

**AGENDA FOR THE REGULAR MEETING
DUNSMUIR CITY COUNCIL
COUNCIL CHAMBERS
5902 DUNSMUIR AVE, DUNSMUIR, CA
MAY 19, 2016
CLOSED SESSION: 5:30 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(S)**
- 4. ADJOURN TO CLOSED SESSION: Two Items**
 - (1) Conference with Legal Counsel**
Existing Litigation – Government Code § 54956.9
One Case: “Wilde v. City of Dunsmuir”
 - (2) Conference with Legal Counsel**
Existing Litigation – Government Code § 54956.9
One Case: “Wilde v. City of Dunsmuir”
- 5. REPORT FROM CLOSED SESSION**
- 6. FLAG SALUTE**
- 7. APPROVAL OF AGENDA**
- 8. APPROVAL OF MINUTES: May 5, 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**
 - h. Audio Visual**

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. Approval of Farmers Market road closure

13. PUBLIC HEARING: NONE

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.

14. OLD BUSINESS

15. NEW BUSINESS

A. Discussion and possible action regarding recommendation from City Attorney to change style of City Council and Planning Commission minutes to action minutes with a recorded backup

B. Discussion and possible action to join teamwork.com

C. Acceptance of Easement Deed from Robert and Sharon Grace

D. Discussion and possible approval of CEQA exemption (Section 15061(b)(3)) for the Housing Element

E. Review and adoption of 2014-2019 Housing Element, Resolution 2016-__

F. Review of revenue and expenditures for water, wastewater and solid waste for 2010-2015

G. 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 Sunday, May 15, 2016.

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

05-13-2016
Date

**CITY OF DUNSMUIR
CITY COUNCIL MINUTES
MAY 5, 2016**

CALL TO ORDER:

Meeting was called to order at 5:00 pm by Mayor Spurlock.

ROLL CALL:

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

City Staff present: Iskra

PUBLIC COMMENT ON CLOSED SESSION ITEM: None

ADJOURN TO CLOSED SESSION:

Motion by Craig to adjourn to closed session for three items at 5:03 pm, seconded by Keisler.

Voice vote: 5-0-0-0

REPORT FROM CLOSED SESSION:

Mayor Spurlock reported:

Item 1: Council gave direction to staff regarding the Castle Rock lease

Item 2: Mayor Spurlock read memo from City Attorney regarding litigation

Item 3: No action was taken

APPROVAL OF AGENDA:

Motion by Craig to approve agenda with the following changes: continue items 14B, 15B, 15D, 15E, 15F until the next City Council meeting, seconded by Deutsch. Voice vote: 5-0-0-0

APPROVAL OF MINUTES:

Motion to approve the minutes as presented by Keisler, seconded by Craig. Voice vote: 5-0-0-0

COMMITTEE REPORTS:

Council decision to add item (h) to Committee reports

a) Economic Development/Tourism

Meeting to discuss the idea of a tram from Little League field to Mt. Bradley.

Presentation from Fizz Leonard regarding start-up companies working remotely

Beautification of downtown

b) Finance – No meeting

c) Public Facilities and Services

No meeting but propose meeting on May 16, 2016 at 1:00 pm in the Council Chambers

d) Public Safety – No meeting

e) Airport

The meeting schedule is now every 2nd and 4th Tuesday at noon

Showed a video of the Dunsmuir Airport

f) Solid Waste – No meeting

g) Mossbrae – No meeting

h) Audio Visual (A/V)

Discussion about \$20,000 currently in budget for updates in Council Chambers

- Possibly update recording equipment, improve doors for security

ANNOUNCEMENTS AND PUBLIC COMMENT:

Report from Deputy Mero on Sheriff's Dept calls for the month. The City is at 75% of the contract hours currently.

Peter Arth suggested that the Council Members should respect each other and work as a team.

Carolyn Rivard supports the Big Fish Program and the money it brings to the City.

