

**AGENDA FOR THE REGULAR MEETING
DUNSMUIR CITY COUNCIL**

January 18th, 2024

REGULAR SESSION: 6:00 pm

Join Zoom Meeting: <https://us02web.zoom.us/j/84424135442>

Or Call: +1 669 900 6833

Enter Meeting ID: 844 2413 5442

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

- 1. CALL TO ORDER AND FLAG SALUTE**
- 2. ROLL CALL**
- 3. SPECIAL PRESENTATIONS AND ANNOUNCEMENTS**
- 4. PUBLIC COMMENT**

Regular City Council meetings are posted on the City's website 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.

- 5. COUNCIL AND STAFF COMMENTS**
- 6. COMMITTEE REPORTS**
- 7. APPROVAL OF MINUTES** – of January 11th, 2023
- 8. CONSENT AGENDA:**
 - A. Check Register: 1/6-1/12/23**
- 9. PUBLIC HEARING: NONE**
- 10. OLD BUSINESS**
 - A. Municipal Code Review Ad hoc Committee Appointment**
- 11. NEW BUSINESS**
 - A. Agreement to establish a Mossbrae Falls Trail Donation Fund with the Community Foundation of the North State**
 - B. Review Siskiyou Economic Development Council MOU for Approval or Denial**
 - C. Review and Appointment of Administrative Hearing Officer**
- 12. FUTURE AGENDA ITEMS**

Future Agenda Items are topics brought to the City Council for review and/or action. All dates refer to first introductions and can be altered due to time and priority levels.

- Fireworks Ordinance
- Historic Commission Reformation and/or Review
- Cannabis Ordinance
- Land Acknowledgement
- Special Event Ordinance
- Sheriff's Contract Extension
- Park & Rec Joint Meeting
- Snow Removal Policy & Parking Ordinance
- RFP for Planning
- Public Works Building Bid Documents
- Code Enforcement Update

13. ADJOURNMENT

Copies of this agenda were posted at City Hall, Dunsmuir City Library, and City Website 72 hrs. prior to meeting time.

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.

Wendy Perkins, Deputy City Clerk

Date

CITY OF DUNSMUIR
CITY COUNCIL SPECIAL MEETING MINUTES
January 11th, 2024

CALL TO ORDER AND FLAG SALUTE:

Meeting was called to order @ 6:02 pm by Mayor Clarno

ROLL CALL:

Council members present: Bryan (Arrived late at 6:15 p.m.) Lucchesi, Keisler, Deutsch, Clarno

Absent: Bryan arrived late (was missing for roll call)

City staff present: City Manager Rief, Deputy City Clerk Perkins

SPECIAL PRESENTATIONS AND ANNOUNCEMENTS

There were no special presentations or announcements.

PUBLIC COMMENT - Open at 6:03 p.m.

Arth – Concerns with Downtown revitalization, protection of historic district and housing. Comments and concerns regarding this. It is concerned with all three issues including empty and distressed building ordinance. Closed at 6:06 p.m.

COUNCIL AND STAFF COMMENTS

Rief – actively plowing snow. 4 new employees are getting their feet wet.

Clarno – Discusses discrepancy in snow removal signage, 2” vs. 3” for snow removal equipment to become active. Wants clarity on this communicated to the public. Working on full time employee who shall be focused on disaster preparedness, starting in February. Thanks crews for snow removal.

Ortiz – December report on stats. 664 hours. 208 calls for service. 19 cases. 4 citations, 2 traffic citations. 6 misdemeanor arrest, 1 felony. 2 DUI arrests. (Councilman Bryan arrives tardy @ 6:15 p.m.)

Keisler – Hope everyone had a good holiday. Thanks to the snow removal public works crew. Thinks they did an exceptional job. Wants to know if there is a code red type of program to inform residents in a snow removal situation to take vehicles off the street.

Deutsch - Has been thinking about lack of affordable housing.

Lucchesi - Active transportation plan is out and available for public comment. Will go to PC in February.

COMMITTEE REPORTS None

APPROVAL OF MINUTES of December 7th, 2023

Motion to approve minutes by Keisler , 2nd by Lucchesi

All in favor.

CONSENT AGENDA

A. Check Register: 12/2/23-1/5/2024

Motion to adopt consent agenda by Keisler 2nd by Lucchesi. All in favor.

