

**AGENDA FOR THE REGULAR MEETING
DUNSMUIR CITY COUNCIL
COUNCIL CHAMBERS
5902 DUNSMUIR AVE, DUNSMUIR, CA
JUNE 2, 2016
CLOSED SESSION: NONE
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**
5. **REPORT FROM CLOSED SESSION**
6. **FLAG SALUTE**
7. **APPROVAL OF AGENDA**
- 4-7 8. **APPROVAL OF MINUTES: May 19, 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.

8-10
11

A. Approve May 2016 Check Register

B. Approve request for use of City Parking Lot for Railroad Days Show 'n Shine June 12, 2016 from 11:30 am to 5:30 pm

12-14
15

C. Approve road closures for River Run during Railroad Days

D. Approve Siskiyou Media Council contract from July 7, 2016 through December 15, 2016

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

A. Discussion and possible approval of plan for Acting City Manager

15. NEW BUSINESS

16

A. Discussion and possible action regarding Veteran's Fountain

17-19

B. Report on certification results for garbage, water and sewer, and marijuana initiatives.

20-42

C. Discussion and possible action on report on Initiative Certification

1. Resolution 2016-__ Ordering an initiative be submitted to election, and requesting county elections to conduct the election (Refuse collection and disposal)

2. Resolution 2016-__ Ordering an initiative be submitted to election, and requesting county elections to conduct the election (Water and sewer services)

3. Resolution 2016-__ Ordering an initiative be submitted to election, and requesting and county elections to conduct the election (Medical Marijuana)

43-44

D. Discussion and possible action approving Resolution 2016-__ calling and giving notice of an election to be held November 8, 2016

- 45 E. Discussion and possible approval of purchase of new computer/monitor for City Hall work station

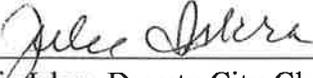
16. ADJOURNMENT:

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 Monday, May 30, 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

05-27-2016
Date

**CITY OF DUNSMUIR
CITY COUNCIL MINUTES
May 19, 2016**

CALL TO ORDER:

Meeting was called to order at 5:30 pm by Vice Mayor Craig.

ROLL CALL:

Council members present: Keisler, Shanta, Craig

Council members absent: Deutsch, Mayor Spurlock

City staff present: Iskra

PUBLIC COMMENT ON CLOSED SESSION:

None

ADJOURN TO CLOSED SESSION:

Adjourned to Closed Session at 5:32 pm.

RESUMED OPEN SESSION:

Resumed Open Session at 6:00 pm. Council member Deutsch and CFO Stock arrived.

REPORT FROM CLOSED SESSION:

No action taken during Closed Session.

APPROVAL OF AGENDA:

Motion by Vice Mayor Craig to approve the agenda with the following changes: add an Emergency Item to the agenda for discussion and possible appointment of Pam Stock as Acting City Manager as item 15-A1. This item requires a 4/5 vote and came to the attention of the Council after the agenda was posted. It needs immediate action due to the medical leave of the City Manager. Additionally, continue items 15F and 15G to the next meeting, seconded by Keisler. Voice Vote: 4-0-0-1

APPROVAL OF MINUTES:

Motion to approve the minutes of May 5, 2016 by Keisler, seconded by Deutsch. Voice vote: 4-0-0-1

COMMITTEE REPORTS:

- a) Economic Development/Tourism
Next meeting May 23, 2016 at 5:30 pm
- b) Finance
Next meeting May 26, 2016 at 5:00 pm
- c) Public Facilities
Discussed: challenges funding sidewalk repair/replacement, Veteran's Fountain
- d) Public Safety
To be rescheduled
- e) Airport
RFQ for next year's work on the Airport Layout Plan update (approximate cost \$150,000),
Need to study runway, taxiway, pavement improvements (approximate cost \$150,000),
Need to request \$2,000 for fee assessment for Carol Ford

- f) Solid Waste
No meeting

- g) Mossbrae
Union Pacific representative will be here on June 10, 2016 at 10:00 am,
Presentation to the Siskiyou County Board of Supervisors in the near future
- h) Discussion to update Council Chambers using the monies available in current year budget,
May need RFP for bids but not enough time before June 30, 2016, Kevin Allard and Greg Messer
planning proposal for PC, components and camera

ANNOUNCEMENTS AND PUBLIC COMMENT:

Richard Dinges: Business of the Year Dinner: May 21, 2016, ribbon cutting for three businesses,
Dogwood Daze is May 28

Alexandra Rivera: New representative for Family Resource Center

Linda Gnesa: Next Lions Club meeting June 7, 2016 at Library at 6:30 pm

ANNOUNCEMENTS AND REPORTS FROM COUNCIL AND STAFF:

Shanta: Fire Safe Council presentation May 24 at 4:30 pm at Dunsmuir High School, wanted to discuss
the removal of trees and how the wood was disposed

Keisler: Commend Clemens as Business of the Year, Dogwood Daze needs volunteers, ask to direct staff
to place bollards around the replacement street light near the 800 foot bridge, commend Peter Arth and
Ron McCloud as Golden Spike recipients

Deutsch: Commend Yolanda Kruger on professional networking monthly meetings, working on plan for
digital media center in Dunsmuir

Craig: Thanks to volunteers reviewing Historic District buildings, congratulations to Arth and McCloud,
apologize for upsetting citizens with tree removal, the City hired a consultant to review trees and will
hopefully replace downtown trees in the fall, the City is hoping to hire a consultant to review loan
applications soon

Stock: the City is hiring staff as per the City Council approval, Public Works has hired a person from
Personnel Preference, the office has thirteen applications and is interviewing, Water/Wastewater is
reviewing their applications

CONSENT AGENDA:

Motion to approve the Consent Agenda item for the Farmer's Market road closure by Keisler, seconded
by Deutsch. Voice vote: 4-0-0-1

PUBLIC HEARING:

None

OLD BUSINESS:

None

NEW BUSINESS:

Discussion and possible appointment of Acting City Manager

Suggestion by Vice Mayor Craig to appoint Pam Stock as Acting City Manager upon the request of the
City Manager. This would be for two weeks to handle day to day events.

Public Comment:

Rubino: The City needs a City Manager, stressful job

Michael Bush: Huge decision, the City needs a City Manager

Staff:

Motion by Craig to appoint Pam Stock as Acting City Manager for two weeks, seconded by Keisler.

Craig: Pam will continue as CFO and perform limited administrative duties while City Manager is on leave. This will be reviewed in two weeks.

Keisler: The City Council is appointing Pam at the request of the City Manager.

Deutsch: This is a critical time for the City.

Voice vote: 4-0-0-1

Vice Mayor Craig reviewed Attorney Kenny's memo; lengthy minutes; only need motion, first, second, vote.

Public Comment:

Rubino: Good recommendation

Bush: Would like to see public comment noted; what if recording does not work; need written record

Staff:

Craig: Prep time of 3-5 hours for minutes; very small budget and small staff

Deutsch: Need to find happy medium and include public comment

Shanta: Good saving of staff time; a recording is better; reads minutes and is hesitant to change it

Keisler: agree with attorney; videos are getting better; lots of hours spent on minutes

Motion by Vice Mayor Craig to switch to action minutes except during public comment where the name of the person is included and their topic. When a meeting is not recorded, the minutes will be more verbose, seconded by Keisler. Voice vote: 3-1-0-1 (Shanta)

Introduction of Teamwork.com by Deutsch; a project management tool; similar tool (Granicus) used by League of CA Cities; citizens can follow the process; consider getting a subscription to service; spent career managing projects

Shanta: need more information and written material; City of Dunsmuir is not at this stage

Craig: would like to see other project management styles; currently use one in his business office; could have Brown Act violations when involving staff; possibly table until later

Public Comment:

Rubino: City Manager is project manager

Arlene Dinges: How would Brown Act come into play; what is learning curve

Richard Dinges: promote visioning session with Planning Commission

Staff:

Craig: Management needs to come from staff/City Manager; suggest no action

Deutsch: Open to the process; trying to get knowledge out; airport committee is airport manager

Acting City Manager Stock explained that this document was to acquire an easement for the downtown tank project.

Arlene Dinges: reviewed the environmental document; tank will be at different elevation that requires this property; another easement is in process for property at Dunsmuir High School

Shanta: is there a cost

Craig: yes \$5200

Public Comment: None

Staff: Motion to approve Resolution 2016-08 by title by Keisler, seconded by Craig.

Roll call vote: Keisler yes
 Shanta yes
 Deutsch yes
 Craig yes 4-0-0-1

Arlene Dinges: Housing Element has no additional projects; update of information and policies
Public Comment:

Richard Dinges: Allows for CDBG funding?

