



rosewatersystem.com

ENTERED

JAN 23 2018

BY: _____

1/20/2018

City of Loyalton
City Council
P.O. Box 128
Loyalton, Ca 96118

Subject: Contract Operation of Loyalton Water/Wastewater Facilities

Dear City Council,

Last week I attended your city council meeting to let you know that our company was still interested in discussing your need to have licensed water and wastewater operations. Contracting out certain aspects of your utility operations is a prudent way to reduce staff costs while gaining specialized industry personnel. I ask you to review this proposal and consider thoughtful discussion regarding using our services.

The following will outline the services Rose Water System Management, LLC is offering for the City's consideration.

Rose Water System Management, LLC proposes to provide the following:

1. California water and wastewater licensed operators to satisfy the requirements of your facilities.
2. Daily oversight of the city's water facilities through the use of city staff in conjunction with R.W.S.M. staff. Oversight is defined as either in-person visits or electronic communication. Such oversight will consist of, but not be limited to, the following:
 - a. Operation of the City's water and wastewater systems.
 - b. Coordination of maintenance and repairs to the water and wastewater with City staff and outside contractors (as necessary).
 - c. Coordination and management of capital improvement projects with city staff and contractors.
 - d. Regular communication with the City's regulatory agency(s) related to its water system.

These services will be provided in coordination with the city's Director of Public Works.

To provide these services effectively Rose Water System Management, LLC necessitates the following from the City of Loyaltan:

1. Maintain a work force for its water and wastewater systems at a minimum of current staff levels.
2. Provide all materials and equipment necessary to perform maintenance and repairs to its systems.
3. Authorize the services of a licensed outside contractor for work requiring a force beyond the capabilities of its employees.
4. Provide its staff as "on-call" personnel.
5. Provide to us all ongoing documentation and correspondence related to the City's water and wastewater facilities operation and compliance.

Rose Water System Management normally bills at an hourly rate for all services however, our company would be willing to discuss an arrangement that would assist the City reach an agreement while working within its fiduciary limitations.

Rose Water System Management, LLC provides contract operations for a variety of systems and cities. Some of our clients include:

- City of Berkeley
- California Department of Agriculture
- Sierra County Water Works District #1 - Calpine
- Washington County Water District
- Sierraville Public Utility District

Thank you for your consideration,



Paul J Rose

Principal – Rose Water System Management, LLC

SIERRA COUNTY

Department of Public Works and Transportation

P.O. Box 98
Downieville, California 95936
530-289-3201
Fax 530-289-2828
publicworks@sierracounty.ws

February 8, 2018



Tim H. Beals
Director

Alex Souza
Local Assistance and Market Development Branch, CalRecycle
1001 I Street, MS 9A
Sacramento, CA 95812

Re: Sierra County Regional Agency – Regional Agency Integrated Waste Management Plan (RAIWMP) Five-Year Review Report

Dear Mr. Souza:

On behalf of the City of Loyalton and Sierra County (members of the Sierra County Regional Agency), please find enclosed a copy of the *RAIWMP Five-Year Review Report*. In conformance with Section 41822 of the Public Resources Code (PRC), the Regional Agency has reviewed the RAIWMP.

The County's Local Task Force (LTF) submitted written comments to the County in conformance with Section 18788 of Title 14 of the California Code of Regulations. A copy of the January 30, 2018 LTF letter is included as Appendix A to the RAIWMP Five-Year Review Report.

The Regional Agency concludes that the current *Source Reduction and Recycling Element* and *Household Hazardous Waste Element* as updated through the annual program reports continues to provide appropriate and adequate guidance to achieve the goals and objectives of the state's Integrated Waste Management Act (AB 939), however, revisions to the *Siting Element* and *Non-Disposal Facility Element* are necessary. Schedules concerning the revision of these elements are included in the *RAIWMP Five-Year Review Report*.

If you have any questions concerning the RAIWMP Five-Year Review Report, please call me at (530) 289-3201.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim H. Beals".

Tim H. Beals, Director
Sierra County Department of Public Works

Enclosure

Cc/Enclosure: Sierra County Board of Supervisors
City of Loyalton Council Members
Sierra County Solid Waste Task Force Members
Craig Morgan, Avalex Inc.

Five-Year RAIWMP Review Report

Public Resources Code (PRC) Sections 41770 and 41822, and Title 14, California Code of Regulations (CCR) Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP or RAIWMP), and the elements thereof, be reviewed, revised if necessary, and submitted to the Department of Resources Recycling and Recovery (CalRecycle) every five years. CalRecycle developed this Five-Year CIWMP/RAIWMP Review Report template to streamline the Five-Year CIWMP/RAIWMP review, reporting, and approval process.

A county or regional agency may use this template to document its compliance with these regulatory review and reporting requirements and as a tool in its review, including obtaining Local Task Force (LTF) comments on areas of the CIWMP or RAIWMP that need revision, if any. This template also can be finalized based on these comments and submitted to CalRecycle as the county or regional agency's Five-Year CIWMP or RAIWMP Review Report.

The Five-Year CIWMP/RAIWMP Review Report Template Instructions describe each section and provide general guidelines with respect to preparing the report. Completed and signed reports should be submitted to the CalRecycle's Local Assistance & Market Development (LAMD) Branch at the address below. Upon report receipt, LAMD staff may request clarification and/or additional information if the details provided in the report are not clear or are not complete. Within 90 days of receiving a *complete* Five-Year CIWMP/RAIWMP Review Report, LAMD staff will review the report and prepare their findings for CalRecycle consideration for approval.

