	\$1,725.68	\$1,753.34
Professional Services	\$1,914.44	\$2,118.52	\$2,514.62	\$33,868.83	\$40,970.44	\$32,077.95
Contract/Special Services	\$663.28	\$115.57	\$108.49	\$50.00	\$159.00	\$0.00
Contract Lab Analysis	\$10,348.00	\$10,855.28	\$8,589.42	\$12,588.19	\$15,010.40	\$6,728.80
Management/Adm Charges	\$129,417.00	\$95,710.00	\$108,320.00	\$117,268.00	\$119,568.00	\$123,981.96
Utilities	\$40,681.46	\$36,938.54	\$46,548.32	\$43,806.34	\$55,285.84	\$61,900.35
Phone Charges	\$3,139.69	\$3,161.00	\$2,225.74	\$2,866.20	\$3,024.03	\$3,435.64
Equipment/Replacement <\$1000	\$807.60	\$1,610.64	\$914.49	\$535.18	\$579.91	\$946.28
Equip Maint. Rplc	\$3,372.13	\$2,667.78	\$885.02	\$4,831.23	\$424.16	\$1,345.49
Radio Replc/Repair	\$117.45	\$0.00	\$0.00	\$629.75	\$0.00	\$0.00
Leases/Rentals	\$523.54	\$523.82	\$136.25	\$64.12	\$91.69	\$61.39
Equipment Replacement	\$50.33	\$202.16	\$2,617.74	\$1,284.97	\$18,442.70	\$1,423.44
Bad Debt	\$0.00	\$0.00	\$6,921.00	\$6,267.00	\$0.00	\$0.00
Antidegradation Analysis 111	\$11,662.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PILOT Studies - Phase 112	\$14,526.62	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Bio-Assmt Asst.Phase 113	\$8,430.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pollution Prevention Phase 114	\$5,331.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Lateral Inspection Phs 115	\$2,693.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Main Projects	\$0.00	\$25,435.78	\$0.00	\$0.00	\$5,205,513.41	\$0.00
Mixing Zone/Dilution Study	\$39,969.72	\$17,766.81	\$0.00	\$0.00	\$0.00	\$0.00
Property Taxes	\$347.60	\$343.56	\$341.44	\$267.64	\$271.42	\$272.74
Maintenance Bldg./Grounds	\$2,584.11	\$1,876.72	\$794.56	\$1,503.55	\$2,342.40	\$1,734.89
Depreciation/Amortization	\$141,603.76	\$144,262.00	\$141,489.00	\$143,755.87	\$0.00	\$306,931.00

ADV/Notices		\$745.83	\$313.25	\$0.00	\$243.10	\$0.00	\$0.00
Admin Charges - Bank SVC Fee		\$30.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Office Expense		\$246.90	\$2,145.06	\$1,615.92	\$1,269.35	\$1,402.64	\$3,584.69
Misc. Dept. Expense		\$1,630.79	\$770.00	\$0.00	\$0.00	\$0.00	\$0.00
Postage		\$2,567.59	\$2,512.25	\$2,034.04	\$3,221.20	\$3,629.91	\$2,761.25
Vehicle Fuel		\$5,224.82	\$6,638.13	\$7,543.14	\$5,217.50	\$7,967.36	\$6,338.11
Vehicle Maintenance		\$7,388.95	\$4,536.00	\$5,057.90	\$5,234.37	\$6,142.11	\$3,059.45
Liability Ins.		\$69,932.00	\$11,188.00	\$8,846.00	\$14,281.00	\$15,537.00	\$22,544.00
Property Ins.		\$436.00	\$401.00	\$418.00	\$479.00	\$869.00	\$878.00
Flood Ins.		\$2,487.00	\$2,487.00	\$2,487.00	\$2,487.00	\$3,091.00	\$2,917.00
Oxidation Ditch Maintenance		\$4,358.98	\$3,797.08	\$939.54	\$106.31	\$44.17	\$3,900.90
Clarifier/Filter Maintenance		\$6,273.66	\$0.00	\$60.16	\$0.00	\$0.00	\$0.00
Sludge Bed Maintenance		\$5,972.20	\$4,263.11	\$7,709.78	\$3,048.76	\$4,206.64	\$4,044.96
Chlorinator/Contact Maint.		\$10,897.28	\$16,136.54	\$15,730.06	\$20,475.16	\$27,951.12	\$0.00
Pump Station Maintenance		\$3,944.36	\$7,432.83	\$10,865.43	\$14,366.93	\$13,201.36	\$11,146.11
Main Repairs & Maintenance		\$638.88	\$2,494.22	\$792.13	\$40.67	\$1,332.87	\$140.82
Compensated Absences Offset		\$0.00	\$6,778.00	\$7,258.00	\$2,393.00	\$0.00	\$6,978.00
Supplies/Materials		\$2,383.11	\$1,792.34	\$2,577.71	\$1,533.84	\$1,114.78	\$3,026.41
Lab Supplies/Maintenance		\$3,738.96	\$1,768.05	\$1,893.60	\$4,721.94	\$2,779.16	\$13,080.74
Total		\$832,626.75	\$705,616.49	\$680,686.61	\$730,902.09	\$5,816,226.63	\$853,305.38