Linda Gnesa thanked the Sheriff's Dept for removing vagrants from "Bent Rail Park." She reminded everyone of the new Lions Club for Castella, Dunsmuir, Mt Shasta, Weed, and Lake Shastina. The first meeting will be May 17 at the Dunsmuir library at 6:30 pm.

ANNOUNCEMENTS AND REPORTS FROM COUNCIL AND STAFF:

Council member Keisler asked about getting update training for the Brown Act and Ethics Training from City Attorney Kenny.

CONSENT AGENDA:

Motion to move item 15A to Consent Agenda by Keisler, seconded by Craig. Voice vote: 5-0-0-0

A. April 29, 2016 Check register

B. Approve road closure for Dogwood Daze

Motion to approve the consent agenda by Keisler, seconded by Shanta.

Roll Call Vote: Keisler yes

Shanta yes

Craig yes

Deutsch yes

Spurlock yes 5-0-0-0

PUBLIC HEARING: NONE

OLD BUSINESS:

Presentation by Paul Reuter from PACE to consider applying for Construction Grants first rather than Planning Grants. He explained that it is a one year process for the Planning Grant and that time could jeopardize funding availability for the Construction Grants. The City would receive reimbursement for out-of-pocket expenses if approved for the grant.

City Council recessed at 7:10 pm.

City Council resumed at 7:17 pm.

Council member Keisler returned to the City Council for approval of the placement of the UP light at Caboose Park. He explained that the cost to the City would be about \$550 for concrete and steel and he would like to install the light before Railroad Days. John Poston, electrician and Michael Swords, contractor would be volunteering their time.

Merry Padilla asked if Poston and Swords were contractors.

Peter Arth reminded the Council of other work in the City such as broken sidewalks and the Veteran's Fountain.

Council member Shanta said the City Manager had discretionary funding and could approve the \$550.

Council member Craig asked who would be in charge.

Motion by Shanta to approve the placement of the light and to use the CM discretionary approval for the \$550 in expenses, seconded by Keisler.

Roll call vote: Deutsch yes
Shanta yes
Craig yes
Keisler yes
Spurlock yes 5-0-0-0

NEW BUSINESS:

Mike Martin was in attendance from Michael Baker, International to present the City of Dunsmuir 2014-2019 Updated Housing Element. He explained the process to approve a new Housing Element and the necessary steps required by the State of California. Once the Housing Element was submitted to the State, a few corrections were required. Once those were made, the State approved the Updated Housing Element. The Planning Commission has approved the Housing Element and forwarded to the City Council for final approval.

Motion by Craig to continue this item to the next regular meeting with a resolution attached, seconded by Keisler. Voice vote: 5-0-0-0

Motion by Deutsch to return item 15 E to the agenda, seconded by Keisler. Voice vote: 5-0-0-0

Robert Bendorf was present to explain the HERO program. It is a program for homeowners to make energy improvements to their homes with a loan that is secured by their property taxes. The HERO program is subordinate to a mortgage. There are graduated interest rates based upon the length of the loan, ranging from 6.75% to 8.35%. The benefit to the City is in revenue through building permits, increased money from local contractors and a better image for the City of Dunsmuir with improvements to homes.

Motion by Shanta to approve Resolution 2016-7 approving the HERO program, second by Keisler. Voice vote: 5-0-0-0

ADJOURNMENT:

Motion to adjourn at 8:00 pm by Keisler, seconded by Shanta. Voice vote: 5-0-0-0

Mayor Spurlock

ATTEST:

Deputy City Clerk Iskra

May 6, 2016

City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025

The Dunsmuir Farmers Market requests the closure and use of Spruce Street between Dunsmuir Avenue and Shasta Street Thursdays between 1 PM and 8 PM from June 16 to September 29, 2016. The actual market will be open from 4-7 PM. Would it be possible to post a notice about this at the apartments on the corner of Spruce and Shasta? We have talked with some of the renters there and they have been supportive, but we have had difficulty reaching other renters. Cars and trucks on the street at market time can sometimes create a very cramped situation.