If you have any questions about the Five-Year CIWMP/RAIWMP Review Report process or how to complete this template, please contact your LAMD representative at (916) 341-6199. Mail the completed and signed Five-Year CIWMP/RAIWMP Review Report to:

Dept. of Resources Recycling & Recovery
Local Assistance & Market Development, MS-9
P. O. Box 4025
Sacramento, CA 95812-4025


SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name Sierra County Regional Agency		County(s) [if a RAIWMP Review Report] Sierra County	
Authorized Signature 		Title Director of Public Works	
Type/Print Name of Person Signing Tim H. Beals	Date February 6, 2018	Phone (530) 289-3201	
Person Completing This Form (please print or type) Craig W. Morgan	Title Consultant	Phone (530) 543-3200	
Mailing Address P.O. Box 98	City Downieville	State CA	Zip 95936
E-mail Address tbeals@sierracounty.ca.gov			

TABLE OF CONTENTS

<u>Section</u>	<u>Description</u>	<u>Page</u>
1.0	COUNTY OR REGIONAL AGENCY INFORMATION	1
2.0	BACKGROUND	3
3.0	LOCAL TASK FORCE REVIEW	3
4.0	TITLE 14, CALIFORNIA CODE of REGULATIONS SECTION 18788 (3) (A) THROUGH (H) ISSUES	3
4.1	Changes in Demographics in the County or Regional Agency	3
4.2	Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Quantities of Waste Disposed in the County or Regional Agency.....	4
4.3	Changes in Funding Source for Administration of the Siting Element and Summary Plan	6
4.4	Changes in Administrative Responsibilities	6
4.5	Programs that were Scheduled to be Implemented but were not	8
4.6	Changes in Available Markets for Recyclable Materials.....	8
4.7	Changes in the Implementation Schedule.....	8
5.0	OTHER ISSUES	8
6.0	ANNUAL REPORT REVIEW	9
7.0	REVISION SCHEDULE.....	9

SECTION 2.0 BACKGROUND

This is Sierra County Regional Agency's second Five-Year Review Report since the approval of the RAIWMP in 1999. The first Five-Year Review Report was submitted to the CIWMB on April 11, 2006 and approved by CWIMB on September 12, 2006.

The following changes have occurred since the approval of the Regional Agency's planning documents or the last Five-Year RAIWMP Review Report (whichever is most recent):

- | | |
|---|---|
| <input type="checkbox"/> Diversion goal reduction | <input type="checkbox"/> New city (name(s) _____) |
| <input type="checkbox"/> New regional agency | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Changes to regional agency | |

Additional Information

No changes to agency or diversion goals.

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the RAIWMP and finalized its comments
 at the June 14, 2017 LTF meeting. electronically (fax, e-mail) other (Explain):
- b. The County received the written comments from the LTF on February 6, 2018.
- c. A copy of the LTF comments
 is included as Appendix A.
 was submitted to CalRecycle on _____.

SECTION 4.0 TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

The subsections below address not only the areas of change specified in the regulations, but also provide specific analyses regarding the continued adequacy of the planning documents in light of those changes, including a determination on any need for revision to one or more of the planning documents.

Section 4.1 Changes in Demographics in the County or Regional Agency

When preparing the RAIWMP Review Report, the regional agency must address at least the changes in demographics. The following resources are provided to facilitate this analysis:

- Demographic data, including population, taxable sales, employment, and consumer price index by jurisdiction for years up to 2006, are available at:
<http://www.calrecycle.ca.gov/LGCentral/Tools/DivMeasure/JuAdjFac.asp>. Data for years beyond 2006 can be found on the following websites:

- Population: Department of Finance
 - Taxable Sales: Board of Equalization
 - Employment: Employment Development Department Click on the link to Local Area Profile, select the county from the drop down menu, then click on the “View Local Are Profile” button.
 - Consumer Price Index: Department of Industrial Relations
2. The Demographic Research Unit of the California Department of Finance is designated as the single official source of demographic data for State planning and budgeting (e.g., find E-5 City/County Population and Housing Estimates under Reports and Research Papers and then Estimates).
 3. The Department of Finance’s Demographic Research Unit also provides a list of State Census Data Center Network Regional Offices.

Analysis

Upon review of demographic changes since 2006:

- The demographic changes since the development of the RAIWMP do not warrant a revision to any of the countywide planning documents. Specifically, since the last five-year review in 2006, the County’s population, taxable sales, and employment have not increased; in fact, they have all declined. The County’s population has declined from 3,493 in 2006 to 3,207 in 2017. Taxable sales have declined from \$25,983,000 in 2006 to \$19,083,568 in 2015. Total employment has declined from 730 in 2006 to 560 in 2017.
- These demographic changes since the development of the RAIWMP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.2 Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Waste Disposed in the County or Regional Agency

A number of tools to facilitate the analysis and review of such changes in the waste stream are available from the following CalRecycle sources:

1. Various statewide, regional, and local disposal reports are available at <http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Default.aspx>.
 - a. CalRecycle’s Disposal Reporting System tracks and reports the annual estimates of the disposal amounts for jurisdictions in California; additional California solid waste statistics are also available.
 - b. CalRecycle’s Waste Flow by Destination or Origin reports include solid waste disposal, export, and alternative daily cover. They show how much waste was produced within the boundaries of an individual city, or within all jurisdictions comprising a county or

regional agency. These data also cover what was disposed at a particular facility or at all facilities within a county or regional agency.