	Water Fund (31)						Totals
	2011	2012	2013	2014	2015		
Revenues	\$111,249.13	\$13,009.45	\$2,489.32	\$67,947.09	\$182,395.70		\$377,090.69
TRF to Fund 30	\$109,483.93	\$10,894.63	\$0.00	\$0.00	\$0.00		\$120,378.56
Adjustments	\$1,765.20	\$755.29	\$1,739.92	\$6,521.72	\$6,208.92		\$16,991.05
Balance	\$0.00	\$1,359.53	\$749.40	\$61,425.37	\$176,186.78		\$239,721.08

	Solid Waste 25					
Expenditures	2010	2011	2012	2013	2014	2015
Salaries	\$50,631.24	\$34,250.50	\$34,747.08	\$35,739.60	\$38,572.84	\$43,043.82
Overtime	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$770.14
FICA	\$2,837.66	\$2,620.17	\$2,658.05	\$2,734.13	\$2,950.83	\$3,351.85
PERS	\$6,318.32	\$6,702.56	\$5,319.19	\$4,937.66	\$5,219.60	\$7,198.46
Group Insurance	\$21,896.62	\$20,586.12	\$21,217.28	\$19,824.04	\$20,774.16	\$18,300.04
Workman Comp	\$1,998.00	\$2,772.00	\$3,230.00	\$4,044.00	\$3,985.00	\$4,760.00
Deferred Comp	\$867.69	\$375.18	\$0.00	\$0.00	\$539.86	\$583.87
Professional Services	\$57,325.46	\$59,349.12	\$60,987.00	\$70,298.16	\$44,578.36	\$72,323.07
Contract/Special Services	\$118,506.11	\$117,520.10	\$117,701.25	\$138,521.49	\$157,849.59	\$153,287.53
Management/Adm Charges	\$70,406.00	\$47,768.00	\$52,403.00	\$39,491.00	\$74,904.00	\$80,810.04
Equipment/Replace <\$1000	\$0.00	\$441.86	\$2,562.33	\$0.00	\$3,177.06	\$1,806.23
Vehicle fuel	\$2,597.54	\$4,012.90	\$0.00	\$4,540.84	\$4,684.69	\$4,029.26
Vehicle Maint.	\$1,823.38	\$1,746.80	\$4,375.70	\$2,593.29	\$6,304.88	\$2,537.35
Maintenance Bldg/Grounds	\$1,776.62	\$1,391.04	\$514.95	\$506.95	\$49.00	\$4,698.19
Leases/Rentals	\$27,654.02	\$21,650.82	\$23,075.00	\$17,708.15	\$19,512.95	\$16,415.41
Depreciation/Amortization	\$29,285.68	\$34,068.00	\$34,586.00	\$24,488.80	\$0.00	\$18,816.00
Supplies Materials	\$354.27	\$3,539.15	\$2,116.25	\$740.36	\$7,151.33	\$1,325.99
Postage	\$1,125.00	\$2,512.25	\$2,034.04	\$3,199.57	\$2,666.61	\$2,756.25
Liability Ins.	\$8,961.00	\$1,333.00	\$1,009.00	\$1,987.00	\$1,571.00	\$4,338.00
Equipment/Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$32,259.21	\$0.00
Special Projects	\$7,776.25	\$6,520.00	\$6,520.00	\$5,200.00	\$8,225.34	\$6,615.35
Special Projects	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00
Radio Replacment/Repair	\$0.00	\$0.00	\$3,056.96	\$158.66	\$0.00	\$0.00
Bad Debt	\$0.00	\$0.00	\$961.00	\$1,975.00	\$0.00	\$0.00
Compensated Absence offset	\$0.00	\$1,464.00	\$2,328.00	\$4,578.00	\$0.00	\$0.00
Office Expense	\$0.00	\$514.20	\$345.37	\$0.00	\$0.00	\$0.00
Misc. Dept. Expense	\$348.78	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$412,489.64	\$371,137.77	\$381,747.45	\$383,266.70	\$434,976.31	\$448,016.85

March 28, 2016

MEMORANDUM

From: City Manager

To: Mayor and City Council



RE: Property Assessed Clean Energy Program (PACE) (HERO)

This is a program developed by the Western Riverside Council of Governments Authority and the League of California Cities. Home Energy Renovation Opportunities (HERO) is the programs management.