Arlene Dinges: No, but Housing Element does; will need two readings of Housing Element

Staff: Motion by Keisler to approve the CEQA Exemption for the updated Housing Element, seconded by Deutsch. Voice vote: 4-0-0-1

Motion to approve the Housing Element by title by Craig, seconded by Keisler. Voice vote: 4-0-0-1

Motion to approve resolution 2016-9 adopting the updated 2014 Housing Element. Voice vote: 4-0-0-1

ADJOURNMENT:

Motion to adjourn at 8:00 pm by Keisler, seconded by Craig. Voice vote 4-0-0-1

Vice Mayor Craig

ATTEST:

Deputy City Clerk Iskra

Check Register Report

MAY '2016 A/P

Date: 05/27/2016

Time: 11:16 am

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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							
48195	05/06/2016	Printed		9447	AUS SACRAMENTO MC LOCKBOX	C.H.MATS&WKLY LNDRY 5-4-16	96.05
48196	05/06/2016	Printed		2635	BASIC LABORATORY, INC.	SPCL PROJ DRNKING WA	192.00
48197	05/06/2016	Printed		10017	CAL-ORE COMMUNICATIONS	MAY '16 COMM SVCS	19.95
48198	05/06/2016	Printed		5325	REBECCA CATLETT	CLN SVC 4-21,24,30-16, 5-1-16	148.50
48199	05/06/2016	Printed		12705	CENTURY COMTEL, INC.	HOSTED ONE TIME SET UP COST	920.36
48200	05/06/2016	Printed		6325	CLEMENS WASTE REMOVAL	WEIGHT/DUMP FEES APR '16	5,662.48
48201	05/06/2016	Printed		10097	COMMUNITY DEVELOPMENT ON CALL	13-CDBG-8968 APR 30,2016	2,925.00
48202	05/06/2016	Printed		10185	ARLENE DINGES	3-30-16/4-30-16 PLANNING SVCS	631.25
48203	05/06/2016	Printed		9850	DUNSMUIR HARDWARE	APR '16 SUPPLIES/MATRL'S	423.68
48204	05/06/2016	Printed		11637	EMPLOYMENT DEVEL (UI)	A. FLORES L0323193792	88.94
48205	05/06/2016	Printed		5219	FERGUSON ENTERPRISES INC,1423	STOCK PARTS	1,086.18
48206	05/06/2016	Printed		10339	GOLDEN STATE EMERGENCY	CALIF SLS TAX INV C1002958-01	15.02
48207	05/06/2016	Printed		10328	HD SUPPLY FACILITIES	FIDO HS HDR PET WASTE	215.89
48208	05/06/2016	Printed		22160	JERRY HILL	REIMB FOR EMT RECERTIFICATION	68.00
48209	05/06/2016	Printed		22620	JULIE ISKRA	DELIVER WILDE PETITIONS MI 92	49.68
48210	05/06/2016	Printed		31625	MEYER & SONS HEATING	1-SUBMERSIBLE PUMP	648.30
48211	05/06/2016	Printed		9870	MT SHASTA AREA NEWSPAPERS	LOT MERGER LEGAL #7544	50.00
48212	05/06/2016	Printed		37106	OFFICEMAX CONTRACT INC.	PUSH PINS	248.48
48213	05/06/2016	Printed		10324	PAUL POCZOBUT JR.	MAY '16 VEHICLE ALLOWANCE	150.00
48214	05/06/2016	Printed		45110	MARIO J. RUBINO	MAY '16 TREASURER MO STIPEN	50.00
48215	05/06/2016	Printed		47676	SMITH BUILDING SERVICES, LLC	APR '16 BLDG SVCS	1,416.67
48216	05/06/2016	Printed		48260	SPORTSMEN'S DEN	ALEX DUNS AWRD&CTY OF YR AWRD	89.48
48217	05/06/2016	Printed		10351	TERRY HANSEN ELECTRIC	REPL LIGHT BASE ON FLORENCE LP	2,347.00
48218	05/06/2016	Printed		50850	VERIZON WIRELESS	APR '16 CELL SVC	245.13
48219	05/13/2016	Printed		1223	ADAMS ASHBY GROUP, INC.	13-CDBG-8968 APR '16	900.00
48220	05/13/2016	Printed		9447	AUS SACRAMENTO MC LOCKBOX	C.H.MATS, WKLY LNDRY 5-11-16	170.57
48221	05/13/2016	Printed		2635	BASIC LABORATORY, INC.	MONTHLY TESTING	413.00
48222	05/13/2016	Printed		9999992265	BAT ELECTRIC, INC.	WWC BLOWER CNTRLS	1,248.00
48223	05/13/2016	Printed		2800	BAXTER AUTO PARTS, INC.	12-KREW 400 WIPES	115.78
48224	05/13/2016	Printed		10353	GARY BENSON	CHILDREN'S PARK RENT MAY '16	725.00
48225	05/13/2016	Printed		4050	BORGES & MAHONEY	BUFFER SOLUTION (2)	373.37
48226	05/13/2016	Printed		9820	CITY OF DUNSMUIR	MAY '16 UTILITIES	431.70
48227	05/13/2016	Printed		9999992267	CROSS, BARBARA	4-15-16 PC WRK SHOP DINNER	29.00
48228	05/13/2016	Printed		48731	DEPARTMENT OF TRANSPORTATION	1-YR RENT '2016	1.00
48229	05/13/2016	Printed		9999999244	GOOD MEDICINE A MEDICAL CORP	RON LA RUE (PE)	240.00
48230	05/13/2016	Printed		10352	METAL WORKS	1-CAST IRON FRAME & CVR	440.00
48231	05/13/2016	Printed		53810	US BANK EQUIPMENT FINANCE	4-20-16/5-20-16 COPIER,PRNTR R	693.12
48232	05/20/2016	Printed		514	ADVANCE INFOSYSTEMS FORMS	PROCESSING SVCS.& SUPPLIES	474.31
48233	05/20/2016	Printed		9936	AL'S SAW SHOP	QUICK LOCK SPEE	169.13
48234	05/20/2016	Printed		9447	AUS SACRAMENTO MC LOCKBOX	C.H.MATS, WKLY LNDRY 5-18-16	96.05
48235	05/20/2016	Printed		2635	BASIC LABORATORY, INC.	ACUTE BIOASSAY	533.00
48236	05/20/2016	Printed		3572	BLUE CROSS OF CALIF	6-1-16/7-1-16 LIFE INS PREM	209.85
48237	05/20/2016	Printed		9437	BLUE STAR GAS	ANNUAL TANK RENT	1.08
48238	05/20/2016	Printed		5325	REBECCA CATLETT	5-4,8,15,16-16 CLN SVC	148.50
48239	05/20/2016	Printed		12705	CENTURY COMTEL, INC.	HOSTED PBX MONTHLY BILLING	641.61
48240	05/20/2016	Printed		5915	CHEM QUIP, INC.	CREDIT 150LB CYLINDER	3,427.33
48241	05/20/2016	Printed		9500	JULIA A. DEW	REIMB DEP J. DEW #351120	150.00
48242	05/20/2016	Printed		10148	DIVERSIFIED ELECTRICAL SVC,INC	LIGHT POLE	2,750.00
48243	05/20/2016	Printed		11255	ELECSYS INTERNATIONAL CORP	JUNE '2016 MO MAINT	223.50