2. The Waste Characterization Database provides estimates of the types and amounts of materials in the waste streams of *individual California jurisdictions* in 1999. For background information and more recent statewide characterizations, please see <https://www2.calrecycle.ca.gov/WasteCharacterization/Study/>
3. CalRecycle's Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report provides both summary and detailed information on compliance, diversion rates/50 percent equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are available at <http://www.calrecycle.ca.gov/lgcentral/reports/diversionprogram/jurhist.aspx> and <http://www.calrecycle.ca.gov/lgcentral/reports/diversionprogram/jurhist.aspx>.

Together, these reports help illustrate changes in the quantities of waste within the county or regional agency as well as in permitted disposal capacity. This information also summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and complying with the 50 percent diversion rate requirement (now calculated as the 50 percent equivalent per capita disposal target), see Per Capita Disposal and Goal Measurement (2007 and Later) for details

- The county or regional agency (if it includes the entire county) continues to have adequate disposal capacity (i.e., equal to or greater than 15 years).
- The regional agency does not have 15 years remaining disposal capacity within its physical boundaries, but the Siting Element does provide a strategy¹ for obtaining 15 years remaining disposal capacity.
- The regional agency does not have 15 years remaining disposal capacity and the Siting Element does not provide a strategy² for obtaining 15 years remaining disposal capacity. See Section 7 for the revision schedule(s).

Analysis

- These changes in quantities of waste and changes in permitted disposal capacity since the development of the RAIWMP do not warrant a revision to any of the countywide planning documents. Specifically, .
- These changes in quantities of waste and changes in permitted disposal capacity since the development of the RAIWMP warrant a revision to one or more of the planning documents. Specifically, the disposal capacity of the County's Loyalton Landfill was reduced from

¹ Such a strategy includes a description of the diversion or export programs to be implemented to address the solid waste capacity needs. The description shall identify the existing solid waste disposal facilities, including those outside of the county or regional agency, which will be used to implement these programs. The description should address how the proposed programs shall provide the county or regional agency with sufficient disposal capacity to meet the required minimum of 15 years of combined permitted disposal capacity.

744,000 cubic yards as originally designed to 438,000 cubic yards due to restrictions imposed by the Regional Water Quality Control Board to stay within the landfill's existing footprint. The landfill is presently scheduled for closure in October of this year. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.3 Changes in Funding Source for Administration of the Siting Element (SE) and Summary Plan (SP)

Since the approval of the RAIWMP or the last Five-Year RAIWMP Review Report (whichever is most recent), the county experienced the following significant changes in funding for the SE or SP:

- _____

Analysis

- There have been no significant changes in funding for administration of the SE and SP or the changes that have occurred do not warrant a revision to any of the countywide planning documents. Specifically, funding for all solid waste program activities continue to be maintained through the imposition of a parcel charge.
- These changes in funding for the administration of the SE and SP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.4 Changes in Administrative Responsibilities

The county experienced significant changes in the following administrative responsibilities since the approval of the RAIWMP or the last Five-Year RAIWMP Review Report (whichever is most recent):

- _____

Analysis

- There have been no significant changes in administrative responsibilities or the changes in administrative responsibilities do not warrant a revision to any of the planning documents. Specifically, since the last Five-Year report was submitted in 2006, no changes have occurred in the administration of the RAIWMP.
- These changes in administrative responsibilities warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.5 Programs that Were Scheduled to Be Implemented, But Were Not

This section addresses programs that were scheduled to be implemented, but were not; why they were not implemented; the progress of programs that were implemented; a statement as to whether

programs are meeting their goals; and if not, what contingency measures are being enacted to ensure compliance with Public Resources Code Section 41751.

1. Progress of Program Implementation

- a. SRRE and Household Hazardous Waste Element (HHWE)
- All program implementation information has been updated in the CalRecycle Electronic Annual Report (EAR), including the reason for not implementing specific programs, if applicable.
 - All program implementation information has not been updated in the EAR. Attachment _____ lists the SRRE and/or HHWE programs selected for implementation, but which have not yet been implemented, including a statement as to why they were not implemented.
- b. Nondisposal Facility Element (NDFE)
- There have been no changes in the use of nondisposal facilities (based on the current NDFEs and any amendments and/or updates).
 - Attachment 1 lists proposed changes in the use of nondisposal facilities (based on the current NDFEs).
- c. Countywide Siting Element (SE)
- There have been no changes to the information provided in the current SE.
 - Attachment 2 lists changes to the information provided in the current SE.
- d. Summary Plan
- There have been no changes to the information provided in the current SP. Not Required of Sierra County.
 - Attachment _____ lists changes to the information provided in the current SP.