The City of Dunsmuir has been approached by HERO program manager authorized by the Western Riverside Council of Governments to issue loans under the PACE program. This program allows commercial and residential property owners within authorized cities to finance or refinance renewable energy, energy efficiency, water efficiency and seismic strengthening improvements together with electric vehicle charging infrastructure and such other improvements which may be authorized by law from time to time..

Appendix A is required in order to participate in the program. The City Attorney has reviewed this resolution and appendix and determined it was appropriate.

This is an excellent vehicle for citizens and businesses of the Dunsmuir community. I have discussed this with the City Managers of Mt. Shasta City, Weed and Yreka who are all proposing the same resolution to their council members.

The City Council approved a similar resolution earlier this month with California Statewide Community Development Authority (CSCDA).

The representative from HERO is here to answer any questions.

RECOMMENDED MOTION: Motion to adopt Resolution No. _____ RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR, CA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY OF DUNSMUIR, CA IN THE CSCDA OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF DUNSMUIR, CA; AND AUTHORIZING RELATED ACTIONS

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO

WHEREAS, the Western Riverside Council of Governments ("Authority") is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the "Act") and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the "Authority JPA"); and

WHEREAS, Authority has established the California HERO Program to provide for the financing of renewable energy distributed generation sources, energy and water efficiency improvements and electric vehicle charging infrastructure (the "Improvements") pursuant to Chapter 29 of the Improvement Bond Act of 1911, being Division 7 of the California Streets and Highways Code ("Chapter 29") within counties and cities throughout the State of California that elect to participate in such program; and

WHEREAS, City of Dunsmuir (the "City") is committed to development of renewable energy sources and energy efficiency improvements, reduction of greenhouse gases, protection of our environment, and reversal of climate change; and

WHEREAS, in Chapter 29, the Legislature has authorized cities and counties to assist property owners in financing the cost of installing Improvements through a voluntary contractual assessment program; and

WHEREAS, installation of such Improvements by property owners within the jurisdictional boundaries of the counties and cities that are participating in the California HERO Program would promote the purposes cited above; and

WHEREAS, the City wishes to provide innovative solutions to its property owners to achieve energy and water efficiency and independence, and in doing so cooperate with Authority in order to efficiently and economically assist property owners the City in financing such Improvements; and

WHEREAS, Authority has established the California HERO Program, which is such a voluntary contractual assessment program, as permitted by the Act, the Authority JPA, originally made and entered into April 1, 1991, as amended to date, and the Amendment to Joint Powers Agreement Adding the City of Dunsmuir as an Associate Member of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy (PACE) Program Services within the City (the "JPA Amendment"), by and between Authority and the City, a copy of which is attached as Exhibit "A" hereto, to assist property owners within the jurisdiction of the City in financing the cost of installing Improvements; and

WHEREAS, the City will not be responsible for the conduct of any assessment proceedings; the levy and collection of assessments or any required remedial action in the case of delinquencies in the payment of any assessments or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This City Council finds and declares that properties in the City's incorporated area will be benefited by the availability of the California HERO Program to finance the installation of the Improvements.

2. This City Council consents to inclusion in the California HERO Program of all of the properties in the jurisdictional boundaries of the City and to the Improvements, upon the request by and voluntary agreement of owners of such properties, in compliance with the laws, rules and regulations applicable to such program; and to the assumption of jurisdiction thereover by Authority for the purposes thereof.

3. The consent of this City Council constitutes assent to the assumption of jurisdiction by Authority for all purposes of the California HERO Program and authorizes Authority, upon satisfaction of the conditions imposed in this resolution, to take each and every step required for or suitable for financing the Improvements, including the levying, collecting and enforcement of the contractual assessments to finance the Improvements and the issuance and enforcement of bonds to represent such contractual assessments.

4. This City Council hereby approves the JPA Amendment and authorizes the execution thereof by appropriate City officials.

5. City staff is authorized and directed to coordinate with Authority staff to facilitate operation of the California HERO Program within the City, and report back periodically to this City Council on the success of such program.

6. This Resolution shall take effect immediately upon its adoption. The City Clerk is directed to send a certified copy of this resolution to the Secretary of the Authority Executive Committee.