This area will provide local produce vendors with a place to sell their fresh vegetables and fruit and honey directly to the public. There will be homemade bread, pies, sauerkraut, tamales, pasture-fed beef and hand raised pork, candles and handmade soaps, crafts, and many other items for people to buy. Most of these are from local artisans. We will make sure that the access to Alpine Motors is open.

This is an opportunity for small farmers and producers to sell their produce and products directly to the public. It is an opportunity for the Dunsmuir community to have access to tasty, healthy peaches and tomatoes and many kinds of fruits and vegetables and other foods, as well as crafts and artwork made by local artisans. There will be entertainment and other special events. The Farmers Market brings people to downtown Dunsmuir.

Our EBT match program and acceptance of SNAP benefits and WIC checks for families and seniors will make it more possible for local low income families and individuals to access and afford healthy vegetables and fruits.

Thank you for considering our request. I have to be at a Rotary board meeting May 19 and cannot attend the City Council meeting. I'm hoping you can approve this as it doesn't represent a change from last year. If you need me to be there, I could come the next week. Thank you.

Andrea Herr, Manager
Dunsmuir Farmers Market
530-925-4355
herr-clarino@sbcglobal.net

JOHN SULLIVAN KENNY
KELLY J. SNOWDEN*
JONZ NORINE
LINDA R. SCHAAP
ROB J. TAYLOR

KENNY, SNOWDEN & NORINE
A LAW CORPORATION
www.lawksn.com

REDDING LANDING
2701 PARK MARINA DRIVE
REDDING, CA 96001
530-225-8990
FAX 530-225-8944

*Member - American Board
Of Trial Advocates

MEMORANDUM

TO: Julie Iskra, City Clerk
CITY OF DUNSMUIR

FROM: John S. Kenny, City Attorney

DATE: May 3, 2016

RE: City Council Minutes



Having reviewed the recent agenda, which included the minutes from the previous City Council meeting, it appears that considerable staff time could be saved by abbreviating the minutes. All that is required is action minutes. The Clerk only needs to record the action item, motion made and seconded and the ayes and noes and the action taken. The City Council Agenda can be formatted in such a way that in preparing the minutes, the Clerk can use the original format and provide space between each item to include the information set forth above.

If the City Council records its meetings, the recording is actually a better record of the discussions that transpired during the meeting. It is often very time consuming to have the Clerk attempt to summarize the discussions. Regardless of how well the summary is prepared, it cannot be as accurate as the actual recording. Recordings can be saved for a considerable time without utilizing much space.

In my experience, agencies attempting to keep detailed minutes incur considerable expense and considerable staff time without receiving much in the way of a benefit. The City Council may wish to consider utilizing action minutes thereby streamlining the minute taking process and thereby making staff time available for other projects.

If you have any questions, please advise.

JSK:jll/6736
4826-8990-4689, v. 1

About Teamwork.com

Today, Teamwork Projects, Teamwork Chat and Teamwork Desk form the backbone of Teamwork.com. Each product serves to enhance the performance of teams by coordinating both process and people simultaneously. Teamwork Projects is all about getting things done by creating task lists and tasks and assigning them to the team. It increases visibility across each project as well as aligning every dependent function within the business. Teamwork Desk incorporates the customer into the equation. It streamlines all contact between you and your customers by way of a ticket management system. It creates a much more efficient process for handling customer queries. Teamwork Chat is an instant messenger that can be used by all of the team for immediate communication. Each of the three products integrates together seamlessly. Every user has the ability to create an action within each product that influences activity in another. E.g. Creating a task for Teamwork Projects as a result of a ticket received in Teamwork Desk.