PUBLIC HEARINGS: NONE

OLD BUSINESS:

A. AMTRAK Dogwood Trees

City Manager Rief introduces the item. Amtrak is renovating the area around the dogwood trees which belongs to them. They need to remove the dogwood trees in order to do this. Dogwoods would likely die if transplanted elsewhere. Staff found an alternate location to plant dogwood trees, Caboose Park. These area needs a spruce up anyway. Staff makes recommendations to allow the planting of new dogwood trees in this area. Money has not allocated to this endeavor in terms of purchasing new trees. Wants confirmation of location. Public comment open at 6:30 p.m. None.

Motion by Lucchesi 2nd by Deutsch to approve location of Caboose park to plant dogwood trees. All in favor.

NEW BUSINESS:

A. Adopt Resolution Establishing a Municipal Code Review Ad hoc Committee

Rief introduces this item and goes over his recommendation. Has heard lot of public comment regarding some of our code. Wants council to establish this committee by passing the resolution establishing.

City Council members assigned to this committee are to be determined at a future meeting.

Concerns that there are no members of the public assigned. Council members are concerned that their constituents will not be heard unless they are part of this ad-hoc. Plan is to have committee to meet on a quarterly basis.

Lucchesi is concerned that if it is planning and zoning related, that it first goes to planning and then back to council. **Public comment** open at : 6:40 p.m.

Arth – Doesn't understand what this committee is about. Has no deliverables. His interest is on future agenda items. Sees the historic district reformation on the future agenda items. Still haven't gotten to this. Historic district is suffering through the last few years. Historic District delegates have no staff or mandate. Urges council to stop kicking the can and punting the ball. No entrepreneur or investor will be interested in our downtown with the way it is being managed.

Bailey – Is concerned that no citizens will be involved and that there will not be a conflict of interest form 700 required.

Manya **Bryan** – Wonders if this committee will be looking at current municipal code and comparing it to state laws or mandates which must also be followed.

Lucchesi – Standing committee subject to Brown Act. Ad-Hoc's are two members of an elected or appointed body or a minority of the body. Ad Hoc is more of a specialized committee. Is in favor of forming the ad hoc committee.

Motion by Deutsch 2nd by Keisler to adopt Resolution 2024-01 Establishing a Municipal Code Review Ad Hoc Committee.

Ayes: Lucchesi, Bryan, Deutsch, Keisler, Clarno

Noes: None

Absent: None

Abstain: None

Will be brought back for appointment at a future meeting.

B. Discuss Increasing Transient Occupancy Tax for Airbnb's and Hotels

CM Rief introduces the item and goes over his staff report.

Two choices 1) Increase goes to general funds (requires majority of voters – 51% or more of voters) or 2) Make it specific to a fund (requires 2/3 majority)

Discussion: It's tough to get a 2/3 vote. Recommendation to keep it as general with just majority vote. City uses it a general fund revenue.

Public Comment – Open at 6:58 p.m.

Marc Rowley – Mossbrae Hotel. It's a good idea. If you dedicate that to your general fund, part of it should always go back to marketing, community improvement. There is an urgency here. They are watching property spiral down. They are losing customers. They are looking for an exit strategy from Dunsmuir. Tools like TOT funding towards marketing the town could help. TBID should be used more effectively. Hotels need the marketing money. Compares Dunsmuir to a classic tourist town, in general they are thriving, but not Dunsmuir. Shopping is still the #1 activity in Tourist communities. Dunsmuir needs to unlock their doors and be open. Weak link is merchants. Often have to look to others outside the area to take a risk on investing in business ventures.

Clothier – Makes some comments on 2nd Saturday's. We want to look like Cave Springs marketing!

Bailey – No member of body can make comment on this until it's on the ballot.

Leshefsky – Mentions that no bay area people seem to know there is another mountain to go skiing at. Most bay area folk have never heard of Mt. Shasta. Need more marketing!

Further discussion. **Lucchesi** is in favor of TOT tax. It does not affect any of our residents. It is purely a tax on visitors. We cannot have more than two things regarding taxes on the ballot. It will dissuade voters.

Motion by Lucchesi 2nd by Keisler to prepare the ballot initiative to raise the TOT taxes by 2.5% and select the increase goes to general fund for FC consideration.

Bryan wants to set at 4%.

Voice Vote: AYES: Lucchesi, Keisler, Deutsch, Clarno
 NOES: Bryan
 ABSENT: None
 ABSTAIN: None

C. Discuss Housing Vacancy Tax on vacant Residential Units to fund Housing Element programs.

City manager Rief goes through his staff report and recommendation. City has approximately 300 vacant residences according to the latest census data. Idea is to increase revenues to address housing issues. Will improve housing stock, encourage investment and increase the population and economy of Dunsmuir. This item is for discussion only.

Public comment open at 7:21 p.m.