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Dunsmuir held on the 5th day of May, 2016 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Josh Spurlock, Mayor

ATTEST:

Julie Iskra, Deputy City Clerk

EXHIBIT A

**AMENDMENT TO THE JOINT POWERS AGREEMENT
ADDING CITY OF DUNSMUIR AS
AN ASSOCIATE MEMBER OF THE
WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS
TO PERMIT THE PROVISION OF PROPERTY ASSESSED CLEAN
ENERGY (PACE) PROGRAM SERVICES WITHIN SUCH CITY**

This Amendment to the Joint Powers Agreement (“JPA Amendment”) is made and entered into on the 5th day of May, 2016, by City of Dunsmuir (“City”) and the Western Riverside Council of Governments (“Authority”) (collectively the “Parties”).

RECITALS

WHEREAS, Authority is a joint exercise of powers authority established pursuant to Chapter 5 of Division 7, Title 1 of the Government Code of the State of California (Section 6500 and following) (the “Joint Exercise of Powers Act”) and the Joint Power Agreement entered into on April 1, 1991, as amended from time to time (the “Authority JPA”); and

WHEREAS, as of October 1, 2012, Authority had 18 member entities (the “Regular Members”).

WHEREAS, Chapter 29 of the Improvement Act of 1911, being Division 7 of the California Streets and Highways Code (“Chapter 29”) authorizes cities, counties, and cities and counties to establish voluntary contractual assessment programs, commonly referred to as a Property Assessed Clean Energy (“PACE”) program, to fund certain renewable energy sources, energy and water efficiency improvements, and electric vehicle charging infrastructure (the “Improvements”) that are permanently fixed to residential, commercial, industrial, agricultural or other real property; and

WHEREAS, Authority has established a PACE program designated as the “California HERO Program” pursuant to Chapter 29 which authorizes the implementation of such PACE financing program for cities and counties throughout the state; and

WHEREAS, City desires to allow owners of property within its jurisdiction to participate in the California HERO Program and to allow Authority under Chapter 29, as it is now enacted or may be amended hereafter, to finance Improvements to be installed on such properties; and

WHEREAS, this JPA Amendment will permit City to become an Associate Member of Authority and to participate in California HERO Program for the purpose of facilitating the implementation of such program within the jurisdiction of City; and

WHEREAS, pursuant to the Joint Exercise of Powers Act, the Parties are approving this JPA Agreement to allow for the provision of PACE services through the California HERO Program, including the operation of such PACE financing program, within the incorporated territory of City; and

WHEREAS, the JPA Amendment sets forth the rights, obligations and duties of City and Authority with respect to the implementation of the California HERO Program within the incorporated territory of City.

MUTUAL UNDERSTANDINGS

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions hereinafter stated, the Parties hereto agree as follows:

A. JPA Amendment.

1. **The Authority JPA.** City agrees to the terms and conditions of the Authority JPA, attached.

2. **Associate Membership.** By adoption of this JPA Amendment, City shall become an Associate Member of Authority on the terms and conditions set forth herein and the Authority JPA and consistent with the requirements of the Joint Exercise of Powers Act. The rights and obligations of City as an Associate Member are limited solely to those terms and conditions expressly set forth in this JPA Amendment for the purposes of implementing the California HERO Program within the incorporated territory of City. Except as expressly provided for by the this JPA Amendment, City shall not have any rights otherwise granted to Authority's Regular Members by the Authority JPA, including but not limited to the right to vote on matters before the Executive Committee or the General Assembly, the right to amend or vote on amendments to the Authority JPA, and the right to sit on committees or boards established under the Authority JPA or by action of the Executive Committee or the General Assembly, including, without limitation, the General Assembly and the Executive Committee. City shall not be considered a member for purposes of Section 9.1 of the Authority JPA.

3. **Rights of Authority.** This JPA Amendment shall not be interpreted as limiting or restricting the rights of Authority under the Authority JPA. Nothing in this JPA Amendment is intended to alter or modify Authority Transportation Uniform Mitigation Fee (TUMF) Program, the PACE Program administered by Authority within the jurisdictions of its Regular Members, or any other programs administered now or in the future by Authority, all as currently structured or subsequently amended.

B. Implementation of California HERO Program within City Jurisdiction.

1. **Boundaries of the California HERO Program within City Jurisdiction.** The boundaries within which contractual assessments may be entered into under the California HERO Program (the "Program Boundaries") shall include the entire incorporated territory of City.

2. **Determination of Eligible Improvements.** Authority shall determine the types of distributed generation renewable energy sources, energy efficiency or water conservation improvements, electric vehicle charging infrastructure or such other improvements as may be authorized pursuant to Chapter 29 (the "Eligible Improvements") that will be eligible to be financed under the California HERO Program.