Check Register Report

MAY `2016 A/P

Date: 05/27/2016

Time: 11:16 am

Page: 2

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							
48244	05/20/2016	Printed		12122	EMERGENCY MEDICAL PRODUCTS,INC	MICRO FLEX, ADC PRO EMP	225.68
48245	05/20/2016	Printed		17013	GOLD NUGGET PRINTING CO.	REFUSE ENTERPRISE STICKER	108.25
48246	05/20/2016	Printed		18200	HACH COMPANY	RGT SET, TNT AMVER HR 50 TSTS	121.14
48247	05/20/2016	Printed		25317	KENNY, SNOWDEN & NORINE	MAR `16 LEGAL SVCS	4,784.78
48248	05/20/2016	Printed		1224	LONGHAIR COLLISION WORKS	REPAIR SVCS	2,179.18
48249	05/20/2016	Printed		11470	MME	20FT THROTTLE CABLE	143.88
48250	05/20/2016	Printed		33120	MOUNTAIN COUNTIES SUPPLY CO.	APR `16 VEH FUEL	1,311.50
48251	05/20/2016	Printed		9870	MT SHASTA AREA NEWSPAPERS	ROPDISPLY, LEGAL NOTICES	267.05
48252	05/20/2016	Printed		33130	MT SHASTA CITY	REPAIR E-814	454.74
48253	05/20/2016	Printed		9176	MUNICIPAL CODE CORPORATION	REPUBLICATION, IMAGES,GRAPHS,E	2,473.52
48254	05/20/2016	Printed		39005	PACE ENGINEERING, INC.	ENGINEERING & TRAFFIC SURVEY	6,000.00
48255	05/20/2016	Printed		39043	PAINT MARTS	PARTS FOR PAINT SPRYR	291.85
48256	05/20/2016	Printed		39825	PITNEY BOWES, INC	lease 1-3/4-29-16	155.10
48257	05/20/2016	Printed		44615	RECORD SEARCHLIGHT	NOTICE TO BID 4-1 to 4-30-16	180.44
48258	05/20/2016	Printed		47213	SCHLUMBERGER CONSULTING	13018.1 CITY OF DUNS COMM BLDG	1,042.90
48259	05/20/2016	Printed		24163	SISKIYOU CO. CLERK	STAFF COSTS VERIFYING SIGNATUR	319.71
48260	05/20/2016	Printed		47653	SISKIYOU CO. CLERKS OFFICE	PROCESSING FEE	2,260.25
48261	05/20/2016	Printed		9918	SISKIYOU MEDIA COUNCIL	2-PUB BRDCST 4-7&21-16	400.00
48262	05/20/2016	Printed		53813	U.S. BANK CORP PAYMENT SYSTEMS	BATTERY HOLDERS	173.13
48263	05/20/2016	Printed		53806	USA BLUE BOOK, INC	2.5"USABB LIQ FILLED, ETC	222.27
48264	05/20/2016	Printed		10045	RA MARTIN CONSTRUCTORS INC	`2015 WA MAIN REPL PROJ#204.51	170,408.15
48265	05/27/2016	Printed		1225	ACME COMPUTER	MO BILLING FOR JUNE `2016	833.00
48266	05/27/2016	Printed		9936	AL'S SAW SHOP	MOWBALL HEX RE	54.66
48267	05/27/2016	Printed		1215	ALSCO	PW & WWTP CVRALL RNTLS	32.00
48268	05/27/2016	Printed		9447	AUS SACRAMENTO MC LOCKBOX	C.H.MATS&WKLY LNDRY 5-25-16	96.05
48269	05/27/2016	Printed		10001	CED-REDDING	8&4 FT LAMP KITS	174.91
48270	05/27/2016	Printed		6325	CLEMENS WASTE REMOVAL	COD 20 YD DUMP FEES	19,294.88
48271	05/27/2016	Printed		9850	DUNSMUIR HARDWARE	APR `16 SUPPLIES/MATRL'S	423.68
48272	05/27/2016	Printed		11637	EMPLOYMENT DEVEL (UI)	L0323193792 UNEMPL INS BENEFIT	88.94
48273	05/27/2016	Printed		13074	FEDERAL EXPRESS CORP.	TRANSPORTATION CHRGS	192.99
48274	05/27/2016	Printed		5219	FERGUSON ENTERPRISES INC,1423	STOCK	555.77
48275	05/27/2016	Printed		47610	FISCHER'S SISKIYOU BACKHOE	RNTL HANDICAP CHEM T. PARK	311.38
48276	05/27/2016	Printed		9999999244	GOOD MEDICINE A MEDICAL CORP	D PADILLA (PE)	120.00
48277	05/27/2016	Printed		10355	ROBERT C. & SHARON H. GRACE	EASEMENT DEED (TANK & WA LINE)	5,200.00
48278	05/27/2016	Printed		24875	LILLY JONES	MAY `16 CEMETERY MAINT	583.33
48279	05/27/2016	Printed		10325	MICHAEL BAKER	PROF SVCS ENDING MAY 1,2016	625.22
48280	05/27/2016	Printed		33151	MT SHASTA RECREATION	APR `16 SENIOR NUTRITION	165.00
48281	05/27/2016	Printed		39005	PACE ENGINEERING, INC.	SRF PLANNING GRANT APPL	41,445.00
48282	05/27/2016	Printed		39015	PACIFIC POWER & LIGHT	APR 18 TO MAY 13, 2016 ELEC SV	7,607.39
48283	05/27/2016	Printed		39560	PERSONNEL PREFERENCE, INC	DRUG SCREEN/DARRELL IBBS	26.50
48284	05/27/2016	Printed		10324	PAUL POCZOBUT JR.	MO VEHICLE ALLOWANCE MAY `16	150.00
48285	05/27/2016	Printed		9977	STEVE RICE	WELDING & REPR RR CROSSING LT	50.00
48286	05/27/2016	Printed		47520	SHASTA AUTO SUPPLY	WINDSHIELD WASH	225.84
48287	05/27/2016	Printed		47658	SISKIYOU DAILY NEWS	UTILITY MAINT OPERATOR IN TRAI	508.61
48288	05/27/2016	Printed		47676	SMITH BUILDING SERVICES, LLC	APR `16 BLDG INSP SVCS	1,416.67

Check Register Report

MAY 2016 A/P

Date: 05/27/2016

Time: 11:16 am

Page: 3

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							
48289	05/27/2016	Printed		10351	TERRY HANSEN ELECTRIC	INSTL FNDATION LIGHT (FLORENCE	2,347.00
48290	05/27/2016	Printed		5050	THOMPSON, DAVE	PUMP TESTING	90.00
Total Checks: 96						Checks Total (excluding void checks):	308,535.28
Total Payments: 96						Bank Total (excluding void checks):	308,535.28
Total Payments: 96						Grand Total (excluding void checks):	308,535.28

May 25, 2016

To Whom it may concern,

Dunsmuir Railroad days
show-n-shine, is submitting a
request to use the City parking lot-
June 12, from 11:30am to 5:30pm

signed,

Larry McLendon

City Hall-

River Run
River Road Days Run

Road Closure Plan for River Run
(race starts at 8:00)

7:30 - Close Dunsmuir Ave. from Branstetter St. to Spring St.

This means barricades at the following locations:

- Close south end of Dunsmuir Ave at Branstetter St.
- Close north end of Dunsmuir Ave at Spring St.
- Close side streets along Dunsmuir Ave. at:
 - Oak (both sides)
 - Cedar (east side only)
 - Pine (both sides – depending on what else is closed here)
 - Spruce (west side only)
 - Willow (both sides)
 - Ash (both sides)

8:30 – Open the portion of Dunsmuir Ave. north of Spruce St.

I'll have a volunteer at Spring St. (near Dunsmuir Inn & Suites). When the last runners are out of the area north of Dunsmuir Inn & Suite, he will remove barricades at Spring, Ash, and Willow. He will then move the barricade at Spruce to block Dunsmuir Ave. at Spruce until 9:15.

9:15 – Open all of Dunsmuir Ave. (including the barricade at Spruce)

All runners should be off the roads by this time.

Safety Items (info for Sheriff Dept.)

“Caution – Runners on the Road” signs will be placed at the following locations:

- West end of Stagecoach Rd. where the road drops down to Tauhindauli Park.
- North end of S. 1st. Street (intersection with Bridge St.)
- S. 1st St. about $\frac{3}{4}$ mile south of Bridge St. at the turnaround point.
(These are the areas of concern. I have 3 more signs available if there are other areas.)

Safety Instructions to Runners

- Before the race starts, runners will be informed that Dunsmuir Ave between Branstetter and Spring Streets is the only road that will be closed to traffic.
- Runners will be instructed to stay on the sidewalk across the 800 ft. bridge until they pass under the freeway.
- At all other times they will be asked to run on the left edge of the road where they can see oncoming traffic.

Dunsmuir River Run Course Description

Both 2 and 5 mile races begin at the north crosswalk line on Dunsmuir Avenue at Pine Street.

Both races head north on Dunsmuir Avenue.

At Dunsmuir Inn & Suites, both races make a jog to the right and head down the steep hill to the Sacramento River.

After crossing the railroad tracks and the Sacramento River, both races turn left onto River Ave.

Both races continue north on River Ave. – under the freeway – through Tauhindauli Park – up the steep hill – and onto Stagecoach Road.

Both races turn right at the Chevron station and head south on Dunsmuir Ave.

Course Split - As they approach Dunsmuir Inn & Suites, 2-mile runners continue south on Dunsmuir Ave. to the finish line in front of The Cornerstone. 5-mile runners angle off to the left behind Dunsmuir Inn & Suites and continue south on Sacramento Ave.

Left onto Butterfly Ave. and across the railroad tracks and the river – then Butterfly Ave. turns right and heads south.

At some point Butterfly Ave. becomes Gillis St.

At the end of Gillis St., turn right onto Bridge St. for a short distance – then take the first left onto First St.

Head south on First St. for approximately $\frac{3}{4}$ mile to the turnaround point.

Return north on First Street to Bridge St.

Left at Bridge Street and across the river.

Right onto Scherrer. Continue north on Scherrer Ave. and across the railroad tracks.

Head up the hill and turn left onto Brandstetter Ave.

Right on Dunsmuir Ave. and continue north on Dunsmuir Ave. to the finish line at Pine St.

Notes on Dunsmuir River Run Course Measurements
May 29, 2011

All measurements were made with a measuring wheel and follow USATF guidelines for measuring courses using the "shortest possible route". These guidelines can be found online at <http://www.usatf.org/events/courses/certification/manual/>.

Measurements for both races begin at the north crosswalk line on Dunsmuir Avenue at Pine Street.

5-Mile Course

1 Mile Mark

The 1-mile mark is in Tauhindauli Park west of the freeway. Where the course begins to head up hill there is an asphalt driveway to the left. There is a telephone pole at the start of this drive way with "#4749" on a yellow metal tag. The 1-mile mark is 100 ft. west (uphill) of this telephone pole. There is a small 4-5" diameter dogwood at this spot.

2-Mile Mark

The 2-mile mark is on Sacramento Ave. along the Benson Roofing building – a large tan building about midway between Willow St. and Pine St. Find the metal water valve covers in the sidewalk near the north end of the building. This is the 2-mile location.

3-Mile Mark

The 3-mile mark is on the east edge of First St. at the property line between 400 & 416 First Street.