Rowley – Encourages council to consider it.

Clother – People that don't live here should throw some cash into the community.

Leshefsky – Next door neighbor doesn't live here but gave \$40,000 to Dunsmuir to help improve our parks and pool. Also believes it is within the right of the homeowner to do what they want with their property.

Discussion: **Clarno**.

Have very mixed feelings about this. The folks that own 2nd and vacation homes in this community are part of our community. We have friends and acquaintances who have 2nd homes in Dunsmuir. Many folks have been coming up for generations now. Careful in considering this item. Most 2nd homeowners will not get to vote on this since they may not be registered voters here.

Lucchesi - wishes to continue the item. Business Licenses are (generally) taxes on people that don't necessarily vote here. Wants to see cost benefit analysis. Wants more info before she can move forward. If we do, wants it to be a special tax on seed housing. Has concerns about how it is levied, is it by property or parcel? Some folks have multiple parcels. We already have a vacant and distressed building ordinance.

Bryan – Has questions about administration of it. How do we determine if it's vacant or not? Wants short term rentals exempted. Wants a comprehensive analysis of the vacant stock.

Deutsch – Is conflicted.

Motion by Lucchesi to request additional information listed.

Bryan wants a breakdown.

Rief explains his thought process. Doesn't want to waste any additional resources.

Wants to make sure there is interest in pursuing this before allocating resources.

Motion by Clarno 2nd by Deutsch to forward on to finance committee to ensure list of questions brought up today is sufficient for staff to look into, and prioritize which one to place on ballot. All in favor.

FUTURE AGENDA ITEMS

City employee dismissal appeal process (employee is not officially terminated)

ADJOURNMENT @ 7:37 p.m.

Mayor Clarno

ATTEST:

Deputy City Clerk Perkins

Check Register Report

1.6.24 to 1.12.24

Date: 01/12/2024

Time: 10:24 am

Page: 1

City of Dunsmuir

BANK: U.S. BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
U.S. BANK Checks								
58522	01/12/2024	Printed			514	ADVANCED INFOSYSTEMS	Jan 2024 Billing	420.55
58523	01/12/2024	Printed			1910	AT&T	lift station alarm phones	175.52
58524	01/12/2024	Printed			10824	BAKER, WINTU	Oct-Dec 2023 Fire Call Outs	237.00
58525	01/12/2024	Printed			2800	BAXTER AUTO PARTS, INC.	hydraulic fitting for rodder	192.24
58526	01/12/2024	Printed			10793	BIG VALLEY SANITATION	porta potty Amtrak Dec23	234.00
58527	01/12/2024	Printed			10773	CAPITAL ONE TRADE CREDIT	credit line for Northern tool	43.09
58529	01/12/2024	Printed			9820	CITY OF DUNSMUIR	wtr dep retrn 24526 Anderson	2,410.00
58530	01/12/2024	Printed			10883	COE, THEODORE	Oct-Dec 2023 fire call outs	139.50
58531	01/12/2024	Printed			6630	ANTHONY CONGI	Oct-Dec 2023 Fire Calls	120.00
58532	01/12/2024	Printed			10580	CROSS CONNECTIONS	Radio holster, d rings	107.91
58533	01/12/2024	Printed			7899	JOHN A. DELGADO	Fire Call outs Oct-Dec 2023	68.00
58534	01/12/2024	Printed			9850	DUNSMUIR TRUE VALUE	wardware Dec 2023	506.02
58535	01/12/2024	Printed			9830	DUNSMUIR VOL. FIREMAN'S ASSOC	Oct-Dec 2023 Association Dues	588.00
58536	01/12/2024	Printed			17013	GOLD NUGGET PRINTING CO.	city hall receipt form	447.32
58537	01/12/2024	Printed			9273	RONALD L. GRIFFITH	Fire call outs Oct-Dec 2023	20.50
58538	01/12/2024	Printed			18600	JOSEPH HATTEN	fire call outs Oct-Dec 2023	178.50
58539	01/12/2024	Printed			18610	A.C. HEILMAN	Fire call outs Oct-Dec 2023	48.50
58540	01/12/2024	Printed			10572	HINES, THELMA MARIELLA	fire call outs Oct-Dec 2023	22.50
58541	01/12/2024	Printed			19592	MARLENE HINES	fire call outs Oct-Dec 2023	6.50
58542	01/12/2024	Printed			19597	MARTIN HINES	Fire call outs Oct-Dec 2023	120.00
58543	01/12/2024	Printed			19595	PATRICK J. HINES	Fire call outs Oct-Dec 2023	42.00
58544	01/12/2024	Printed			21809	NICHOLAS B. IMHOFF	Fire call outs Oct-Dec 2023	68.00
58545	01/12/2024	Printed			25317	KENNY & NORINE	File 6736 General Legal	4,055.00
58546	01/12/2024	Printed			7260	L.N. CURTIS AND SONS, INC	hazmat boots w/ steel toe	732.98
58547	01/12/2024	Printed			10789	MACKINNON, WOLMAR	Fire call outs Oct-Dec 2023	302.00
58548	01/12/2024	Printed			31212	MANFREDI'S DEPOT	Dec 2023 Fuel City	1,597.79
58549	01/12/2024	Printed			31605	EUGENE MEYER	Fire call outs Oct-Dec 2023	120.00
58550	01/12/2024	Printed			31610	LOU MEYER	Fire call outs Oct-Dec 2023	74.50
58551	01/12/2024	Printed			9201	O'REILLY AUTO PARTS	smart fuse, mini fusehol	50.48
58552	01/12/2024	Printed			10753	PACE ANALYTICAL SERVICES, LLC	www weekly 23L0816	819.73
58553	01/12/2024	Printed			10720	PALMER, CHARLES	Fire call outs Oct-Dec 2023	6.50
58554	01/12/2024	Printed			10884	PELLEGRINI, ROCCO	Fire call outs Oct-Dec 2023	146.00
58555	01/12/2024	Printed			10491	CHARLES W PILLON	2023 financial transactions	2,500.00
58556	01/12/2024	Printed			10616	RENTAL GUYS	rental of vac trailer 12/12/23	5,332.05
58557	01/12/2024	Printed			47100	S.C.O.R.E.	3rd QTR workers comp 23/24	19,524.11
58558	01/12/2024	Printed			10677	SHASTA VALLEY PEST CONTROL	city pest control at 5902,5915	200.00
58559	01/12/2024	Printed			47645	SISKIYOU CO. DEPT AGRICULTURE	prescription/jewelers scale	116.40
58560	01/12/2024	Printed			47659	SISKIYOU COUNTY EDC	MOU January 2024	500.00
58561	01/12/2024	Printed			47669	SISKIYOU OPPORTUNITY CENTER	December 2023 blue bag program	594.60
58562	01/12/2024	Printed			47676	SMITH BUILDING SERVICES, LLC	Plan check1443, 1442,	1,820.07
58563	01/12/2024	Printed			57228	SOLANO'S CONTRACTOR	pressure washing plug, nipple	103.00
58564	01/12/2024	Printed			21016	BRIAN A. TAYLOR .	Fire call outs Oct-Dec 2023	13.00
58565	01/12/2024	Printed			5050	THOMPSON, DAVE	Fire call outs Oct-Dec 2023	477.50
58566	01/12/2024	Printed			10875	TOMPKINS, MARIAH	Fire call outs Oct-Dec 2023	204.50
58567	01/12/2024	Printed			9318	USPS	postage for utility billing	2,000.00
58568	01/12/2024	Printed			58075	BRIAN WITHERELL	Fire call outs Oct-Dec 2023	6.50

Total Checks: 46

Checks Total (excluding void checks):

47,492.36

Total Payments: 46

Bank Total (excluding void checks):

47,492.36

Total Payments: 46

Grand Total (excluding void checks):

47,492.36



City of Dunsmuir

STAFF REPORT

RE: Municipal Code Review Adhoc Committee Appointment

MEETING DATE:
January 18, 2024

SUBMITTED BY: Dustin J. Rief, City Manager

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL: To appoint 2 council members to the Municipal Code Review Adhoc Committee.

BACKGROUND/DISCUSSION: On January 11, 2024 the City Adopted a resolution to have a Municipal Code Review Adhoc Committee. The city now needs to appoint members to this committee.

OPTIONS: Discuss and appoint 2 members.

Don't Appoint members

FISCAL IMPACT:

☒ None

SUGGESTED MOTIONS: Motion to Appoint Council Member _____ and Council Member _____ to the Municipal Code Review Adhoc Committee



CITY OF Dunsmuir

STAFF REPORT

RE: Discussion and Authorize City Manager to enter into agreement with Community Foundation of the North State to establish a Mossbrae Trail fund to receive donations

MEETING DATE: 1/18/2024

SUBMITTED BY: Dustin Rief, City Manager and Blake Michaelson, Finance Director

PURPOSE OF REPORT: ☐ Information only ☒ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL:

Discuss and authorize City Manager to enter into agreement with Community Foundation of the North State to establish a Mossbrae Trail fund to receive donations

BACKGROUND/DISCUSSION:

Funding is needing to continue the trail to Mossbrae Falls. The City is not a tax free entity. Any monies given to the city would be taxed. The Community Foundation of the North State is an entity that would allow tax deductible donations. They are also able to manage the fund, and everything associated with the donations.