3. **Implementation of California HERO Program Within the Program Boundaries.** Authority will undertake such proceedings pursuant to Chapter 29 as shall be legally necessary to enable Authority to make contractual financing of Eligible Improvements available to eligible property owners within the Program Boundaries.

4. **Financing the Installation of Eligible Improvements.** Authority shall implement its plan for the financing of the purchase and installation of the Eligible Improvements under the California HERO Program within the Program Boundaries.

5. **Ongoing Administration.** Authority shall be responsible for the ongoing administration of the California HERO Program, including but not limited to producing education plans to raise public awareness of the California HERO Program, soliciting, reviewing and approving applications from residential and commercial property owners participating in the California HERO Program, establishing contracts for residential, commercial and other property owners participating in such program, levying and collecting assessments due under the California HERO Program, taking any required remedial action in the case of delinquencies in such assessment payments, adopting and implementing any rules or regulations for the California HERO Program, and providing reports as required by Chapter 29.

City will not be responsible for the conduct of any proceedings required to be taken under Chapter 29; the levy or collection of assessments or any required remedial action in the case of delinquencies in such assessment payments; or the issuance, sale or administration of any bonds issued in connection with the California HERO Program.

6. **Phased Implementation.** The Parties recognize and agree that implementation of the California HERO Program as a whole can and may be phased as additional other cities and counties execute similar agreements. City entering into this JPA Amendment will obtain the benefits of and incur the obligations imposed by this JPA Amendment in its jurisdictional area, irrespective of whether cities or counties enter into similar agreements.

C. **Miscellaneous Provisions.**

1. **Withdrawal.** Authority may withdraw from this JPA Amendment upon six (6) months written notice to the other party; provided, however, there is no outstanding indebtedness of Authority within City. The provisions of Section 6.2 of the Authority JPA shall not apply to City under this JPA Amendment. Notwithstanding the foregoing, City may withdraw, either temporarily or permanently, from its participation in the California HERO Program or either the residential or commercial component of the California HERO Program upon thirty (30) written notice to WRCOG without liability to the Authority or any affiliated entity. City withdrawal from such participation shall not affect the validity of any voluntary assessment contracts (a) entered prior to the date of such withdrawal or (b) entered into after the date of such withdrawal so long as the applications for such voluntary assessment contracts were submitted to and approved by WRCOG prior to the date of City's notice of withdrawal.

2. **Mutual Indemnification and Liability.** Authority and City shall mutually defend, indemnify and hold the other party and its directors, officials, officers, employees and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liabilities, losses, damages or injuries of any kind, in law or equity, to property or persons, including wrongful death, to the extent arising out of the willful misconduct or negligent acts, errors or omissions of the indemnifying party or its directors, officials, officers, employees and agents in connection with the California HERO Program administered under this JPA Amendment, including without limitation the payment of expert witness fees and attorney's fees and other related costs and expenses, but excluding payment of consequential damages. Without limiting the foregoing, Section 5.2 of the Authority JPA shall not apply to this JPA Amendment. In no event shall any of Authority's Regular Members or their officials, officers or employees be held directly liable for any damages or liability resulting out of this JPA Amendment.

3. **Environmental Review.** Authority shall be the lead agency under the California Environmental Quality Act for any environmental review that may require in implementing or administering the California HERO Program under this JPA Amendment.

4. **Cooperative Effort.** City shall cooperate with Authority by providing information and other assistance in order for Authority to meet its obligations hereunder. City recognizes that one of its responsibilities related to the California HERO Program will include any permitting or inspection requirements as established by City.

5. **Notice.** Any and all communications and/or notices in connection with this JPA Amendment shall be either hand-delivered or sent by United States first class mail, postage prepaid, and addressed as follows:

Authority:

Western Riverside Council of Governments
4080 Lemon Street, 3rd Floor. MS1032
Riverside, CA 92501-3609
Att: Executive Director

City:

City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025

6. **Entire Agreement.** This JPA Amendment, together with the Authority JPA, constitutes the entire agreement among the Parties pertaining to the subject matter hereof. This JPA Amendment supersedes any and all other agreements, either oral or in writing, among the Parties with respect to the subject matter hereof and contains all of the covenants and agreements among them with respect to said matters, and each Party acknowledges that no representation, inducement, promise of agreement, oral or otherwise, has been made by the other Party or anyone acting on behalf of the other Party that is not embodied herein.