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5 Projects

1GB Space

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~~Dropbox~~

~~Custom Domain~~

~~Custom CSS~~

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(\$28.80 inc VAT)

15 Projects

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~~Box.com~~

~~Dropbox~~

~~Custom Domain~~

~~Custom CSS~~

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~~Dropbox~~

~~Custom Domain~~

~~Custom CSS~~

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Unlimited users	Unlimited users	Unlimited users
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Box.com	Box.com	Box.com
Dropbox	Dropbox	Dropbox
Custom Domain	Custom Domain	Custom Domain
Custom CSS	Custom CSS	Custom CSS
GET STARTED	GET STARTED	GET STARTED

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RECORDING REQUESTED BY:
City of Dunsmuir
WHEN RECORDED RETURN TO:
City Clerk
City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025

THE AREA ABOVE IS RESERVED FOR RECORDER'S USE

APN: 058-041-190

EASEMENT DEED

THE UNDERSIGNED GRANTOR DECLARES:
Documentary Transfer Tax - NONE
City of Dunsmuir EXEMPT - Rev. & Tax. C.A. § 11922
NO FEE - CITY BUSINESS - Gov. Code § 6103

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Robert C. Grace and Sharon H. Grace, Husband and Wife as Joint Tenants, Grantors, **HEREBY GRANT** to the **CITY OF DUNSMUIR**, a Municipal Corporation, Grantee, a permanent easement in and to the real property situate, lying and being in the County of Siskiyou, State of California, described in Exhibit A and shown on Exhibit B attached and made a part hereof by reference.

THE PURPOSE OF THE EASEMENT shall be to erect, install, construct, remove, repair, replace, reconstruct, maintain and use for public utility purposes, any and all materials, fixtures, appliances, equipment, pipes, pipelines, wires and cables (including fiber optics) necessary for the transmission, distribution and delivery of electricity, water, sewer, storm sewer, gas, cable television, communication and information service utilities over, along, upon, under and across the parcel of real property described in Exhibit A and shown on Exhibit B.

GRANTORS FURTHER GRANT TO GRANTEE the right to:

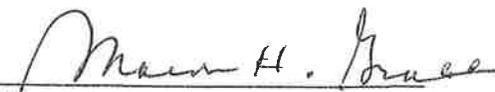
1. Grant said easement or a portion thereof to other public utilities or public agencies;
2. Review and control the planting, trimming, maintenance and/or removal of any trees or other plants within said easement, and;
3. Ingress and egress to and from the right-of-way for the purposes connected with constructing, reconstruction, replacing, repairing or maintaining any and all public facilities and appurtenances within said easement.

GRANTORS FURTHER AGREE:

Grantor and Grantor's heirs, successors and assigns shall not place or be permitted to place on the easement any building or structure, nor to allow or do anything which may interfere with the full enjoyment of Grantee's rights granted herein.

Dated: APRIL 19, 2016


Robert C. Grace


Sharon H. Grace

NOTARY ACKNOWLEDGMENT MUST BE ATTACHED

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Siskiyou

On April 19, 2016 before me, Randi Gaeddert
Date Name of Officer

Notary Public personally appeared
Title of Officer

Robert C. Grace and Sharan H. Grace

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Randi Gaeddert (Seal)