OPTIONS:

Authorize, or do not authorize, or provide other direction

FISCAL IMPACT: unknown fiscal impact, the foundation has an administrative fee of 5%, but is offset by investment gains

☐ None ☐ Yes Budgeted Item? ☐ Yes ☐ No

Budget Adjustment Needed? ☐ Yes ☐ No If yes, amount of appropriation increase:

Affected fund(s): ☒ General Fund ☐ Water Fund ☐ Sewer Fund ☐ Other: Airport Fund

Comments:

SUGGESTED MOTIONS: Motion to authorize City Manager to sign agreement and establish a Mossbrae Falls Trail fund with the Community Foundation of the North State

☐ **Attachments:** Draft agreement between city and community foundation of the north state



**SPECIAL PROJECT FUND (NON-ENDOWED) AGREEMENT
BETWEEN
COMMUNITY FOUNDATION OF THE NORTH STATE
AND
CITY OF DUNSMUIR**

THIS AGREEMENT (the "Agreement") is made and entered into as of **DATE**, 2024, by and between Shasta Regional Community Foundation, Inc. dba Community Foundation of the North State, EIN 68-0242276 (the "Community Foundation"), and City of Dunsmuir ("the Community Group").

Recitals

WHEREAS, the Community Group desires to establish a non-endowed special project fund with the Community Foundation to support its exempt purpose; and

WHEREAS, the Community Foundation is an California nonprofit corporation exempt from federal income taxes under Internal Revenue Code ("Code") section 501(c)(3), a public charity described in Code section 170(b)(1)(A)(vi), and accordingly an appropriate institution within which to establish such a fund; and

WHEREAS, the Community Foundation is willing and able to hold and administer such a fund which shall serve the charitable purposes of the Community Foundation, subject to the terms and conditions hereof.

General Provisions

NOW THEREFORE, the parties agree as follows:

1. GIFT AND FUND DESIGNATION. The Community Group hereby transfers irrevocably to the Community Foundation the property (cash, publicly traded securities, or other assets) described in the attached Exhibit A to establish a non-endowed fund to be known as the **Mossbrae Falls Trail Fund** (the "Fund"). Subject to the right of the Community Foundation to reject any particular gift, the Community Foundation may accept additional irrevocable gifts from the Community Group to be added to the Fund, all subject to the provisions hereof. All gifts to this Fund shall be irrevocable once accepted by the Community Foundation.

2. PURPOSE. The purpose of the Fund shall be to provide support to the Community Group, as directed by the Board of Directors (the "Board") of the Community Foundation. Such support shall be used to further the charitable or other exempt purposes of Charitable Organizations within the meaning of Code section 170(c)(1) or 170(c)(2)(B) and shall be consistent with the mission and purposes of the Community Foundation. Attached Exhibit B further describes the benefiting project and outlines the terms and conditions by which the Fund shall operate.

3. ACCOUNTING. The receipts and disbursements of the Fund shall be accounted for separately and apart from those of other gifts to the Community Foundation.

4. INVESTMENT OF FUND ASSETS. The Community Foundation shall have all powers necessary, or in its judgment desirable, to carry out the purposes of the Fund including, but not limited to, the power to retain, invest, and reinvest the assets of the Fund and the power to commingle the assets of the Fund for investment purposes with those of other funds or the Community Foundation's general assets. Funds may be invested in uninsured securities and are subject to investment risks that may result in loss of value. However, the Community Foundation is not required to invest the assets in the Fund in securities or other long-term investments.

5. COSTS OF THE FUND. It is understood and agreed that the Fund shall share a fair portion of the total investment and administrative costs and expenses of the Community Foundation. Those costs and expenses charged against the Fund shall be determined in accordance with the then current fee schedule identified by the Community Foundation as applicable to funds of this type, as such schedule may be amended by the Community Foundation from time to time. Any costs and expenses incurred by the Community Foundation in accepting, transferring, or managing property donated to the Community Foundation for the Fund, including without limitation the Community Foundation's costs and expenses (including reasonable attorney's fees) of any claim or proceeding with respect to the Fund in which the Community Foundation is prevailing party, also shall be paid from the Fund.