7. **Successors and Assigns.** This JPA Amendment and each of its covenants and conditions shall be binding on and shall inure to the benefit of the Parties and their respective successors and assigns. A Party may only assign or transfer its rights and obligations under this JPA Amendment with prior written approval of the other Party, which approval shall not be unreasonably withheld.

8. **Attorney's Fees.** If any action at law or equity, including any action for declaratory relief is brought to enforce or interpret the provisions of this Agreement, each Party to the litigation shall bear its own attorney's fees and costs.

9. **Governing Law.** This JPA Amendment shall be governed by and construed in accordance with the laws of the State of California, as applicable.

10. **No Third Party Beneficiaries.** This JPA Amendment shall not create any right or interest in the public, or any member thereof, as a third party beneficiary hereof, nor shall it authorize anyone not a Party to this JPA Amendment to maintain a suit for personal injuries or property damages under the provisions of this JPA Amendment. The duties, obligations, and

responsibilities of the Parties to this JPA Amendment with respect to third party beneficiaries shall remain as imposed under existing state and federal law.

11. **Severability.** In the event one or more of the provisions contained in this JPA Amendment is held invalid, illegal or unenforceable by any court of competent jurisdiction, such portion shall be deemed severed from this JPA Amendment and the remaining parts of this JPA Amendment shall remain in full force and effect as though such invalid, illegal, or unenforceable portion had never been a part of this JPA Amendment.

12. **Headings.** The paragraph headings used in this JPA Amendment are for the convenience of the Parties and are not intended to be used as an aid to interpretation.

13. **Amendment.** This JPA Amendment may be modified or amended by the Parties at any time. Such modifications or amendments must be mutually agreed upon and executed in writing by both Parties. Verbal modifications or amendments to this JPA Amendment shall be of no effect.

14. **Effective Date.** This JPA Amendment shall become effective upon the execution thereof by the Parties hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this JPA Amendment to be executed and attested by their officers thereunto duly authorized as of the date first above written.

WESTERN RIVERSIDE COUNCIL OF GOVERNMENTS

By: _____
Name: _____
Title: _____

Date: _____

CITY OF DUNSMUIR

By: _____
Name: Josh Spurlock
Title: Mayor

Date: May 5, 2016

MEMORANDUM

April 28, 2016

From: City Manager

To: Mayor and City Council

RE: Dunsmuir Water Rights

I have attached the documentation on file with the California State Water Control Board. This first document (2 pages) is the transfer of the license for diversion and use of water document from the Dunsmuir Water Corporation to the City of Dunsmuir. The transfer was effective January 2, 1990. This document also indicates the four locations the City of Dunsmuir owns. This document also acknowledges that the Dunsmuir Water Corporation was given proof of the Water Rights on September 11, 1957. The second page of the documents shows the transfer dated.

The third page, California Integrated Water Quality System shows the summary page identifying various information. The primary owner lists the City of Dunsmuir.

The last page is a map showing where the water right is located in the City of Dunsmuir.

Are there any questions?



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 10540

PERMIT 6082

LICENSE 5362

THIS IS TO CERTIFY, That

Dunsmuir Water Corporation
P.O. Box 465
Dunsmuir, California

Notice of assignment (over)

has made proof as of September 11, 1957
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Mossbrae Springs No. 2 and B,C and D in Siskiyou County

tributary to Sacramento River

for the purpose of Municipal use
under Permit 6082 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from September 25, 1942
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed one and ninety-seven hundredths
(1.97) cubic feet per second to be diverted from January 1 to December 31 of each
year.

The points of diversion of such water are located as follows:

Spring No. 2 - North two degrees twenty-three minutes east (N2°23'E) one thousand three
hundred five and one-tenth (1305.1) feet from E $\frac{1}{4}$ corner of Section 13, T39N, R4W, MDB&M,
being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, T39N, R3W, MDB&M.

Spring B - North two degrees fifty minutes east (N2°50'E) one thousand three hundred
ninety-two and three-tenths (1392.3) feet from E $\frac{1}{4}$ corner of Section 13, T39N, R4W, MDB&M,
being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, T39N, R3W, MDB&M.

Spring C - North two degrees forty-six minutes east (N2°46'E) one thousand three
hundred ninety-six and five-tenths (1396.5) feet from E $\frac{1}{4}$ corner of Section 13, T39N, R4W,
MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, T39N, R3W, MDB&M.

Spring D - North three degrees five minutes east (N3°05'E) one thousand four hundred
nine and four-tenths (1409.4) feet from E $\frac{1}{4}$ corner of Section 13, T39N, R4W, MDB&M, being
within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, T39N, R3W, MDB&M.