EXHIBIT A

A PORTION OF THAT REAL PROPERTY CONVEYED TO ROBERT C. GRACE AND SHARON H. GRACE BY THE DEED RECORDED ON APRIL 9, 1996, AS DOCUMENT NO. 96003964, SISKIYOU COUNTY RECORDS, SITUATE IN SECTION 25, TOWNSHIP 39 NORTH, RANGE 4 WEST, OF THE MOUNT DIABLO MERIDIAN, INCLUDED WITHIN A STRIP OF LAND 20 FEET WIDE, LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION, SAID POINT BEING THE SOUTHWEST CORNER OF SUBURBAN LOT 46 AS SHOWN ON THE MAP OF THE TOWN OF DUNSMUIR FILED IN TRACT MAP BOOK 1, PAGE 1, SISKIYOU COUNTY RECORDS; THENCE, NORTHERLY ALONG SAID EAST LINE N.0°08'E. (SHOWN AS S.0°20'W. ON SAID MAP), 206.36 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE, N.85°32'47"E., 25.14 FEET; THENCE, ALONG A 50-FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16°18'56", A DISTANCE OF 14.24 FEET; THENCE, N.69°13'51"E., 49.70 FEET; THENCE, ALONG A 100-FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 45°22'30", A DISTANCE OF 79.19 FEET; THENCE, S.65°23'39"E., 60.55 FEET; THENCE, ALONG A 50-FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 39°30'13", A DISTANCE OF 34.47 FEET; THENCE, N.75°06'08"E., 4.28 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID GRACE PROPERTY.

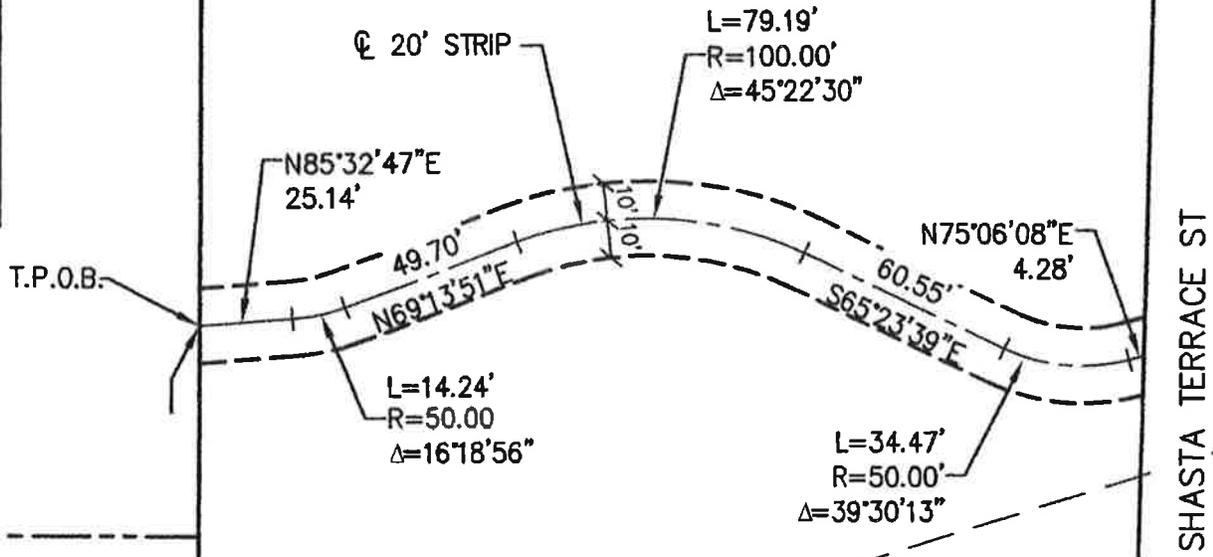
CONTAINING 5,352 SQUARE FEET, MORE OR LESS.



ROBERT AND SHARON GRACE
DOC# 96003964

SUBURBAN LOT 45
T.M.B. 1, PG 1

1"=50'



SHASTA TERRACE ST

CITY OF DUNSMUIR
PARCEL 1
DOC# 89010163

N0°08'00\"E 206.36'

SUBURBAN LOT 46
T.M.B. 1, PG 1

P.O.C.



