

## Tracy Smith

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**From:** Mike Evans [mevans@denovahomes.com]  
**Sent:** Monday, October 07, 2019 9:18 AM  
**To:** Tracy Smith  
**Cc:** pcurtin@wendel.com  
**Subject:** City council meeting Tonight, RE: 305 Beckwith Street.

Good morning Tracy,

As a resident of 8 Years at 305 and 309 Beckwith St, I would like to give the City Council my opinion is to **Keeping the City Incorporated**. The Grand Jury report was nothing more the a recommendation. Its time the City put's the Grand Jury recommendation in a File and move on. I would appreciate if you could give this e-mail to The City Council so It could be read at the hearing tonight.

Thanks

*Michael Preston Evans*

Director of Forward Planning  
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## Tracy Smith

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**From:** Patricia E. Curtin [PCurtin@wendel.com]  
**Sent:** Monday, October 07, 2019 9:14 AM  
**To:** 'bkkpr1-cityofloyalton@psln.com'  
**Cc:** Mike Evans (mevans@denovahomes.com)  
**Subject:** No to Dis-incorporating!

To City Clerk-

Please forward these comments to the City Council for its meeting tonight re the issue on dis-incorporating as a city.

I am a partial owner of 309 Beckwith Street. I strongly encourage that the City Council not to dis-incorporate. It is essential that Loyalton remain a city and control its own destiny. If dis-incorporation occurs all decisions impacting Loyalton will be made by the County Board of Supervisors who are not vested in our City. We need to remain localized so we can make our own decisions and determine what is best for us.

Thank you.

Patricia Curtin  
309 Beckwith  
Loyalton

### Patricia E. Curtin

*Attorney*

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For more information about Wendel Rosen LLP, click here:  
<http://www.wendel.com>

Date of Issuance: October 4, 2019  
 Owner: City of Loyaltan  
 Contractor: Q&D Construction, LLC  
 Engineer: Farr West Engineering  
 Project: Beckwith Road Pavement Repair

Effective Date: September 19, 2019  
 Owner's Contract No.: 1678  
 Contractor's Project No.:  
 Engineer's Project No.: 1678  
 Contract Name: Beckwith Road  
 Pavement Repair


The Contract is modified as follows upon execution of this Change Order:

Description:

- Replace Beckwith Road Pavement with a 5" AC Pavement section to match existing. (\$62/SY)
- Reduce base course thickness within the proposed trench excavations in Beckwith Road to 6". (\$57.36/SY)
- Pavement thickness within the alley to remain 3" per plans. (\$40/SY)
- Over-excavation within the trench excavations to remain 2' with geogrid per plans. (\$50/CY)

Attachments: *None*

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>125,005.00</u>	Original Contract Times: Substantial Completion: <u>21</u> Ready for Final Payment: <u>28</u> days
Increase from previously approved Change Orders No. <u>0</u> to No. <u>0</u> : \$ <u>0</u>	No Change from previously approved Change Orders No. <u>0</u> to No. <u>1</u> : Substantial Completion: <u>21</u> Ready for Final Payment: <u>28</u> days
Contract Price prior to this Change Order: \$ <u>125,005.00</u>	Contract Times prior to this Change Order: Substantial Completion: <u>21</u> Ready for Final Payment: <u>28</u> days
Increase of this Change Order: \$ <u>5,000.00</u>	No Change for this Change Order: Substantial Completion: <u>21</u> Ready for Final Payment: <u>28</u> days
Contract Price incorporating this Change Order: \$ <u>130,005.00</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>21</u> Ready for Final Payment: <u>28</u> days

<b>RECOMMENDED:</b>	<b>ACCEPTED:</b>	<b>ACCEPTED:</b>
By: <u></u> By: _____	By: _____	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Title: <u>Project Engineer</u>	Title: _____	Title: _____
Date: <u>10/4/19</u>	Date: _____	Date: _____

Item# 1 – Grand Jury Recommendation

Excerpt from the 2019-2019 Sierra County Grand Jury Report

**SECTION 2.3: OVERALL CONCLUSION OF CITY GOVERNMENT**

The Grand Jury's year-long investigation into the City of Loyalton, taking into consideration all of the facts gathered, leads to the following finding and recommendations.

**Findings**

F2.3.1 The City and Council have demonstrated, over a number of years, that they are unable to manage the City in a responsible, transparent, and ethical manner.

**Recommendations**

R2.3.1 It is the recommendation of this Grand Jury that, by December 31, 2019, the Council adopt a resolution to disincorporate the City. *(See Appendix 3: Disincorporation)*

R2.3.2 It is the further recommendation of this Grand Jury that, if, by December 31, 2019, the Council fails or refuses to adopt a resolution to disincorporate the City, the citizens of the City initiate disincorporation proceedings by petition. *(See Appendix 3: Disincorporation)*

**Required responses**

In regards to Finding F2.3.1 and Recommendation R2.3.1, the Council shall respond in writing to the presiding judge of the superior court within ninety (90) days of the release of this report.

**LOCAL AGENCY FORMATION COMMISSION OF SIERRA COUNTY  
POLICIES AND STANDARDS**

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- ii) The change of organization or reorganization promotes public access and accountability for community service needs and financial resources.

**5.6. Disincorporations and Districts Dissolutions**

- a) Grounds for Disincorporation and District Dissolutions. LAFCO will approve a proposal for disincorporation/dissolution only if it determines that:
  - i) the services offered or authorized are no longer necessary, or
  - ii) the services can be provided more efficiently by another agency or provider and that agency agrees to provide the services; or
  - iii) the agency is insolvent and unable to provide the services.
- b) Bonded Indebtedness. Where possible, LAFCO shall condition any dissolution to provide for the repayment of any bonded indebtedness or other obligations of the dissolved agency.
- c) Disposition of Remaining Funds. A disincorporated city must turn its treasury over to the County Treasurer within thirty (30) days of disincorporation. A dissolved district shall turn over its funds to its successor as determined under §57451.

Item #7 – Draft Advisory Ballot

**DRAFT** ADVISORY BALLOT

Nonbinding Questionnaire on the Disincorporation of the City of Loyaltan

The City of Loyaltan is requesting that the registered voters of the City provide a non-binding answer on whether they would support a potential vote in the future to disincorporate.

If initiated by petition or by ballot, the City of Loyaltan will need to complete several in depth and potentially costly studies that would then need to be considered by LAFCo. If LAFCo approves of the disincorporation the final approval must be granted by the voters of the City of Loyaltan.

Prior to expending the City's resources on potentially costly studies, the City Council would like to gauge the opinion and potential outcome by an advisory vote of the registered voters of the City.

A "YES" vote means you are in favor of the disincorporation of the City of Loyaltan.

A "NO" vote means you are not in favor of the disincorporation of the City of Loyaltan and would like it to remain incorporated.

[ ] YES

[ ] NO

The City of Loyaltan would like to thank you for your response. The compiled results of this Advisory Ballot will be presented at the next regular City Council meeting on:                     .