A description of the lands or the place where such water is put to beneficial use
is as follows:

The City of Dunsmuir and vicinity being within:

W $\frac{1}{2}$ of Section 7, T39N, R3W, MDB&M
Section 13, T39N, R4W, MDB&M
Section 24, T39N, R4W, MDB&M
Section 25, T39N, R4W, MDB&M
E $\frac{1}{2}$ of Section 35, T39N, R4W, MDB&M
Section 36, T39N, R4W, MDB&M all as shown on map filed with State Water Rights
Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

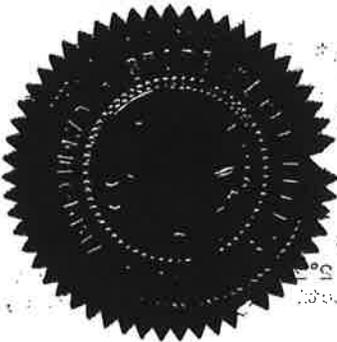
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: AUG 20 1958

L. K. Hill
L. K. Hill
Executive Officer

1/2/90 ASSIGNED TO CITY OF DUNSMUIR



LICENSE 5362

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

Dunsmuir Water Corporation

ISSUED TO

AUG 20 1958

DATED

72646 3-50 14 ① 870

2



e-WRIMS Public Summary Page

[\[Return to Water Right Search \]](#)

[\[Return to Water Right Search Results \]](#)

Application ID: A010540 Water Right Type: Appropriate
 Permit ID: 006082 Water Rights Status: Licensed (09/25/1942)
 License ID: 005362 [View License](#) Primary Owner: CITY OF DUNSMUIR

Current Parties	Relationship	Effective Date
CITY OF DUNSMUIR	Primary Owner	09/15/1994
Need to report a change of ownership or agent? Click Here		

Historical Parties

Record Summary	
Application Acceptance Date	09/25/1942
Permit Issuance Date	12/02/1942
License Issuance Date	08/20/1958
Face Value Amount	1426.2
Subtypes (Statements Only)	

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
MOSSBRAE SPRINGS (4)	Siskiyou			41.24290823 ; -122.26620837
				Map It

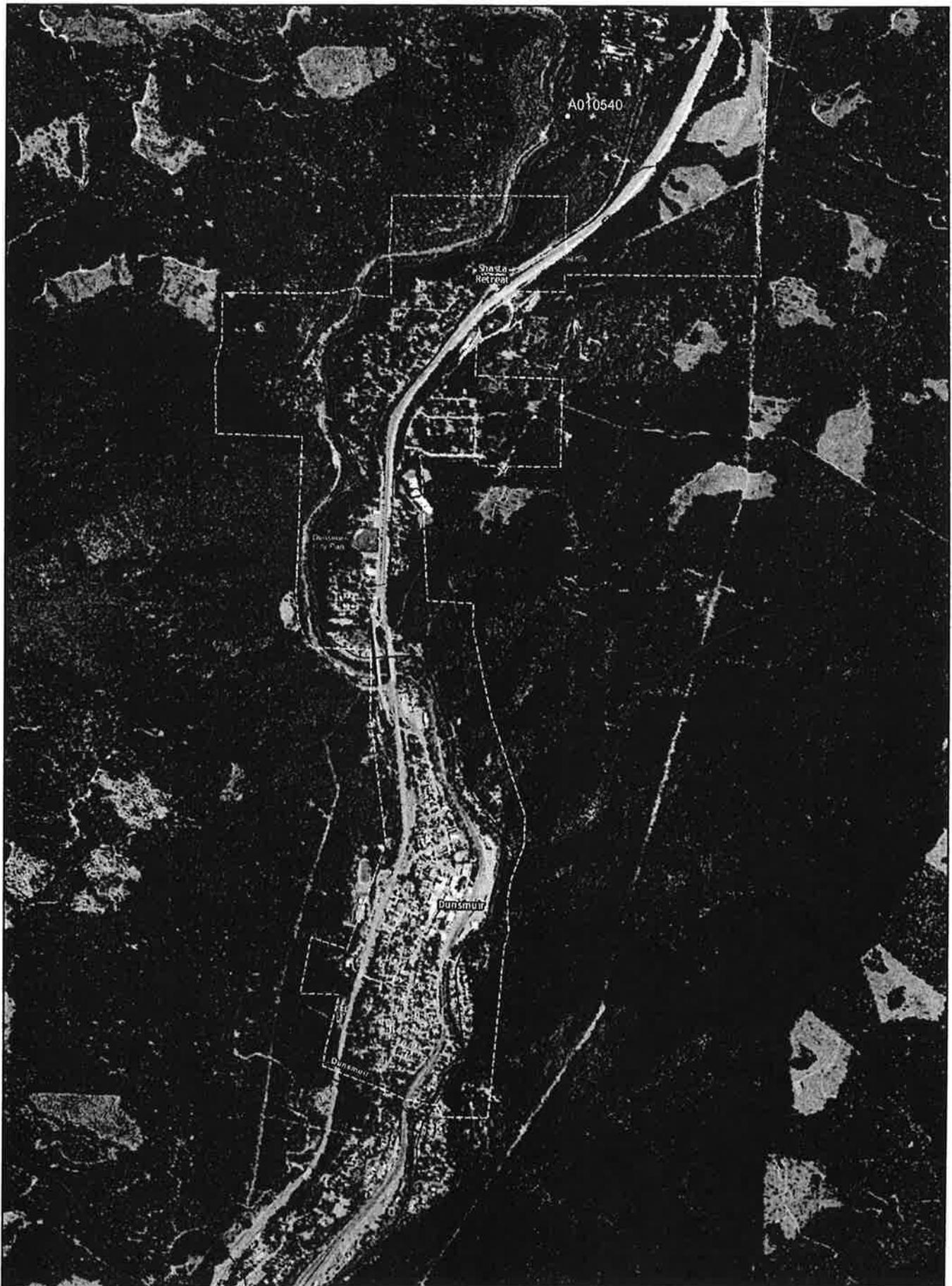
Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Municipal	0.0	1/1 to 12/31	