DATE
12/15



EXHIBIT B

JOB #204.55

EASEMENT DEED

TO

**CITY OF DUNSMUIR
SISKIYOU COUNTY
STATE OF CALIFORNIA**

CERTIFICATE OF ACCEPTANCE GOVERNMENT CODE, SECTION 27281

THIS IS TO CERTIFY that the real property interest conveyed by the Easement Deed, dated April 19, 2016 from **ROBERT C. GRACE AND SHARON H. GRACE**, Husband and Wife as Joint Tenants, Grantors, to the **CITY OF DUNSMUIR**, a Municipal Corporation, Grantee, is hereby acknowledged by the undersigned Mayor of the City of Dunsmuir on behalf of the City Council of the City of Dunsmuir. Pursuant to Resolution No. 2016-___ of said City Council adopted on May 19, 2016, the Grantee hereby consents to the recordation of said easement.

IN WITNESS WHEREOF I have hereunto set my hand this 19th day of May, 2016.

Bryce Craig, Vice Mayor
City of Dunsmuir

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR
ACCEPTING A DEED OFFERED BY ROBERT C. AND SHARON H. GRACE, AS
PART OF THE DOWNTOWN TANK REPLACEMENT PROJECT

WHEREAS, ROBERT C. AND SHARON H. GRACE, (Grantors) have offered an easement over certain real property; and

WHEREAS, said easement shall be to erect, install, construct, remove, repair, replace, reconstruct, maintain and use for public utility purposes, any and all materials, fixtures, appliances, equipment, pipes, pipelines, wires and cables (including fiber optics) necessary for the transmission, distribution and delivery of electricity, water, sewer, storm sewer, gas cable television, communication and information services utilities over, along upon, under and across the parcel of real property described in Exhibit A and shown on Exhibit B.; and

WHEREAS, the City of Dunsmuir (Grantee) desires to accept such real property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dunsmuir that accepts the Easement Deed from ROBERT C. AND SHARON H. GRACE , that is attached hereto and made a part hereof;

BE IT FURTHER RESOLVED, a Certificate of Acceptance can be executed by the Vice Mayor, and authorize staff to issue payment to Grantors in the amount of \$5,200.

I HEREBY CERTIFY the foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Dunsmuir held the 19th day of May, 2016, by the following vote to wit:

AYES:
NOES:
ABSENT:

Vice Mayor, City of Dunsmuir

ATTEST:

Deputy City Clerk, City of Dunsmuir

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.

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

RESOLUTION NO. 2016-

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF DUNSMUIR
APPROVING THE UPDATED HOUSING ELEMENT TO THE
DUNSMUIR GENERAL PLAN**

WHEREAS, the City has completed the 2014 update of the Housing Element to the Dunsmuir General Plan; and

WHEREAS, the Housing Element has been reviewed by the California Department of Housing and Community Development who have submitted comments that have been incorporated into the Plan; and

WHEREAS, the Dunsmuir Planning Commission has reviewed and approved the Plan and have recommended that the City Council adopt the updated Housing Element.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dunsmuir that the Updated Housing Element to the Dunsmuir General Plan is hereby adopted.

IT IS HEREBY CERTIFIED, that the foregoing Resolution was duly adopted by the City Council of the City of Dunsmuir at a regular meeting held on May 19, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

VICE MAYOR

DEPUTY CITY CLERK

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).

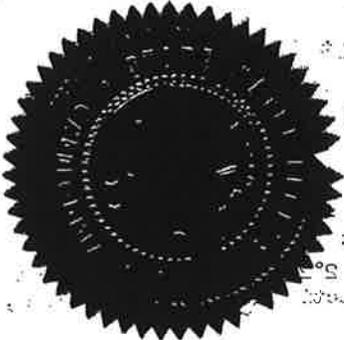
Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied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

AUG 20 1958

DATED

72548 3-48 14 © SFO

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e-WRIMS Public Summary Page

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

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Application ID: A010540	Water Right Type: Appropriative
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](#)