2. Statement regarding whether Programs are Meeting their Goals

- The programs are meeting their goals.
- The programs are not meeting their goals. The discussion that follows in the analysis section below addresses the contingency measures that are being enacted to ensure compliance with PRC Section 41751 (i.e., specific steps are being taken by local agencies, acting independently and in concert with _____, to achieve the purposes of the California Integrated Waste Management Act of 1989) and whether the listed changes in program implementation necessitate a revision to one or more of the planning documents. _____

Analysis

- The aforementioned changes in program implementation do not warrant a revision to any of the planning documents. Specifically, _____.
- Changes in program implementation warrant a revision to one or more of the planning documents. Specifically, the Siting Element and the Non-Disposal Facility Element for the proposed conversion of the Loyalton Landfill site into a transfer station need to be revised. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.6 Changes in Available Markets for Recyclable Materials

The county experienced changes in the following available markets for recyclable materials since the approval of the RAIWMP or the last Five-Year RAIWMP Review Report (whichever is most recent):

Analysis

- There are no significant changes in available markets for recycled materials to warrant a revision to any of the planning documents. Specifically, the County continues to utilize recyclers for glass, aluminum cans, scrap metal, paper, cardboard, e-waste, ABOP, and tires as they did in 2006 during the last Five-Year Review. Since that time, the County has incorporated mattress recycling and a co-mingled recyclable program into their recycling program.
- Changes in available markets for recycled materials warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)**Section 4.7 Changes in the Implementation Schedule**

The following addresses changes to the county's implementation schedule that are not already addressed in Section 4.5:

Analysis

- There are no significant changes in the implementation schedule to warrant a revision to any of the planning documents. Specifically, the County continues to implement multiple programs to maintain and increase diversion.
- Changes in the implementation schedule warrant a revision to one or more of the planning documents. Specifically, _____.

Additional Analysis (optional)

Note: Consider for each jurisdiction within the county or regional agency the changes noted in Sections 4.1 through 4.7 and explain whether the changes necessitate revisions to any of the jurisdictions' planning documents.

SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)

The following addresses any other significant issues/changes in the county and whether these changes affect the adequacy of the RAIWMP to the extent that a revision to one or more of the planning documents is needed:

Analysis

SECTION 6.0 ANNUAL REPORT REVIEW

- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the RAIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents.
- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP (or RAIWMP) elements. The following jurisdictions reported the need to revise one or more of these planning documents, as listed. Sierra County's most recent Annual Report identified the need to revise its Siting Element and Non-Disposal Facility Element for the Loyaltan Landfill after the landfill closes.

Analysis

The discussion below addresses the county's evaluation of the Annual Report data relating to planning document adequacy and includes determination regarding the need to revise one or more of the documents:

Sierra County intends to make revisions to its Siting Element and Non-Disposal Facility Element for the Loyaltan Landfill

SECTION 7.0 REVISION SCHEDULE (if required)

Siting Element

<p>June 14, 2017 August 22, 2017 January 6, 2018 February 6, 2018 March 6, 2018</p>	<p>Draft Revised <i>Siting Element</i> reviewed with LTF Discuss Draft Revised <i>Siting Element</i> with CalRecycle Notice of Public Hearing to be posted Public Hearing and Consideration of Revised <i>Siting Element</i> Provide copies of the revised <i>Siting Element</i> to CalRecycle together with signed resolution and documentation that the jurisdiction has complied with CEQA (Public Resources Code Section 1000 et seq.) for incorporation into RAIWMP.</p> <ul style="list-style-type: none"> • LTF comments, Public notice(s), adopted resolution approving revised plan, and • Notice of Exemption, which has been filed with the State Clearinghouse in the Office of Planning and Research as verification of compliance with CEQA.
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Non-Disposal Facility Element for the Loyalton Landfill – December 2017

March 6, 2018 Provide copies of the revised *Non Disposal Facility Element* to CalRecycle

ATTACHMENT 1**Proposed Changes in the Use of Non-disposal Facilities**

The existing Non-disposal Facility Element identifies the Alleghany Transfer Station, Ramshorn Transfer Station, Sierra City Transfer Station, and Sattley Transfer Station as community drop-off facilities for the collection of residential solid waste. With the closure of the Loyalton Landfill and subsequent transportation of waste outside the County, it is proposed that the Loyalton Landfill site be utilized as a waste collection station for the community of Loyalton. The site will continue to be operated in much the same manner as it is today with self-haul waste being deposited into transfer bins at the landfill's self-haul station. Wood wastes and recyclables will continue to be collected and managed as they have in the past with the only significant change being that bulky wastes previously disposed directly into the landfill's working face will now be collected within the site's transfer bins and all waste transported outside of the County instead of into the landfill.

Necessary revisions to the County's Non-Disposal Facility Element include:

- Reflecting the closure of the Loyalton Landfill and conversion of the site into a community drop-off facility.
- Updating the hours of operation of the transfer sites.
- Updating the descriptions of waste recycling programs implemented at the transfer sites.
- Updating any new special use permit conditions imposed upon those transfer sites operated on USFS lands.
- Incorporating any requirements imposed upon the operations of the transfer stations by CalRecycle and the LEA.

ATTACHMENT 2

Proposed Changes to the Information Provided in the Siting Element (SE)

The Loyaltan Landfill reached its capacity in October 2017 at which time it was closed with all wastes being collected and transported outside the County. The County's Siting Element, therefore, needs to be revised to reflect the closure of the landfill and the subsequent disposal of waste outside the County.

APPENDIX A

Letter from Sierra County Solid Waste Task Force

SIERRA COUNTY



**SIERRA COUNTY
SOLID WASTE TASK FORCE**
P.O. Box 98
Downieville, CA 95936
(530) 289-3201

January 30, 2018

Sierra County Regional Agency
P.O. Box 98
Downieville, CA 95936

The Sierra County Solid Waste Task Force (LTF) met on June 14, 2017 and discussed the 5-year review of the Sierra County Regional Agency Integrated Waste Management Plan, as required by the Public Resources Code (PRC) Section 41770 and Title 14 of the California Code of Regulations (Section 18788). The purpose of the review was to determine if the *Regional Agency Integrated Waste Management Plan (RAIWMP)* required revisions to reflect current efforts being made to meet the requirements of AB939.