6. GRANTS. Distributions may be made from the entire Fund balance, including both income and principal, and the Fund may be spent down in its entirety and retired. The ordinary income, capital appreciation (realized and unrealized), and principal (both historic dollar value and any principal contributions, accumulations, additions, or reinvestments) allocable to the Fund, net of the fees and expenses set forth in this Agreement, may be committed, granted, or expended pursuant to the distribution (or spending) policy of the Community Foundation.

No distribution shall be made from the Fund that may in the judgment of the Community Foundation jeopardize or be inconsistent with the Community Foundation's Code section 501(c)(3) status or result in the imposition of any excise tax, penalty, or other tax, fine, or assessment under the Code.

7. ADMINISTRATIVE PROVISIONS. Notwithstanding anything herein to the contrary, the Community Foundation shall hold and administer the Fund, and all contributions and assets allocable to the Fund, subject to the provisions of applicable law and the Community Foundation's Articles of Incorporation and Bylaws, as amended from time to time. The Community Group agrees to comply with all policies and procedures, requests for reports, and other requirements imposed by the Community Foundation pursuant to this Agreement.

8. AMENDMENTS. The Board shall have all powers of modification, amendment and removal specified in United States Treasury Regulation section 1.170A-9(f)(11)(v)(B) or corresponding provisions of any subsequent federal tax laws, subject to the procedural and other requirements of the Uniform Prudent Management of Institutional Funds Act (UPMIFA) of California in California Probate Code section 18503, et. seq. and provisions of any subsequent state law.

If any gift to the Community Foundation for the Fund is accepted subject to conditions or restrictions as to the use of the gift or income therefrom, such conditions or restrictions will be honored, subject, however, to the authority of the Board to amend or vary the terms of any gift if continued adherence to any condition or restriction is in the judgment of the Board illegal, unnecessary, incapable of fulfillment, or inconsistent with the charitable or other exempt purposes of the Community Foundation or the needs of the community served by the Community Foundation.

The Fund shall continue so long as assets are available in the Fund and the purposes of the Fund can be served by its continuation. If the Fund is terminated or amended as defined above, the Community Foundation shall use any remaining assets in the Fund exclusively for charitable or other exempt purposes that: (a.) are within the scope of the charitable and other exempt purposes of the Community Foundation; and (b.) most nearly approximate, in the good faith opinion of the Board, the original purpose of the Fund.

9. GOVERNING LAW. This Agreement and all related proceedings shall be governed by and interpreted under the laws of the State of California. Any action with respect to this Agreement shall be brought in or venued to a court of competent jurisdiction in California.

10. NOT A SEPARATE TRUST. The Fund shall be a component part of the Community Foundation. All money and property in the Fund shall be held as general assets of the Community Foundation and not segregated as trust property of a separate trust.

Execution

IN WITNESS WHEREOF, the Community Group and the Community Foundation, by a duly authorized officer, have executed this Agreement.

ON BEHALF OF CITY OF DUNSMUIR:

Dustin J. Rief, City Manager

Date

SHASTA REGIONAL COMMUNITY FOUNDATION, INC. DBA COMMUNITY FOUNDATION OF THE NORTH STATE, EIN 68-0242276:

Kerry Caranci, CEO

Date



EXHIBIT A

LIST OF INITIAL DONATION(S) TO FUND

Amount or Description:

Cash/Check: _____

Publicly Traded Securities: _____

Other: _____

Date of Transfer: _____



EXHIBIT B

OPERATING AGREEMENT TERMS AND CONDITIONS

1. Description of Project (feel free to update/change)

The City of Dunsmuir is developing a public access trail for Mossbrae Falls in Dunsmuir, California. The fund will serve as a fundraising portal for the project which is anticipated to range from \$10MM-\$14MM over the next few years.

2. Distribution Request Approval Process/Authorization

Distributions will be made from the fund upon request from the authorized contact named below (or whoever in future serves as City Manager or is otherwise authorized by the City) and with the approval of the CFNS board as required for all grant distributions. Grants from the fund must be made to a qualified 501(c)(3) or public entities (vendors and/or event expenses are not allowed).

Please submit distribution requests through the online fund portal or by contacting CFNS at info@cfnorthstate.org or 530.244.1219.

NOTE: if required by your Council, we can add a provision that the request must be approved in writing by Council (either a vote of approval noted in Council minutes, a letter of approval from Council, or other form you'd prefer)

3. Primary Project Contact

Dustin J. Rief
City Manager
City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025
530-235-4822
citymanager@ci.dunsmuir.ca.us

4. Fundraising Guidelines

Please refer to the most recent "Donor Initiated Fundraising Policy" document provided by CFNS. Fundraising materials must clearly state that funds are being raised in partnership with rather than by the Community Foundation of the North State. Our EIN may be referenced for tax purposes: 68-0242276.