Turn-around Point

The turn-around point is on First St. about $\frac{3}{4}$ mile south of Bridge Street. There is a tall corrugated metal shed on the east side of the road. There is a manhole cover in the road just south of this metal shed.

The turn-around point is 25 ft. south of this manhole cover.

[Actual measurements to the turn-around point are 3832 ft. south of Bridge Street or 2668 ft. south of the 3-mile mark.]

4-Mile Mark

The 4-mile mark is on the west edge of First St. and 53 ft. south of the 3-mile mark

Finish Line

The finish line is the south crosswalk line on Dunsmuir Avenue at Pine Street.

2-Mile Course

1 Mile Mark

The 1-mile mark is the same as described above for the 5-Mile course.

Finish Line

The finish line is the north crosswalk line in front of The Cornerstone.

[The finish line is actually 225 ft. past the 2-mile mark but at the most convenient location. The actual 2-mile point is near the north end of the buildings that includes the theater. So distance is actually 2.04 miles if anyone wants to make the adjustment.]

Video Production Contract
 The City of Dunsmuir
 Public Broadcasting of City Council Meetings
 Revised on 05/18/2016

The Siskiyou Media Council on behalf of the City's public access PEG channel, MCTV15, respectively requests that this contract be approved by the City of Dunsmuir for videography services provider by SMC/MCTV15 that will begin on January 14, 2016 and will extend through June 16, 2016.

Background

SMC has been contracted to provide the City of Dunsmuir with videography services since April 2015, and is currently working with the communication committee to develop a permanent broadcasting facility for the filming and transmission of city council meetings.

What SMC offers to the City of Dunsmuir

MCTV15, the PEG (Public/Education/Government) channel operated by the Siskiyou Media Council, proposes to continue the filming and posting of the edited footage to the city's web site through December 2016. For this service SMC seeks a fee of \$250.00 per city council meeting. This will include the rental of all equipment, a pre-meeting setup and checkout of the equipment, filming the meeting, and producing, within two business days, an archival DVD and an edited video file to an internet destination of the city's choosing. The cost per meeting is based on a \$50 per hour rate. The estimated hours per meeting are based on the average duration of City Council meetings, setup, takedown, editing and producing time of 5 hours and will apply to any additional work that the City of Dunsmuir requests during this time period. For example, work that SMC is requested to do replacing the AV and PA equipment in the City Council chambers will be at a \$50 per hour rate. The following are the City Council Meetings that are currently within the scope of this agreement:

7/7/2016	10/6/2016
7/21/2016	10/20/2016
8/4/2016	11/3/2016
8/18/2016	11/17/2016
9/1/2016	12/1/2016
9/15/2016	12/15/2016

This agreement can be cancelled, without cause, by either party (The Siskiyou Media Council or the City of Dunsmuir) with 30 days' notice.

 City Of Dunsmuir Approving Signature Date

 SMC Approving Signature Date

 Title

 Title

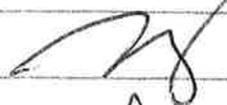
MAY 25, 2015

To; DUNSMUIR CITY COUNCIL
ACTING CITY MANAGER

I ATTACH PETITION SIGNED BY
MORE THAN 100 RESIDENTS OF
DUNSMUIR - NEIGHBORS, BUSINESS
OWNERS, AND SEVERAL COMMUNITY
LEADERS.

ON THEIR BEHALF, I ASK THAT
YOU PLACE THE "VETERAN
MEMORIAL" PROJECT ON YOUR
NEXT AGENDA.

RESPECTFULLY SUBMITTED


PETER ARTA, JR.

COUNTY CLERK'S CERTIFICATE

I, COLLEEN SETZER, County Clerk of the County of Siskiyou, State of California, hereby certify:

That the INITIATIVE MEASURE REGARDING REFUSE COLLECTION AND DISPOSAL, was filed with this office on May 4, 2016.

That said petition consists of 21 Sections;

That each section contains signatures purporting to be the signatures of qualified electors of the City of Dunsmuir;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signatures to that section was the genuine signature of the person whose name it purports to be;

That after the City Clerk filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1.	Number of unverified signatures filed by proponent (raw count)	115
2.	Number of signatures verified	110
a.	Number of signatures found SUFFICIENT	100
b.	Number of signatures found NOT SUFFICIENT	10
c.	NOT SUFFICIENT because DUPLICATE	0

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of May, 2016.



COLLEEN SETZER
County Clerk/Registrar of Voters

COUNTY CLERK'S CERTIFICATE

I, COLLEEN SETZER, County Clerk of the County of Siskiyou, State of California, hereby certify:

That the INITIATIVE MEASURE REGARDING WATER AND SEWER SERVICES, was filed with this office on May 4, 2016.

That said petition consists of 26 Sections;

That each section contains signatures purporting to be the signatures of qualified electors of the City of Dunsmuir;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signatures to that section was the genuine signature of the person whose name it purports to be;

That after the City Clerk filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1.	Number of unverified signatures filed by proponent (raw count)	120
2.	Number of signatures verified	109
a.	Number of signatures found SUFFICIENT	100
b.	Number of signatures found NOT SUFFICIENT	9
c.	NOT SUFFICIENT because DUPLICATE	1

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of May, 2016.



COLLEEN SETZER
County Clerk/Registrar of Voters

COUNTY CLERK'S CERTIFICATE

I, COLLEEN SETZER, County Clerk of the County of Siskiyou, State of California, hereby certify:

That the INITIATIVE MEASURE REGARDING MEDICAL MARIJUANA CULTIVATION, was filed with this office on May 4, 2016.

That said petition consists of 22 Sections;

That each section contains signatures purporting to be the signatures of qualified electors of the City of Dunsmuir;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signatures to that section was the genuine signature of the person whose name it purports to be;

That after the City Clerk filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purportive dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

1.	Number of unverified signatures filed by proponent (raw count)	110
2.	Number of signatures verified	110
a.	Number of signatures found SUFFICIENT	100
b.	Number of signatures found NOT SUFFICIENT	10
c.	NOT SUFFICIENT because DUPLICATE	2

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of May, 2016.



COLLEEN SETZER
County Clerk/Registrar of Voters

Recording requested by:

When recorded, mail to:

Space above this line for Recorder's use

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL ORDERING AN INITIATIVE BE SUBMITTED TO ELECTION,
AND REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION

WHEREAS, on or about March 17, 2016, Leslie Wilde submitted to the City of Dunsmuir (City), a Notice of Intent to Circulate an Initiative Petition entitled "An Ordinance of the City of Dunsmuir Modifying Chapter 8.08 to Title 8 of the City of Dunsmuir Municipal Code Concerning Refuse Collection and Disposal," modifying chapters codified under Title 8 of the Dunsmuir Municipal Code dealing with garbage services; and

WHEREAS, on _____, the Siskiyou County Registrar of Voters verified that the projected number of valid signatures on the Initiative Petition is _____% of the registered voters of the City of Dunsmuir; and

WHEREAS, pursuant to Elections Code § 9215, the City Council must either (a) adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; (b) submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405; or (c) order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented; and

WHEREAS, the City desires to have this matter sent to the November 2016 election, and as such seeks to have this matter qualified for ballot by the July 18, 2016 deadline in order to comply with the requirements of subdivision (a) of Section 1405; and

WHEREAS, the City Council requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for including this measure for the November 2016 election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNSMUIR:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council hereby orders the Siskiyou County Elections Department to include the Measure set forth in "An Ordinance of the City of Dunsmuir Modifying Chapter 8.08 to Title 8 of the City of Dunsmuir Municipal Code Concerning Refuse Collection and Disposal" initiative, for approval or rejection, at the November 2016 general election.

SECTION 3. The City Council hereby requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for conducting the election.

SECTION 4. The acting City Manager is authorized to execute all documents and to perform all other necessary City acts to accomplish getting this measure to the November 2016 ballot.

SECTION 5. The text of the ballot measure is attached to this Resolution as Exhibit 1. The text of the measure shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk's office at 5915 Dunsmuir Ave, Dunsmuir, CA 96025, and on the City's website at www.ci.dunsmuir.ca.us. If not provided in the voter guide, upon request, copies will be sent at the expense of the City.

SECTION 6. The ballot question for the Ballot Measure to Amend the Dunsmuir Municipal Code to Add Chapter 17.34 shall be substantially as follows:

CITY MEASURE ()

Shall "An Ordinance of the City of Dunsmuir Modifying Chapter 8.08 to Title 8 of the City of Dunsmuir Municipal Code Concerning Refuse Collection and Disposal" be adopted, modifying Dunsmuir Municipal Code chapters codified under Title 8 of the Dunsmuir Municipal Code dealing with garbage services?

Yes ()

No ()

SECTION 7. The ballots to be used at the election shall be in form and content as required by law.

SECTION 8. The notice of the time and place of holding the election shall be given in time, form, and manner as required by law.

SECTION 9. The last day to submit arguments for or against the proposed measure shall be June 10, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 10. The last day to submit rebuttal arguments (250 words) for the proposed measure shall be June 20, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 11. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code section 9280 no later than June 20, 2016.