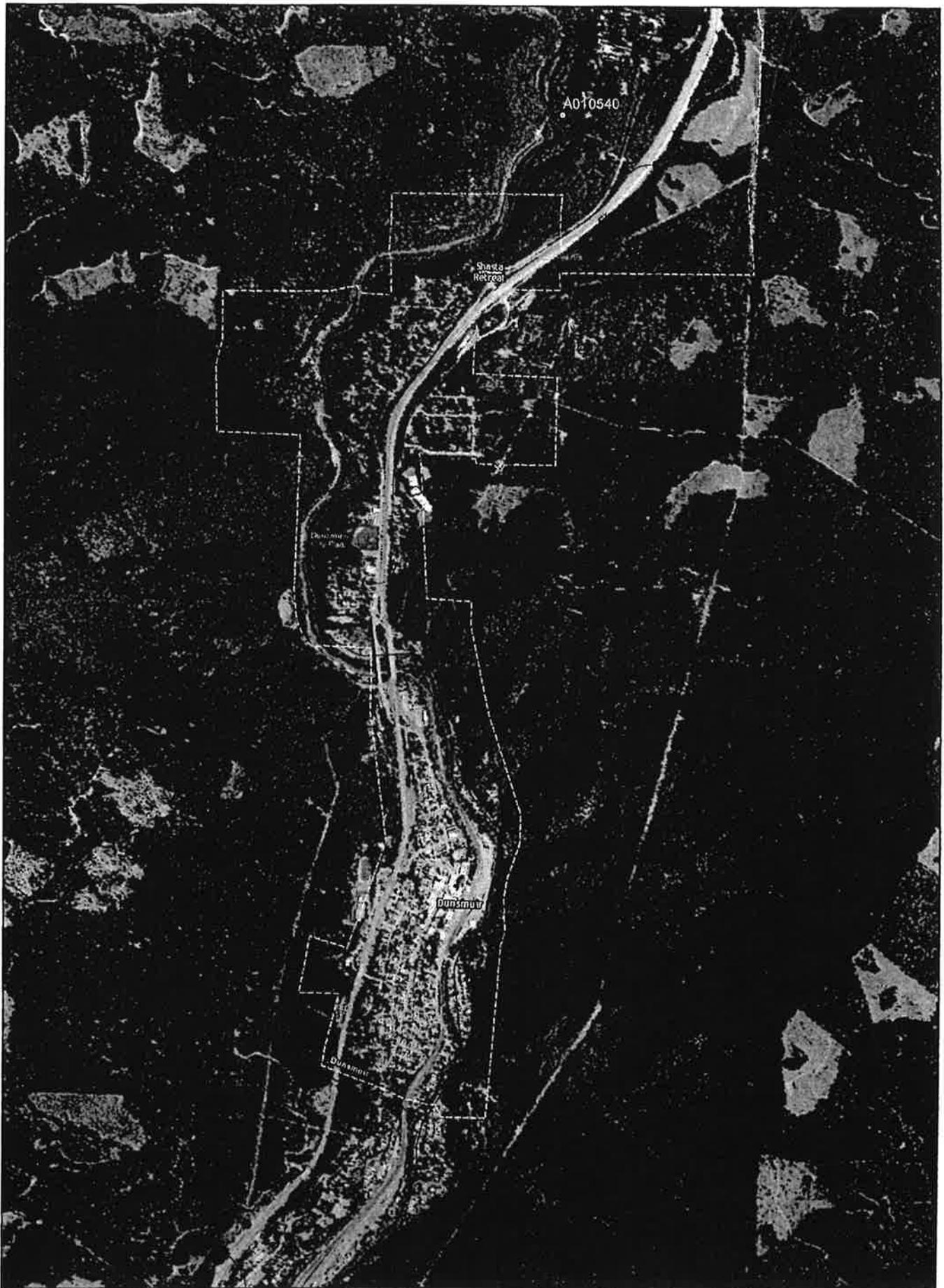
Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Municipal	0.0	1/1 to 12/31	

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	Appropriative	Licensed

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



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

Piggo
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:

5905 Suisun Ave
(Address)

Suisun
(City)

CA 94075
(State) (zip code)

Telephone No. (916) 235-4872

*
* Willie 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