Based on its review, the LTF finds that the current *Source Reduction and Recycling Element* and *Household Hazardous Waste Element* as updated through the annual program reports continues to provide appropriate and adequate guidance to achieve the goals and objectives of the state's Integrated Waste Management Act (AB 939), however, revisions of the *Siting Element* and *Non-Disposal Facility Element* are required. These revisions are necessary to reflect the recent closure of the County's Loyalton Landfill, which stopped accepting waste on October 31, 2017.

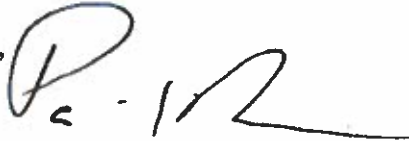
The LTF finds:

1. The *Source Reduction and Recycling Element*, although not necessitating a revision, should continue to be updated through the annual program reports to reflect the recent closure of the Loyalton Landfill and exportation of waste to the Lockwood Landfill in Sparks, Nevada.
2. The *Household Hazardous Waste Element*, although not necessitating a revision, should continue to be updated through the annual program reports to reflect the recent closure of the Loyalton Landfill and exportation of waste to the Lockwood Landfill in Sparks, Nevada. Semi-annual hazardous waste collection events should continue to be provided to Sierra County residents to prevent the unauthorized disposal of these materials.
3. The *Non-Disposal Facility Element* should be revised to reflect the closure of the Loyalton Landfill and exportation of waste to the Lockwood Landfill in Sparks, Nevada, together with the conversion of the landfill site to a collection and transfer facility.
4. The *Siting Element* should be revised to reflect the recent closure of the Loyalton Landfill and exportation of waste to the Lockwood Landfill in Sparks, Nevada.

Sierra County Regional Agency
January 30, 2018
Page 2 of 2

The LTF will continue to meet to insure that the Regional Agency's waste management goals continue to be accomplished as the County transitions from the closure of the Loyalton Landfill with exportation of its waste stream to the Lockwood Landfill in Sparks, Nevada.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Roen", with a long horizontal stroke extending to the right.

Paul Roen, Chair
Sierra County Solid Waste Task Force

cc: Craig Morgan, Avalex Inc.

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**IN THE MATTER OF APPROVAL OF
5-YEAR REGIONAL AGENCY
INTEGRATED WASTE MANAGEMENT PLAN**

RESOLUTION 2018- 013

BE IT RESOLVED that the **5-Year Regional Agency Integrated Waste Management Plan** dated February 6, 2018 and incorporated herein by reference, is hereby approved.

Tim H. Beals, Director of Transportation, is hereby directed to provide the completed report to the California Department of Resources, Recycling & Recovery.

ADOPTED by the Board of Supervisors of the County of Sierra on the 6th day of February, 2018, by the following vote:


AYES: Supervisors Adams, Huebner, Roen, Beard, Schlefstein
NOES: None
ABSTAIN: None
ABSENT: None

COUNTY OF SIERRA


SCOTT A. SCHLEFSTEIN, CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:


HEATHER FOSTER
CLERK OF THE BOARD


DAVID PRENTICE
COUNTY COUNSEL

City of Loyalton
Financial Report
As of February 14, 2018

Accrual Basis

	Feb 14, 18
ASSETS	
Current Assets	
Checking/Savings	
Enterprise Loan MM 0559	306,436.84
General Funds	
General Checking 1956- NEW	76,720.03
General Contingency Saving 0322	129,630.41
Total General Funds	206,350.44
Designated Funds	
WWTP Settlement MM 4321	2,677,457.69
Fire Dept. Reserve 7243	39,123.97
WWTP Construction 1990	5,972.70
Community Dev Block Grant 0059	4,455.92
Total Designated Funds	2,727,010.28
Cash Drawer	450.00
Total Checking/Savings	3,240,247.56
Accounts Receivable	
Accounts Receivable	80,465.84
Total Accounts Receivable	80,465.84
Other Current Assets	
Grants Receivable	-89,591.19
CDBG Loans Receivable	14,104.53
Due From Other Funds	389,174.04
Due From Sewer Fund	-30,000.00
Accounts Receivable- Government	
General Accounts Receivable	-600.00
Accounts Receivable- Government - Other	-100.00
Total Accounts Receivable- Government	-700.00
Accounts Receivable- Proprietar	
Reserve for Bad Debt	-188,104.18
Accts Receivable- Late Fees Wat	4,958.99
Accts Receivable- Late Fees Sew	12,334.03
Sewer Ent. Accounts Receivable	246,827.43
Water Ent. Accounts Receivable	
Reconnect fee	-857.58
Water Ent. Accounts Receivable - Other	123,611.09
Total Water Ent. Accounts Receivable	122,753.51
Total Accounts Receivable- Proprietar	198,769.78
Total Other Current Assets	481,757.16
Total Current Assets	3,802,470.56
Fixed Assets	
Fixed Assets	
Construction in Progress	238,826.18
Land	352,112.00
Buildings	1,029,606.34
Improvements	11,667,426.16
Machinery and Equipment	1,298,766.42
Accumulated Depreciation	-4,619,593.00
Total Fixed Assets	9,967,144.10
Total Fixed Assets	9,967,144.10
TOTAL ASSETS	13,769,614.66
LIABILITIES & EQUITY	