SECTION 12. The initiative measure shall pass only if a majority of the votes cast on the measure are "yes" votes.

SECTION 13. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by the general law for holding municipal elections.

SECTION 14. The Siskiyou County Election Department is authorized to canvas the returns of the election.

SECTION 15. The City Council shall meet to declare the results of the election called for by this Resolution at their first regular meeting following certification of election results.

SECTION 16. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Siskiyou County Election Department.

SECTION 17. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation within the City once within fifteen (15) days after adoption of this Resolution.

SECTION 18. The City Council finds that this is not a project under the California Environmental Quality Act by virtue of the State CEQA Guidelines, 14 Code of California Regulations section 15378, subdivision (b)(3) and, therefore, no environmental impact assessment is necessary.

SECTION 19. If any provision of this Resolution, or any provision of the measure authorized by this Resolution, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.

SECTION 20. This resolution shall become effective immediately following passage and adoption.

PASSED AND ADOPTED this 2nd day of June, 2016, by the following vote:

AYES:
NOES:
ABSENT:

, Mayor

ATTEST:

APPROVED AS TO FORM

, City Clerk

JOHN SULLIVAN KENNY, City Attorney

EXHIBIT 1

**FULL TEXT OF INITIATIVE MEASURE TO BE SUBMITTED
DIRECTLY TO THE VOTERS**

**AN ORDINANCE OF THE CITY OF DUNSMUIR MODIFYING
CHAPTER 8.08 TO TITLE 8 OF THE CITY OF DUNSMUIR MUNICIPAL
CODE CONCERNING REFUSE COLLECTION AND DISPOSAL**

Ordinance #XX will make the following modifications to Chapter 8.08 of the Dunsmuir Municipal Code; the chapter sections not listed will remain unchanged and the chapter sections listed below will be modified to read as follows:

8.08.020 Applicability.

Any resident of the city who voluntarily chooses to be served, and any piece or parcel of property from which any refuse is chosen to be removed, under this chapter, shall be subject to the terms of this chapter and liable for the charges made for such service.

8.08.030 Contract or permit.

As in their discretion if it appears to be for the best interests of the city and the residents thereof, the city council may, on behalf of the city, contract or permit for the performance of any part of the service designated in this chapter. All contracts or permits will be adopted in open city council sessions and allow for public comment.

8.08.060 Collection is not mandatory.

It is not mandatory for all persons in possession of a residence, business or commercial building within the city to subscribe to, pay for, or receive city provided refuse services.

8.08.070 Initiating service.

Refuse collection service can be initiated in conjunction with water and sewer service. The party initiating service will contact the City to request service.

8.08.120 Charges.

The city will determine the rates and fees to be charged for the collection, removal and disposal of refuse in accordance with the following:

A fee or charge for collection, removal or disposal of refuse shall not be extended, imposed, or increased by the city unless it first meets all of the following requirements:

- (1) Fees charged and the revenues derived from the fee or charge shall not exceed the funds required to provide the service.
- (2) Fees charged and the revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.

(3) Fees charged and the revenues derived from any parcel or person shall not exceed the proportional cost of the service attributable to the parcel.

(4) No fee or charge may be imposed for service unless the service is immediately available to the owner of the property in question. Fees or charges based on potential or future use of the service are not permitted.

The city will provide the public an annual report of the solid waste enterprise fund including the fund balance and detailing how the rates were determined and if the rates charged and subsequently spent are in accordance with the above requirements numbered (1), (2), (3), and (4).

The bill for collection, removal and disposal of refuse shall only be combined with the bill for water and sewer at the customer's request. The bill for collection, removal and disposal of refuse may be paid separately from other service charges. Failure to pay any portion of the bill for collection, removal and disposal of refuse will not in any way result in the discontinuance of water or sewer services even if the bills are combined at the customer's request.

The city sets refuse collection rates as follows:

1 65 gal, 1 week	\$16.44
2 65 gal, 1 week	\$32.88
3 65 gal, 1 week	\$49.32
4 65 gal, 1 week	\$65.76
5 65 gal, 1 week	\$82.20
6 65 gal, 1 week	\$98.64
7 65 gal, 1 week	\$115.08
8 65 gal, 1 week	\$131.52
1 65 gals, 2 week	\$32.15
2 65 gals, 2 week	\$64.30
3 65 gals, 2 week	\$96.45
4 65 gals, 2 week	\$128.60
5 65 gals, 2 week	\$160.75
1 65 gals, 3 week	\$37.80
2 65 gals, 3 week	\$75.60
3 65 gals, 3 week	\$113.40
4 65 gals, 3 week	\$151.20
5 65 gals, 3 week	\$189.00
1 65 gals, 5 week	\$49.07
2 65 gals, 5 week	\$98.14
3 65 gals, 5 week	\$147.21
4 65 gals, 5 week	\$196.28
5 65 gals, 5 week	\$245.35
6 65 gals, 5 week	\$294.42
1 95 gal, 1 week	\$24.18
2 95 gal, 1 week	\$48.36
3 95 gal, 1 week	\$72.54
4 95 gal, 1 week	\$96.72
5 95 gal, 1 week	\$120.90
6 95 gal, 1 week	\$145.08

1 95 gals, 2 week	\$38.84
2 95 gals, 2 week	\$77.68
3 95 gals, 2 week	\$116.52
4 95 gals, 2 week	\$155.36
5 95 gals, 2 week	\$194.20
6 95 gals, 2 week	\$233.04
1 95 gals, 3 week	\$50.85
2 95 gals, 3 week	\$101.70
3 95 gals, 3 week	\$152.55
4 95 gals, 3 week	\$203.40
5 95 gals, 3 week	\$254.25
6 95 gals, 3 week	\$305.10

Dumpster rental is \$20 per month per dumpster.

1 yard, 1 week	\$55.34
1 yard, 2 week	\$110.68
1 yard, 3 week	\$166.02
1 yard, 4 week	\$221.36
1 yard, 5 week	\$276.70
1 1/2 yard, 1 week	\$72.58
1 1/2 yard, 2 week	\$145.16
2 yard, 1 week	\$89.81
2 yard, 2 week	\$179.62
2 yard, 3 week	\$269.43
2 yard, 5 week	\$449.05

Medical Dumpster \$128.44

3 yard, 1 week	\$134.73
3 yard, 3 week	\$269.46
3 yard, 4 week	\$538.92
2 2 yard, 1 week	\$158.72
2 2 yard, 2 week	\$317.44
2 2 yard, 3 week	\$476.16
2 2 yard, 4 week	\$634.88
2 2 yard, 5 week	\$793.60
3 2 yard, 1 week	\$227.65
3 2 yard, 3 week	\$682.95

Recording requested by:

When recorded, mail to:

Space above this line for Recorder's use

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL ORDERING AN INITIATIVE BE SUBMITTED TO ELECTION,
AND REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION

WHEREAS, on April 7, 2016, Leslie Wilde submitted to the City of Dunsmuir (City), a Notice of Intent to Circulate an Initiative Petition entitled the "Ordinance #H2O" ballot initiative, modifying chapters codified under Title 13 of the Dunsmuir Municipal Code dealing with water and sewer services; and

WHEREAS, on _____, the Siskiyou County Registrar of Voters verified that the projected number of valid signatures on the Initiative Petition is _____% of the registered voters of the City of Dunsmuir; and

WHEREAS, pursuant to Elections Code § 9215, the City Council must either (a) adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; (b) submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405; or (c) order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented; and

WHEREAS, the City desires to have this matter sent to the November 2016 election, and as such seeks to have this matter qualified for ballot by the July 18, 2016 deadline in order to comply with the requirements of subdivision (a) of Section 1405; and

WHEREAS, the City Council requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for including this measure for the November 2016 election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNSMUIR:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council hereby orders the Siskiyou County Elections Department to include the Measure set forth in the "Ordinance #H2O" ballot initiative, for approval or rejection, at the November 2016 general election.

SECTION 3. The City Council hereby requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for conducting the election.

SECTION 4. The acting City Manager is authorized to execute all documents and to perform all other necessary City acts to accomplish getting this measure to the November 2016 ballot.

SECTION 5. The text of the ballot measure is attached to this Resolution as Exhibit 1. The text of the measure shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk's office at 5915 Dunsmuir Ave, Dunsmuir, CA 96025, and on the City's website at www.ci.dunsmuir.ca.us. If not provided in the voter guide, upon request, copies will be sent at the expense of the City.

SECTION 6. The ballot question for the Ballot Measure to Amend the Dunsmuir Municipal Code to Add Chapter 17.34 shall be substantially as follows:

CITY MEASURE ()

Shall Ordinance #H2O be adopted, modifying Dunsmuir Municipal Code chapters codified under Title 13 of the Dunsmuir Municipal Code dealing with water and sewer services?

Yes ()

No ()

SECTION 7. The ballots to be used at the election shall be in form and content as required by law.

SECTION 8. The notice of the time and place of holding the election shall be given in time, form, and manner as required by law.

SECTION 9. The last day to submit arguments for or against the proposed measure shall be June 10, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 10. The last day to submit rebuttal arguments (250 words) for the proposed measure shall be June 20, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 11. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code section 9280 no later than June 20, 2016.