All donations are tax deductible to the fullest extent of the law and CFNS will issue all tax receipts to the donors as applicable. CFNS accepts the following types of donations: cash, check, credit card, real property, marketable securities (such as stocks, bonds, and mutual funds), IRA Qualified Charitable Distributions, personal property and closely held assets. CFNS will liquidate any in-kind donations and direct the proceeds, minus any fees, to the fund. Complimentary gift planning services are available to donors or their professional advisors needing assistance with complex gift transactions.

The fund will have a dedicated page on the CFNS website with a call for donations and a link to the donation page. Credit card donations will be assessed the required merchant fee (currently 3% charged by Stripe) which is separate from the administrative fee, however donors can opt to cover the merchant fee as part of their donation.

5. Advertising Guidelines

All materials must clearly state the Fund's name as the "Mossbrae Falls Trail Fund of the Community Foundation of the North State." When requested, an electronic logo file will be provided for use on all print and/or digital materials.

6. Fee Structure

A 5% administrative fee will be assessed upon receipt of all donations to the fund to cover the costs of administering the fund, issuing tax receipts, fulfilling reporting requirements, etc.

7. Fund Investment and Share of Returns

The fund balance will be invested in a short-term cash investment pool; proceeds of the investment pool are proportionately shared with the fund minus any investment fees.



City of Dunsmuir

STAFF REPORT

RE: Siskiyou Economic Development Council MOU

MEETING DATE:
January 18, 2024

SUBMITTED BY: Dustin J. Rief, City Manager

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL: To review and approve the MOU with Siskiyou Economic Development Council

BACKGROUND/DISCUSSION: The City is currently in a Memorandum of Understanding with Siskiyou Economic Development for services. This new MOU has been modified to add a steering committee as well as increased costs. Staff is asking to discuss and consider the MOU with Siskiyou Economic Development for economic development activities.

OPTIONS: Discuss and Approve

Discuss and Revise

Table

Don't approve

FISCAL IMPACT:

☐ None ☒ Yes Budgeted Item? ☒ Yes ☐ No

Budget Adjustment Needed? ☒ Yes ☐ No If yes, amount of appropriation increase:

Affected fund(s): ☒ General Fund ☐ Water OM Fund ☐ Sewer OM Fund ☐ Other:

Comments:

SUGGESTED MOTIONS: Motion to Approve the MOU with Siskiyou Economic Development Corporation

☒ **Attachments:**

A. Siskiyou Economic Development MOU

ECONOMIC DEVELOPMENT SERVICES

MEMORANDUM OF UNDERSTANDING

BETWEEN

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

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into this ____ day of ____, 2024 by and between The County of Siskiyou (hereinafter referred to as County), the Cities of Yreka, Mt. Shasta, Weed, Dunsmuir, Dorris, Etna, Fort Jones, Montague, and Tulelake (hereinafter referred to as Cities) and the Siskiyou County Economic Development Council (hereinafter referred to as SCEDC) for Economic Development Services.

WHEREAS, the County and Cities desire to support economic development efforts to increase local employment, stimulate investment, and promote economic growth within their respective jurisdictions.

WHEREAS, the County and Cities are committed to uniting their efforts and have agreed upon a shared economic development work plan incorporated and included herein as Attachment A (hereinafter work plan) designed to combine and leverage resources in support of business retention, expansion, and growth.

WHEREAS, the County and Cities wish to enter into this MOU to delineate some specific commitments each will make in support of implementing the shared work plan; and

WHEREAS, SCEDC is acknowledged and supported by the County and Cities as the local, lead agency for economic development and hereby agrees to coordinate and implement the work plan.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. This MOU shall become effective on July 1, 2024 and shall remain in full force and effect for the period of five years through June 30, 2029. Parties included in this MOU may withdraw or terminate their participation at any time during its term upon ninety (90) days written notice to all participating parties and without severing or modifying the participation of the remaining parties. Additionally, other jurisdictions within Siskiyou County, not originally included in this MOU, may be added at a later date.
2. A Steering Committee is hereby established consisting of one representative from each party entering into and participating in this MOU. The Steering Committee shall review and monitor progress on the agreed upon economic development work plan and shall make such recommendations and modifications as they deem appropriate.
3. SCEDC shall:
 - a. Provide appropriate, qualified staff to implement and manage the work plan.