City of Loyaltan
Financial Report
As of February 14, 2018

Accrual Basis

	Feb 14, 18
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	50,248.30
Total Accounts Payable	50,248.30
Other Current Liabilities	
Current Portion-Long Term Debt	-123,505.60
Due to Other Governments	41,836.27
Due to Other Funds	389,174.04
Sales Tax Payable	-1,024.00
J. Cussins Converted Sick Liabi	26,248.10
Due to General Fund	-30,000.00
Accrued Bond Interest Payable	59,544.70
Accrued Payroll	
Propriety Accrued Payroll	
Water Ent. Accrued Payroll	132.51
Sewer Ent. Accrued Payroll	335.51
Total Propriety Accrued Payroll	468.02
Governmental Accrued Payroll	5.67
Total Accrued Payroll	473.69
Customer Deposits	200.00
Payroll Liabilities	
Employee Liability Deductions	-1,069.89
State Taxes	132.78
Federal Taxes	-284.23
Payroll Liabilities - Other	8,662.16
Total Payroll Liabilities	7,440.82
Total Other Current Liabilities	370,388.02
Total Current Liabilities	420,636.32
Long Term Liabilities	
John Deere Credit Payable70422	-0.03
John Deere Credit Payable 5215	21,284.56
Bonds Payable	
USDA 92-07	3,215,000.00
Note Payable- Water Proj 91-05	978,400.00
USDA Sewer 92-01	835,338.00
USDA Sewer 92-03	124,491.00
Total Bonds Payable	5,153,229.00
Total Long Term Liabilities	5,174,513.53
Total Liabilities	5,595,149.85
Equity	
Unassigned (Fund Equity)	199,791.14
Reserved Funds	32,967.98
Invested in Fixed Assets	4,956,179.67
Unreserved Fund Balance	2,138,391.17
Net Income	847,134.85
Total Equity	8,174,464.81
TOTAL LIABILITIES & EQUITY	13,769,614.66

City of Loyaltan
Revenue & Expenditures
 July 1, 2017 through February 14, 2018

	Jul 1, '17 - Feb 14, 18
Ordinary Income/Expense	
Income	
Transfer In	55,028.76
Building Permits	4,764.13
Donations	11,649.88
Property Taxes	
Supplemental	1,172.54
Homeowners	395.22
Clerk Fees	875.60
Secured	18,608.81
Unsecured	1,359.79
Prior Year	42.39
Total Property Taxes	22,454.35
Taxes & License Revenue	
Sales & Use	36,211.71
License & Permits	5,055.00
Total Taxes & License Revenue	41,266.71
Intergovernmental - Federal	
USDA Grant	54,250.00
Intergovernmental - Federal - Other	3,912.58
Total Intergovernmental - Federal	58,162.58
Intergovernmental - State	
VLF Swap	29,568.00
Traffic Congestion Relief	874.22
Highway Users Tax	
2103 (Gas Tax)	2,025.73
2105	2,494.63
2106	3,519.55
2107	3,277.11
2107.5	1,000.00
Total Highway Users Tax	12,317.02
Intergovernmental - State - Other	55,850.94
Total Intergovernmental - State	98,610.18
Enterprise Income	
Sewer Service Income	
Sewer Service Income - Other	20.00
Late Fees Sewer	2,109.57
Sewer Service Income - Other	217,624.16
Total Sewer Service Income	219,753.73
Water Service Income	
Connection Fee	3,250.00
Late Fees Water	1,054.76
Water Service Income - Other	112,243.53
Total Water Service Income	116,548.29
Charges for Services Misc	10.00
Total Enterprise Income	336,312.02
Charges for Current Services	
Copies & Faxes	757.25
Hook-ups	500.00
Cemetery	
Plots	2,000.00
Total Cemetery	2,000.00

City of Loyalton
Revenue & Expenditures
July 1, 2017 through February 14, 2018

	<u>Jul 1, '17 - Feb 14, 18</u>
Rent Income	
Auditorium Rental	60.00
Social Hall	405.00
Rent Income - Other	6,601.00
Total Rent Income	7,066.00
Service Area Revenue	10,000.00
Charges for Current Services - Other	14,736.39
Total Charges for Current Services	35,059.64
Revenue Use of Money & Property	
Interest Income	2,642.39
Revolving Loan	2,448.42
Total Revenue Use of Money & Property	5,090.81
Miscellaneous Revenue	
S.C.O.R.E.	275.38
Other Income	
Settlement - WWTP	965,000.00
Total Other Income	965,000.00
Miscellaneous Revenue - Other	1,797.22
Total Miscellaneous Revenue	967,072.60
Total Income	1,635,471.66
Gross Profit	1,635,471.66
Expense	
Refund	
Bldg Permit - Indemnification	250.00
Total Refund	250.00
DSA 786 Fees	0.90
Small Tools & Equipment	
Small Tools & Equipment - Other	679.00
Safety	275.38
Small Tools & Equipment - Other	4,900.95
Total Small Tools & Equipment	5,855.33
Repairs & Maintenance	3,421.36
Building Repairs	19.19
Utilities	
Security	360.00
Internet - Broadband	1,338.83
Propane	7,731.88
Electric	
Electric for Discharge	195.45
Electric - Other	57,859.20
Total Electric	58,054.65
Garbage Disposal	851.40
Utilities - Other	172.30
Total Utilities	68,509.06
Janitorial	21.51
Equipment Repair & Maintenance	19,173.91
Reconciliation Discrepancies	4.62
Taxes	
Solid Waste Benefit Assessment	4,820.46
Property Tax	585.59