SECTION 12. The initiative measure shall pass only if a majority of the votes cast on the measure are "yes" votes.

SECTION 13. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by the general law for holding municipal elections.

SECTION 14. The Siskiyou County Election Department is authorized to canvas the returns of the election.

SECTION 15. The City Council shall meet to declare the results of the election called for by this Resolution at their first regular meeting following certification of election results.

SECTION 16. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Siskiyou County Election Department.

SECTION 17. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation within the City once within fifteen (15) days after adoption of this Resolution.

SECTION 18. The City Council finds that this is not a project under the California Environmental Quality Act by virtue of the State CEQA Guidelines, 14 Code of California Regulations section 15378, subdivision (b)(3) and, therefore, no environmental impact assessment is necessary.

SECTION 19. If any provision of this Resolution, or any provision of the measure authorized by this Resolution, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.

SECTION 20. This resolution shall become effective immediately following passage and adoption.

PASSED AND ADOPTED this 2nd day of June, 2016, by the following vote:

AYES:
NOES:
ABSENT:

, Mayor

ATTEST:

APPROVED AS TO FORM

, City Clerk

JOHN SULLIVAN KENNY, City Attorney

EXHIBIT 1

FULL TEXT OF INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

ORDINANCE #H2O

Ordinance #H2O will make the following modifications to chapters codified under Title 13 Public Services of the Dunsmuir Municipal Code; All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this ordinance are hereby repealed; if any provision of the chapter or sections in this ordinance or the application of any provision of the chapter codified in the ordinance to any person or circumstance is held invalid, that invalidity shall not affect any other provision or application of the chapter or sections codified in this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of the chapter codified in this ordinance are expressly made severable; the chapter sections listed will be modified to read as follows:

13.04.10 Purpose.

Because the citizens of Dunsmuir believe access to affordable water service is a human right, the purpose of this chapter will be to ensure the safety of children, the disabled, elderly, indigent, and all citizens and businesses of Dunsmuir have guaranteed access to sufficient amounts of clean, safe and affordable drinking water for personal, domestic, commercial and agricultural use. Additionally the purpose is to provide revenue for the operation of the existing water distribution system of the city and to provide funds for the replacement, extension, maintenance and repair thereof. The purpose is also to provide funds for the operation of the water as it currently exists or may hereafter be modified, all of which must conform to California Constitution Article XIID, as well as any applicable state or federal laws enacted subsequent to the ordinance's adoption.

13.04.020 General Statement.

A. The city will furnish water service in accordance with the regulations hereafter contained, and in accordance with California Constitution Article XIID and other applicable ordinances, to any property within the corporate limits of the city or to other areas adjacent to said limits.

B. Applications for service to premises for which a service connection has already been installed may be made as hereinafter set forth. Such applications will signify the customer's willingness and intention to comply with these regulations and to all modifications thereof, and to new regulations, charges or rates duly adopted, and to make payment for services rendered.

13.04.040 Application for service.

Each applicant and/or customer for water and sewer service shall be required to sign an application form provided by the water department or make application by letter showing the date of application, location of premises to be serviced, mailing address, and date applicant desires service and such other information as may be required. Applicants and/or water and sewer customers shall only be property owners and not tenants. The City shall determine if any current customers are not property owners and subsequently contact the property owner and require the accounts be transferred from tenant to landlord/property owner.

13.04.090 Service connections and meters.

E. Miscellaneous Charges –

1. Warped Disc. No charge will be made for replacing a warped meter disc as these are due to accidental hot water backing up to the meter from the customer's equipment.
2. Shut-Off Valve. When a shut-off valve has been broken at the meter the customer will be advised that it is necessary to have a new shut-off valve inserted at or near their building at which time the valve at the meter will be repaired or replaced by the water department free of charge.
3. Turn On Charges – there will be no fee, tax, charge or assessment for turning on or restoring water service for any reason. The customer retains the option of having the water department restore their service or perform the service themselves.
4. (d) The water department shall not meter water services unless and until it is mandated by California state law in 2024. The City or water department may only monitor meters to gather usage information for statistical purposes.
4. (d)(i) DELETED
4. (d)(ii) DELETED
7. Ownership (Services)
 - (a) The service connection (including the meter and meter box), whether located on public or private property, is the property of the water department, and the department reserves the right to repair, replace and maintain it, as well as to remove it or any other part thereof upon discontinuance of water service or usage with the written authorization of the property owner.
 - (b) The fire hydrant connection, whether located on public or private property, is the property of the water department, and the department reserves the right to repair, replace and maintain it with written authorization of the property owner.
8. Ownership (Private Fire Service). A private fire service connection, (whether a hydrant, or a detector check, meter, vault and box located either on public or private property), is the property of the water department and the department reserves the right to repair, or replace and maintain it as well as to remove it or any part thereof upon discontinuance of water service or usage with written authorization of the property owner.

13.04.120 Bills and payment

A. Rendering of Bills.

1. Meter Readings.
 - a. Meters for residential customers will be read for statistical purposes only until 2024 when California state meter reading mandates take effect. The Council shall set metered rates for residential customers in 2024 in accordance with California Constitution Article XIID and/or other applicable laws.

b. Should monthly billing period contain less than twenty-seven (27) or more than thirty-three (33) days a prorated correction will be made.

3. Flat Rate Service – Residential customers will pay a flat fee for water service throughout the Dunsmuir water service area regardless of meter dimension.

4.(b) DELETED

Payment of Charges and Delinquent Charges

3. Water charges specified shall be charged, collected, and enforced in the same manner for every customer.

C. Billing of Separate Meters not Combined

1. DELETED

D. Charges for Water.

As stated hereinabove, it is deemed to be in the best interests of the citizens of the city to provide access to affordable water service without unlawful interruption.

The initial scheduling of amounts to be established pursuant to these guidelines is delineated on Attachment A, which is attached to the ordinance codified in this chapter and incorporated herein by this reference. Any water schedule or water rates in conflict with those set forth in this ordinance are hereby revoked.

13.04.140 Discontinuance of Service.

A. Non-Payment of Bills

1. If delinquent bills are not paid within (60) days following the date of mailing or delivering the notice of charges it shall constitute a lien on the real property upon and shall be collected by a personal civil suit against the property owner and/or by a special assessment against the real property. The city clerk shall file with the auditor of Siskiyou County, and the county assessor and tax collector, certified copies of the notice of charges and assessment. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to the special assessments. However, if any real property to which the delinquent bill relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of the taxes would become delinquent, then the cost of the delinquent bill shall not result in a lien against the real property but instead shall be transferred to the unsecured roll for collection. Notices or instruments relating to the delinquent bill or special assessment shall be entitled to recordation.

2. DELETED

3. DELETED

4. DELETED

5. DELETED

B. Unsafe Apparatus

1. The water department may refuse to furnish water and may discontinue service to any premises on the water system where the plumbing, apparatus, appliances, or equipment using water is dangerous, unsafe, substandard, or having non-code tanks. Customers may request a hearing in front of the council if this occurs in which the council may make a determination based on evidence and testimony presented by the customer and the water department.

2. The water department does not assume liability for inspecting apparatus on the customer's property. The water department does reserve the right of inspection with prior authorization if there is reason to believe that unsafe apparatus, unsafe appliance or unsafe equipment is in use on the premises.

F. Restoration – Reconnection Charge – DELETED

13.04.220 Control Valves.

B. DELETED

13.04.250 Waste of Water Through Usage

It shall be unlawful for any water user or property owner to waste water derived from the City's water system. When any City employee or police officer finds that water is being wasted as provided in this chapter, the user shall be punished with a \$100 fine per day per incident. It shall be presumed that water is being used wastefully when any one of the following conditions is found to exist:

(A) When the user allows water to disperse from a pipe or water hose freely across any surface without a sprinkler head or nozzle having been attached to said pipe or water hose.

(B) When a user washes down an asphaltic or concrete surface, such as a parking lot or gas station island and yard, during the period of May 1st through October 31st, without a permit from the City or a duly authorized agent (residential surfaced driveways, sidewalks or patios are exempt as long as the user washes down with a hand held hose).

(C) When a private or public lawn, garden or earth surface is watered and/or irrigated in one location, or area, of the yard for a period longer than one hour.

(D) When the watering and/or irrigation is allowed to continue on private or public premises for a period longer than four hours during a 24-hour period.

(E) When vehicles are washed at commercial establishments and the water supply hose is allowed to disperse water across a surface, or into a drain, while the washing operation takes place. The washing of private vehicles at residential sites, with a free running hose, with a shut-off nozzle utilized at the end of the hose is permissible; provided, however, water shall not disperse onto a street, or alley, for a period longer than 30 minutes.

(F) When a water user allows water to run over or across a sidewalk or curb, and disperse onto a City street, alley or adjacent area for a period of more than 30 minutes.

(G) When a water user allows water to be used for the source of cooling, save and except properly installed evaporating coolers and/or cooling towers.

13.04.260 Access to Premises.

A. The water department or its duly authorized agent shall at all reasonable times and upon authorization from the property owner have the right to enter or leave the customer's premises for any purpose properly connected with the service of water to the customer.