Electronic Reports				
Year	Revision	Report Type	Date Received	View Report PDF
2012	1	Report of Licensee	09/13/2013	• View
2010	1	Report of Licensee	07/06/2011	• View

*For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner		
Application ID	Water Right Type	Water Right Status
A010540	Appropriate	Licensed

Associated Decisions/Orders			
Decision/Order Number	Date	Description	View Document



*per
ce*

10540
24495
PHONE 238-4881
P.O. BOX 887

CHRIS STROMSNESS
ATTORNEY AT LAW
5832 DUNSMUIR AVENUE
DUNSMUIR, CALIFORNIA 96025

December 14, 1989

Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95810

re: transfers of water rights

Please send me the forms necessary for the City of Dunsmuir to effect a transfer of water rights from the Dunsmuir Water Corporation to the City itself. The City acquired the stock of the corporation earlier this year, and now wants to transfer the water rights.

Thank you.

A 10540 (L5362)

Sincerely,

A 24495 (P17216)

CHRIS STROMSNESS
City Attorney

12-20-89

Please have Dunsmuir Water Company complete and return the attached forms (WR 29a) to us.

C. Chandler

State of California

Water Resources Control Board
Division of Water Rights
901 P Street
Mail: P.O. Box 2000
Sacramento, CA 95810



Catherine Chandler
Engineering Associate

(916) 324-5713

NOTICE OF ASSIGNMENT

Right
10540

1989 JAN -9 AM 8:11
DIV. OF WATER RIGHTS
SACRAMENTO

STATE WATER RESOURCES CONTROL BOARD

State Water Resources Control Board
Division of Water Rights
P. O. Box 2000
Sacramento, CA 95810

Gentlemen:

I have assigned all my right, title, and interest in

Application 10540, Permit 6082, License 5362

on file with the State Water Resources Control Board to:

City of Suisun
Municipal Corporation

whose address is:

5945 Suisun Ave
(Address)

Suisun
(City)

CA 94035
(State) (zip code)

Telephone No. (916) 235-4877

*
*
Willis E. Thompson
(Signature)

*
Claudia J. Thompson
(Signature)

Telephone No. (916) 235-2147

Dated: Jan. 2, 1990

Assign
to
1-10-90

(916) 324-5689

In Reply Refer
To:341:S0:10540

JANUARY 11 1990

City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025

Gentlemen:

LICENSE 5362 (APPLICATION 10540) MOSSBRAE SPRINGS IN SISKIYOU COUNTY

We have received a signed notice of assignment transferring all interest in the above water right to you. Our records will be changed to show ownership of License 5362 in the name of the City of Dunsmuir. We assume that you were given a copy of the license by the previous owners. If not, a copy will be forwarded upon request.

If I can be of further assistance, please write or call (916) 324-5689.

Sincerely,

ORIGINAL SIGNED BY:

Shige Okada, Chief
Permit and License Unitcc: Dunsmuir Water Corporation
Box 465
Dunsmuir, CA 96025

!bcc: K. Beyer

!SOkada:pberg 1-9-90