City of Loyalton
Revenue & Expenditures
 July 1, 2017 through February 14, 2018

	<u>Jul 1, '17 - Feb 14, 18</u>
Taxes - Other	91.03
Total Taxes	5,497.08
Salaries and Wages	
Workers Comp.	11,717.61
Payroll Tax Expense	8,418.97
Payroll Expense	
Part Time Wages	34,507.68
Payroll Expense - Other	97,414.41
Total Payroll Expense	131,922.09
Total Salaries and Wages	152,058.67
Employee Benefits	
Nationwide City	552.74
Health Insurance	1,969.86
Total Employee Benefits	2,522.60
Services and Supplies	
Postage	1,311.67
Advertising	412.00
Automobile Expense	
Fuel	5,102.69
Automobile Expense - Other	1,182.34
Total Automobile Expense	6,285.03
Bank Service Charges	89.00
Chemicals	984.85
Contracted Services	
Building Permits	169.00
Health/Drug Screening	653.77
Professional Fees	13,763.75
Legal Fees	105,202.80
Auditing Expense	7,147.00
Consulting	14,171.18
Testing	7,879.00
Contracted Services - Other	105,737.14
Total Contracted Services	254,723.64
Dues and Subscriptions	1,335.60
Equipment Rental	276.03
Insurance	
Liability Insurance	19,090.16
Property Insurance	15,266.56
Travel for SCORE	319.80
Insurance - Other	297.00
Total Insurance	34,973.52
Licenses and Permits	18,815.34
Miscellaneous	
Meals	156.08
Miscellaneous - Other	114.88
Total Miscellaneous	270.96
Office Expense	4,553.38
Operating Supplies	2,984.65
Telephone	1,927.96
Travel	413.91
Services and Supplies - Other	2,372.76

ENTERED

FEB 12 2018

BY: _____

City of Loyalton

TO Whom It May Concern:

It is very strange to me some people gets away with any & everything. Some people don't get away with nothing at all.

My brother got cited and threatened by the local Sheriff's department.

At 501 Lewis Ave. they received a letter post marked January 19-2018 giving them a 10-day notice to get out of trailer on property or further actions would be taken. No changes has been done. Kelly says BS.

This city is a joke! Well if they can get away with I am to. Just notified my nephew in NH to bring his RV & farm animals and move into my property.

The City not gain to stop me for doing what I want to. You will be heard from me & my attorney.

Have a little common sense and enforce the laws & rules.

3:50 PM

02/14/18

Accrual Basis

City of Loyaltan
Revenue & Expenditures
July 1, 2017 through February 14, 2018

	<u>Jul 1, '17 - Feb 14, 18</u>
Total Services and Supplies	<u>331,730.30</u>
Total Expense	<u>589,064.53</u>
Net Ordinary Income	1,046,407.13
Other Income/Expense	
Other Expense	
Transfers Out	55,028.76
Debt Service	
Interest Expense	
Interest 91-05 Water	22,047.75
Interest 92-01 Sewer	37,009.68
Interest 92-03 Sewer	5,514.33
Interest 92-07 Sewer	79,650.00
Total Interest Expense	<u>144,221.76</u>
Total Debt Service	144,221.76
Capital Outlay	
Street Repairs	21.76
Total Capital Outlay	<u>21.76</u>
Total Other Expense	<u>199,272.28</u>
Net Other Income	-199,272.28
Net Income	<u>847,134.85</u>

City of Loyalton
Bills Paid

As of February 14, 2018

Handwritten note: "Handwritten note" (partially obscured)