Chapter 13.08 SEWER SYSTEM

13.08.010 Purpose.

The purpose of this chapter is to provide for the maximum possible beneficial public use of the city's facilities through adequate regulation of sewer construction, sewer use and industrial wastewater discharges, to provide for equitable distribution of the city's costs, and to provide procedures for complying with requirements places upon the city by other regulatory agencies and California state law.

13.08.020 Scope.

The provisions of this chapter shall apply to all wastewater discharged to the city's public sewer, and such provisions are intended to be consistent, where appropriate, with the Uniform Plumbing Code. The provisions of this chapter shall apply to the direct or indirect discharge of all liquid carried wastes to facilities of the city. This chapter, among other things, provides for the regulation of sewer construction in areas within and without the city, the quantity and quality of discharged wastes, the degree of waste pretreatment required, the setting of waste surcharge fees to provide for equitable distribution of costs, the approval of plans for sewer construction, the issuance of permits for industrial wastewater discharge, and of other miscellaneous permits and the establishment of penalties for violation of this chapter.

13.08.050 Connection fees and service charges – Rate schedule – Monthly service charges for use of facilities.

Connection fees for service previously established by Ordinance 531 remain unchanged. Wastewater connection fees do not include applicant's cost for an acceptable licensed contractor to connect to the city sewer main. These costs are in addition to the connection fee.

The new sewer rate schedule and monthly service charges are hereby incorporated in Attachment B, attached to the ordinance codified in this chapter and shall be kept on file in the city clerk's office. Any sewer rate schedule in conflict with those rates set forth in this ordinance is hereby revoked.

13.08.060 Council may change rate schedule by resolution.

The city manager shall submit annually a revised Attachment B during budget adoption and the city clerk's office shall retain on file in the city clerk's office or codified copy in this chapter. Any changes to Schedule B must be in strict accordance with California Constitution Article XIID.

13.08.070 Payment of charges and delinquent charges.

A. All rates, fees and charges imposed under the provisions of this chapter are due and payable upon receipt of the notice of charges and may be billed monthly, bimonthly or quarterly in advance. Unpaid charges shall

become delinquent twenty-five (60) days after mailing or delivering the notice of charges. A basic penalty charge of ten (10) percent of the unpaid amount shall be added to any fee or charge that remains delinquent on the first day of the month following mailing or delivery. Interest at the rate of one-half of one percent per month shall accrue on the total of all such delinquent charges plus all penalty charges.

B. Sewage service charge specified shall be charged, collected and enforced in the same manner, at the same time, and by the same person, or persons, as are the charges for water service furnished by the city, and the amount thereof shall be included in the total amount due for water service. All provisions of this code and the city ordinances applicable to the charge, collection and enforcement of rates for water service furnished by the city are made applicable to this chapter. Persons subject to this chapter but who are not subject to garbage service, shall be charged and billed separately for sewage services but shall be billed in the same manner and at the same time as persons subject to garbage service.

13.08.350 Violation – Penalty – Civil liability.

Every person violating any provision of this chapter, including the failure to pay connection or permit fees, charges or surcharges imposed hereby, or any condition or limitation of a permit or plan approval issued pursuant thereto, is guilty of an infraction and upon conviction is punishable as set forth in Section 36900 of the California Government Code. Each day during which any violation continues shall constitute a separate and subsequent offense punishable as provided in said Section 36900. The City may sue to recover any amounts due the city under the provisions of this chapter.

WATER

ATTACHMENT – A

Every location or person which receives water service from the City of Dunsmuir water system, whether within the city limits or not shall pay as a charge for the delivery of water as follows:

Rates & Charges

Maximum Charge Per Month for Residential and Commercial

5/8 x 3/4"	meter	\$26 flat fee
3/4"	meter	\$32.70 flat fee
1"	meter	\$52.78 flat fee
1 1/2"	meter	\$99.25 flat fee
2"	meter	\$151.85 flat fee
3"	meter	\$268.10 flat fee
4"	meter	\$398.22 flat fee

SEWER

ATTACHMENT – B

Every property or person which is serviced by the sewer system of the City of Dunsmuir, whether within the city limits or not shall be assessed by the City as a charge for the use of such sewer utilities a monthly sewer service charge payable monthly in advance, as follows:

Rates & Charges

RESIDENTIAL

Single family dwelling	\$30.08 flat fee
Apartments per unit	\$25.08 flat fee
Mobile homes	\$25.08 flat fee

COMMERCIAL

Motel and Hotel	\$30.08 flat fee plus \$9.44 per unit if occupied*
Retail	
Low flow	\$30.08
Avg. Flow	\$51.00
Grocery Store	
Low Flow	\$102.93
Avg. Flow	\$167.15
High Flow	\$220.80
Bars/Restaurants	\$79.96
Avg. Flow	\$95.71
High Flow	\$112.79
Gas Stations	\$35.81 flat fee
Medical/Dental	\$45.01 flat fee
High School	\$219.96 flat fee if less than 100 students+staff \$247.88 flat fee if more than 100 students+staff
Elementary School	\$243.29 flat fee if less than 100 students+staff \$277.97 flat fee if more than 100 students+staff
Phone Companies	\$71.84 flat fee
Railroad	
Railroad	\$593.28 flat fee
U.P. Modular	\$641.09 flat fee

*Hotels and Motels will be charged \$9.44 per unit if the room is occupied more than 10 days in a calendar month based on TOT receipts.

Recording requested by:

When recorded, mail to:

Space above this line for Recorder's use

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL ORDERING AN INITIATIVE BE SUBMITTED TO ELECTION,
AND REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION

WHEREAS, on April 14, 2016, Leslie Wilde submitted to the City of Dunsmuir (City), a Notice of Intent to Circulate an Initiative Petition entitled the "Ordinance #420" ballot initiative, adding Chapter 17.34 to the Dunsmuir Municipal Code, concerning the regulation of medical marijuana cultivation; and

WHEREAS, on _____, the Siskiyou County Registrar of Voters verified that the projected number of valid signatures on the Initiative Petition is _____% of the registered voters of the City of Dunsmuir; and

WHEREAS, pursuant to Elections Code § 9215, the City Council must either (a) adopt the ordinance, without alteration, either at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented; (b) submit the ordinance, without alteration, to the voters pursuant to subdivision (b) of Section 1405, unless the ordinance petitioned for is required to be, or for some reason is, submitted to the voters at a special election pursuant to subdivision (a) of Section 1405; or (c) order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented; and

WHEREAS, the City desires to have this matter sent to the November 2016 election, and as such seeks to have this matter qualified for ballot by the July 18, 2016 deadline in order to comply with the requirements of subdivision (a) of Section 1405; and

WHEREAS, the City Council requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for including this measure for the November 2016 election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUNSMUIR:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The City Council hereby orders the Siskiyou County Elections Department to include the Measure set forth in the "Ordinance #420" ballot initiative, for approval or rejection, at the November 2016 general election.

SECTION 3. The City Council hereby requests the Board of Supervisors to permit the Siskiyou County Elections Department to provide any and all services necessary for conducting the election.

SECTION 4. The acting City Manager is authorized to execute all documents and to perform all other necessary City acts to accomplish getting this measure to the November 2016 ballot.

SECTION 5. The text of the ballot measure is attached to this Resolution as Exhibit 1. The text of the measure shall be printed in the ballot materials; a copy of the measure shall be available for public inspection in the City Clerk's office at 5915 Dunsmuir Ave, Dunsmuir, CA 96025, and on the City's website at www.ci.dunsmuir.ca.us. If not provided in the voter guide, upon request, copies will be sent at the expense of the City.

SECTION 6. The ballot question for the Ballot Measure to Amend the Dunsmuir Municipal Code to Add Chapter 17.34 shall be substantially as follows:

CITY MEASURE ()

Shall the Dunsmuir Municipal Code be amended to add Chapter 17.34 regulating medical marijuana cultivation within the City?

Yes ()

No ()

SECTION 7. The ballots to be used at the election shall be in form and content as required by law.

SECTION 8. The notice of the time and place of holding the election shall be given in time, form, and manner as required by law.

SECTION 9. The last day to submit arguments for or against the proposed measure shall be June 10, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 10. The last day to submit rebuttal arguments (250 words) for the proposed measure shall be June 20, 2016. Submittals are to be delivered to the City Clerk on or before 4:00 p.m.

SECTION 11. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney and directs the City Attorney to prepare an impartial analysis of the measure pursuant to Elections Code section 9280 no later than June 20, 2016.

SECTION 12. The initiative measure shall pass only if a majority of the votes cast on the measure are "yes" votes.

SECTION 13. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by the general law for holding municipal elections.

SECTION 14. The Siskiyou County Election Department is authorized to canvas the returns of the election.

SECTION 15. The City Council shall meet to declare the results of the election called for by this Resolution at their first regular meeting following certification of election results.

SECTION 16. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the Siskiyou County Election Department.

SECTION 17. The City Clerk shall publish a copy of this Resolution in a newspaper of general circulation within the City once within fifteen (15) days after adoption of this Resolution.