- b. Conduct economic development activities in mutual cooperation and coordination with County and Cities to encourage and support business retention, expansion, and growth.
 - c. Provide regular reports to the Steering Committee, and to report as requested from time-to-time by the County and Cities regarding progress and implementation of the work plan.
 - d. SCEDC shall make every effort to align work with overarching, mutual economic development goals and objectives.
4. The County and Cities shall each:
- a. Provide leadership and coordinate appropriate economic development activities with the SCEDC and refer appropriate businesses, projects, and resources in support of economic development.
 - b. Work with the SCEDC to determine, monitor, and evaluate mutual economic development goals, objectives, and performance metrics and to adjust the work plan as necessary.
 - c. Provide funding levels at these specified minimum annual amounts:

i. County of Siskiyou	\$156,000
ii. City of Yreka	\$54,000
iii. City of Mt. Shasta	\$36,000
iv. City of Weed	\$30,000
v. City of Dunsmuir	\$15,000
vi. City of Dorris	\$6,000
vii. City of Etna	\$6,000
viii. Town of Fort Jones	\$6,000
ix. City Montague	\$6,000
x. City of Tulelake	\$6,000

to compensate the SCEDC for the activities incorporated within the work plan.

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

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

COUNTY OF SISKIYOU

BY: _____

DATE: _____

Angela Davis, County Administrator

CITY OF Yreka

BY: _____

DATE: _____

Jason Ledbetter, City Manager

CITY OF Mt. Shasta

BY: _____

DATE: _____

Todd Juhasz, City Manager

CITY OF Weed

BY: _____

DATE: _____

Tim Rundel, City Manager

CITY OF Dunsmuir

BY: _____

DATE: _____

Dustin Rief, City Manager

CITY OF Dorris

BY: _____

DATE: _____

_____, _____

CITY OF Etna

BY: _____

DATE: _____

_____, _____

TOWN OF Fort Jones

BY: _____

DATE: _____

_____, _____

CITY OF Montague

BY: _____

DATE: _____

_____, _____

CITY OF Tulelake

BY: _____

DATE: _____

_____, _____

Siskiyou Economic Development Council

BY: _____

DATE: _____

Tonya Dowse, Executive Director

Siskiyou Economic Development MOU

Attachment A. | Shared Work Plan

Objective: A collaborative work plan for the Siskiyou Economic Development Council and local jurisdictions to leverage investment in shared strategies towards the pursuit of mutual benefits.

- I. **Business Development Services.** Develop and implement strategies that directly support business retention, expansion, and growth.
 1. Cultivate a positive business climate.
 2. Respond to business location inquiries and promote business investment.
 3. Facilitate entrepreneurship and innovation resources and programs.
 4. Provide direct technical assistance to local businesses.
 5. Implement priority business sector strategies.

- II. **Development/Redevelopment Readiness.** Support jurisdictions in preparation for future development and new investment.
 1. Property/site identification, assessment, and prioritization.
 2. Identify and connect State and Federal funding (EPA Brownfields, EDA and USDA Infrastructure).
 3. Explore financing tools (Financing Districts, Assessment Districts, Tax Credits).
 4. Steward positive relationships with funding partners, developers, and property owners.
 5. Support feasibility and planning efforts.

- III. **Leadership and Capacity.** Bolster and cultivate economic development leadership in local public and private sectors. Provide professional staff capacity and expertise.
 1. Convene industry employers.
 2. Maintain professional staff.
 3. Advocate for economic development.
 4. Anticipate needs and track priorities (project pipeline).
 5. Monitor and evaluate progress.



City of Dunsmuir

STAFF REPORT

RE: Appointment of Administrative Hearing Officer

MEETING DATE:
January 18, 2024

SUBMITTED BY: Dustin J. Rief, City Manager

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL: To appoint an Administrative Hearing officer

BACKGROUND/DISCUSSION: The City is actively engaged in code enforcement actions. In order to maintain procedure in accordance with the Municipal Code the council must appoint an administrative hearing officer. Staff has reviewed a list of potential candidates and recommends the appointment of Dave Mason. The City Manager will enter into a services agreement not to exceed \$75 per hour.

OPTIONS: Discuss and Approve the appointment

Table

Don't approve

FISCAL IMPACT:

☐ None ☒ Yes Budgeted Item? ☒ Yes ☐ No

Budget Adjustment Needed? ☐ Yes ☒ No If yes, amount of appropriation increase:

Affected fund(s): ☒ General Fund ☐ Water OM Fund ☐ Sewer OM Fund ☐ Other:

Comments:

SUGGESTED MOTIONS: Motion to Approve the Appointment of Dave Mason as the City of Dunsmuir Administrative Hearing Officer.