SECTION 18. The City Council finds that this is not a project under the California Environmental Quality Act by virtue of the State CEQA Guidelines, 14 Code of California Regulations section 15378, subdivision (b)(3) and, therefore, no environmental impact assessment is necessary.

SECTION 19. If any provision of this Resolution, or any provision of the measure authorized by this Resolution, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable.

SECTION 20. This resolution shall become effective immediately following passage and adoption.

PASSED AND ADOPTED this 2nd day of June, 2016, by the following vote:

AYES:

NOES:

ABSENT:

, Mayor

ATTEST:

APPROVED AS TO FORM

, City Clerk

JOHN SULLIVAN KENNY, City Attorney

EXHIBIT 1

FULL TEXT OF INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

ORDINANCE #420

Ordinance #420 will add Chapter 17.34 to the Dunsmuir Municipal Code; All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this ordinance are hereby repealed; if any provision of the chapter or sections in this ordinance or the application of any provision of the chapter codified in the ordinance to any person or circumstance is held invalid, that invalidity shall not affect any other provision or application of the chapter or sections codified in this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of the chapter codified in this ordinance are expressly made severable; Chapter 17.34 will thus be created and added to the Dunsmuir Municipal Code and read as follows:

Chapter 17.34 Medical Marijuana Cultivation

Sections:

17.34.010 Purpose and Intent

17.34.020 Applicability

17.34.030 Definitions

17.34.040 Allowable Accessory Use

17.34.050 Indoor Cultivation

17.34.060 Outdoor Cultivation

17.34.070 Other Requirements

17.34.080 Violations-Penalties

17.34.090 Severability

17.34.010 Purpose and Intent.

America's Founders clearly understood private property is the foundation not only of prosperity but of freedom itself. Thus, through the common law, state law, and the Constitution they protected property rights and the rights of people to freely acquire, use, and dispose of private property.

It is no accident that a nation conceived in liberty and dedicated to justice for all protects private property rights. Property is the foundation of every right we have, including the right to be free.

The purpose of this ordinance is to standardize the cultivation of marijuana in a fair and reasonable manner in order to protect the property rights of qualified persons, patients and caregivers to cultivate marijuana under California State law.

Its further intent is to recognize and support the right of patients and qualified users to the quiet enjoyment and lawful use of private property this legal cultivation activity provides all residents of California regardless of jurisdiction.

No part of this section shall conflict with California state law, the Compassionate Use Act, the Medical Marijuana Program Act or otherwise permit any activity which is prohibited under these Acts or any other state law, statute, rule or regulation.

17.34.020 Applicability.

The provisions of this section shall apply to all persons and properties in the City of Dunsmuir whether the activities described herein were established before or after the effective date of this section.

Any property used for the cultivation of marijuana shall be brought into full compliance with California state law and the provisions of this section within 3 months of the effective date of the ordinance establishing this section.

17.34.030 Definitions.

For the purposes of this Chapter, certain terms used herein are defined as follows:

“Cultivation” means the planting or growing of marijuana.

“Indoors” means within a fully enclosed structure or building.

“Outdoors” means any location that is not within a fully enclosed structure or building.

“Medical Marijuana” means any plant(s) or part(s) thereof of the genus Cannabis that is used by an individual to treat a medical condition or has been recommended by a licensed physician in strict accordance with California Health and Safety Code Sections 11362.5 through 11362.83, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program Act.

“Marijuana” means any plant(s) or part(s) thereof of the genus Cannabis.

“Property” means any legal parcel of land.

“Primary Caregiver” means primary caregiver as defined in Health and Safety Code section 11362.7(d).

“Qualified Patient” means defined in Health and Safety Code section 11362.7(f).

“Qualified Person” means any person allowed by California state law to use, possess or cultivate marijuana.

17.34.040 Allowable Accessory Use.

Qualified patients, qualified persons, and designated primary caregivers shall be allowed to cultivate marijuana consistent with California state law. Cultivation activities shall be at a scale that is accessory to the primary use of the property and must be consistent with the standards established below.

17.34.050 Indoor Cultivation.

Ventilation and exhaust odor filtration shall be provided in a manner suitable to ensure that indoor marijuana cultivation shall not create humidity, mold, or odor problems for nearby residents.

A. A building permit shall be obtained when required by California state building codes, for the proper installation of any equipment required to mitigate humidity, mold or odor problems.

B. All electrical equipment (e.g. lights, fans, dehumidifiers, etc.) used in the cultivation of marijuana which draws more than 400 watts per outlet shall be installed on a dedicated circuit or circuits.

17.34.060 Outdoor Cultivation.

The cultivation of marijuana outdoors must be in accordance with California state laws regulating this activity.

17.34.070 Other Requirements.

The cultivation of marijuana shall not adversely affect the health or safety of nearby residents by creating glare, excessive heat, noxious gasses, smoke, or extreme vibration.

17.34.080 Violations-Penalties.

Any person who is found to be in violation of any provision of this section, upon proper written notification, will be given ninety (90) days to come into compliance, any person who subsequently fails to perform required abatement after ninety (90) days shall be guilty of an infraction and punishable by fines up to \$50 per day, not to exceed \$500 for any single violation.

No other fines or penalties outside of this section shall be established, recognized or applied to any violation of any section of Chapter 17.34 of the Dunsmuir Municipal Code.

17.34.090 Severability.

If any provision of this chapter to any person or circumstance is held invalid, that invalidity shall not affect any other provision or application of the chapter or sections codified in this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of the chapter codified in this ordinance are expressly made severable.

Resolution 2016- ___

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNSMUIR
CALLING AND GIVING NOTICE OF AN ELECTION TO BE HELD ON
NOVEMBER 8, 2016 AND REQUESTING CONSOLIDATION OF THIS
ELECTION WITH THE STATEWIDE GENERAL ELECTION**

WHEREAS, under the provisions of the laws relating to general law cities of the State of California and the City of Dunsmuir, a Municipal Election shall be held on November 8, 2016 for the election of certain elected positions, ballot measures and/or referendums; and

WHEREAS, pursuant to the California Elections Code, the City Council of the City of Dunsmuir calls and gives notice of the Municipal Election; and

WHEREAS; it is desirable that the Municipal Election be consolidated with the Statewide Election to be held on the same date, and that within the City, the precincts, polling places, and elections officers of the two elections be the same, and that the County Clerk's Office of the County of Siskiyou canvass the returns of the Municipal Election and that this Election be held in all respects as if there were only one Election.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF DUNSMUIR
DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS
FOLLOWS:**

Section 1: Pursuant to the requirements of the laws of the State of California relating to general law cities, there is called ordered to be held in the City of Dunsmuir on Tuesday, November 8, 2016 a Municipal Election for the purpose of electing three City Council Members, one City Clerk, one Treasurer and any ballot measure and/or referendum.

Section 2: The polls for the election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously until 8:00 p.m. when the polls shall be closed pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code.

Section 3: Notice of the time and place of holding the election is given and the County Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

Section 4: Pursuant to the Requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Siskiyou is hereby requested to consent and agree to the consolidation of the City of Dunsmuir Municipal Election with the Statewide Election to be held on November 8, 2016.

Section 6: That the County Clerk's Office is authorized and instructed to procure and furnish any and all official ballots, notices, printed matter and all supplies and equipment and other necessary items in order to properly and lawfully conduct the election.

Section 7: That the County Clerk's Office is authorized to canvass the returns of the Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 8: That the City of Dunsmuir recognizes that additional cost will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs that are not reimbursed by the State.

Section 9: That the City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and County Clerk's Office of the County of Siskiyou.

PASSED AND ADOPTED at a Regular Meeting of the City Council of the City of Dunsmuir held on the 2nd day of June, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk

Acme Computer Quote



From: Tau Swearingen
 Acme Computer
 1512 S Oregon Street
 Yreka, CA 96097
 United States
 (877) 630-2263
 tau@acmecomputer.com

Prepared for: Julie Iskra
 City of Dunsmuir
 5915 Dunsmuir Ave
 Dunsmuir, CA 96025
 United States
 (530) 235-4822
 utilitybilling@ci.dunsmuir.ca.us

Quantity	Description	Unit Price	Ext. Price
1.00	OPTIPLEX 3040 - INTEL CORE I5-6500 PROCESSOR - WINDOWS 7 PRO INCLUDES WINDOWS 10 LICENSE - 8GB DDR3L MEMORY - 500GB HARD DRIVE - VIDEO CARD - 8X DVD R/W - 4 YEAR PRO SUPPORT WARRANTY	\$1,111.99	\$1,111.99
1.00	DELL 22" MONITOR	\$228.56	\$228.56
1.00	ENVIRONMENTAL DISPOSAL FEE	\$4.00	\$4.00
1.00	SHIPPING	\$63.99	\$63.99
4.00	Labor: Setup and configure new workstation. test software and verify that all setting and software is installed and working. Check with end users and verify that are happy with the installation	\$125.00	\$500.00
		Subtotal:	\$1,908.54
		Sales Tax:	\$100.54
		Total:	\$2,009.08

All quotes valid for 30 days only. Vendor prices are subject to change without notice.

Signature: _____

Date: _____