Type	Date	Num	Name	Memo	Paid Amount
Enterprise Loan MM 0559					
Check	01/31/2018			Service Charge	-2.00
Bill Pmt -Check	01/15/2018	152	USDA 92-01	Case #04-046-0946000364, Code 92, Loan Numb...	-18,147.09
Bill Pmt -Check	01/15/2018	153	USDA 92-03	Case # 04-046-0946000364, Code 92, Loan Num...	-2,706.54
Bill Pmt -Check	01/15/2018	154	USDA 92-07	Case #04-046-0946000364, Code 92 Loan 07	-39,425.00
Total Enterprise Loan MM 0559					-60,280.63
General Funds					
General Checking 1956- NEW					
Check	01/31/2018			Service Charge	-2.00
Bill Pmt -Check	01/29/2018	ACH	Plumas Bank-Vendor		-106.82
Bill Pmt -Check	01/17/2018	EFT	Bank of America	5472064000010235	-2,378.53
Check	01/12/2018	EFT	Plumas Bank-Vendor	Insufficient Funds Charge	-10.00
Check	01/12/2018	EFT	Chargeback - NSF	NSF	-108.18
Bill Pmt -Check	01/26/2018	EFT	Nationwide	PPE 01.20.2018	-137.23
Liability Check	01/25/2018	EFT	US Treasury-941	94-6000364	-670.00
Liability Check	01/26/2018	EFT	Employment Development De...	69817369	-17.92
Liability Check	01/26/2018	EFT	Employment Development De...	69817369	-221.36
Liability Check	02/09/2018	EFT	Employment Development De...	69817369	-15.34
Liability Check	02/09/2018	EFT	Employment Development De...	69817369	-208.71
Liability Check	02/09/2018	EFT	US Treasury-941	94-6000364	-675.76
Bill Pmt -Check	02/09/2018	EFT	Nationwide	PPE02.03.2018	-127.92
Bill Pmt -Check	02/14/2018	EFT	PITNEY BOWES INC Purcha...	8000-9000-0953-9911	-125.00
Bill Pmt -Check	02/14/2018	EFT	Bank of America	5472064000010235	-1,373.51
Paycheck	01/23/2018	4823	Graves, Kathryn L.		-138.52
Paycheck	01/23/2018	4824	Jordan, Keith S.		-1,274.91
Paycheck	01/23/2018	4825	LeBlanc, Katherine L.		-693.42
Paycheck	01/23/2018	4826	Lombardi, Kimberly K.		-141.99
Paycheck	01/23/2018	4827	Marin, Mark J.		-45.71
Paycheck	01/23/2018	4828	Markum, Joy L.		-45.71
Paycheck	01/23/2018	4829	Rogers, Nancy R.		-45.71
Paycheck	01/23/2018	4830	Smith, Tracy A.		-791.90
Bill Pmt -Check	01/26/2018	4831	Sierra County Clerk-Recorder	Recording Fees for 11-Lien Releases	-88.00
Check	01/26/2018	4832	Petty Cash (Tracy Smith)	Void: Printed in error	0.00
Bill Pmt -Check	01/26/2018	4833	Petty Cash (Tracy Smith)	Petty Cash Drawer	-34.83
Bill Pmt -Check	01/30/2018	4834	Amerigas*	201913977	-317.61
Bill Pmt -Check	01/30/2018	4835	AT&T CALNET 3		-67.52
Bill Pmt -Check	01/30/2018	4836	City of Portola	Inspections	-105.00
Bill Pmt -Check	01/30/2018	4837	Current Electric & Alarm	Alarm System Monitoring 1st Quarter 2018	-120.00
Bill Pmt -Check	01/30/2018	4838	Intermountain Disposal, Inc.	Account code LOYCI	-141.90
Bill Pmt -Check	01/30/2018	4839	L.N. Curtis & Sons	FD Custom Badges (Sales Order 372772)	-819.55
Bill Pmt -Check	01/30/2018	4840	Liberty Utilities		-3,716.11
Bill Pmt -Check	01/30/2018	4841	Mountain Messenger	City Council Vacancy Notice	-30.00
Bill Pmt -Check	01/30/2018	4842	Office Depot	6011 5661 5318 4480	-186.85
Bill Pmt -Check	01/30/2018	4843	POSTMASTER	February 2018 Water/Sewer Billing	-90.72
Bill Pmt -Check	01/30/2018	4844	S.C.O.R.E.		-2,863.06
Bill Pmt -Check	01/30/2018	4845	Sierra County Auditor	Police Contract	-1,250.00
Bill Pmt -Check	01/30/2018	4846	Sierra Environmental Monitori...	LOY-001	-383.00
Bill Pmt -Check	01/30/2018	4847	Verizon Wireless	370745244-000001	-38.01
Bill Pmt -Check	01/30/2018	4848	Xerox Corporation	951429299	-335.32
Bill Pmt -Check	01/30/2018	4849	S.C.O.R.E.	3rd QTR 2017/18 Comp	-3,905.87
Bill Pmt -Check	01/31/2018	4850	SVHC- Sierra Valley Home Ce...	1100	-221.65
Check	01/31/2018	4851	Koch, Derrick & Monique	Return of Indemnification Deposit for Building Per...	-250.00
Check	01/31/2018	4852	Laurel Wright	Return of Indemnification Deposit for Building Per...	-250.00
Paycheck	02/09/2018	4853	Cussins, John C.		0.00
Paycheck	02/09/2018	4854	Graves, Kathryn L.		-138.53
Paycheck	02/09/2018	4855	Jordan, Keith S.		-1,210.65
Paycheck	02/09/2018	4856	LeBlanc, Katherine L.		-716.01
Paycheck	02/09/2018	4857	Lombardi, Kimberly K.		-57.25
Paycheck	02/09/2018	4858	Marin, Mark J.		-45.71
Paycheck	02/09/2018	4859	Markum, Joy L.		-45.71
Paycheck	02/09/2018	4860	Rogers, Nancy R.		-45.71
Paycheck	02/09/2018	4861	Smith, Tracy A.		-741.74
Bill Pmt -Check	02/14/2018	4862	Amerigas*	201913977	-2,759.55
Bill Pmt -Check	02/14/2018	4863	Bastian Engineering	Engineering- Groundwater Gradient	-347.50
Bill Pmt -Check	02/14/2018	4864	Cashman Equipment Company		-1,578.75
Bill Pmt -Check	02/14/2018	4865	Intermountain Disposal, Inc.	Account code LOYCI	-141.90
Bill Pmt -Check	02/14/2018	4866	Keith Jordan	Phone Reimbursement - February 2018	-15.00

3:58 PM
02/14/18
Cash Basis

City of Loyalton
Bills Paid

As of February 14, 2018

Type	Date	Num	Name	Memo	Paid Amount
Bill Pmt -Check	02/14/2018	4867	O'Reilly Auto Parts	Transaction No. 3661431371	-117.95
Bill Pmt -Check	02/14/2018	4868	Office Depot	6011 5661 5318 4480	-32.54
Bill Pmt -Check	02/14/2018	4869	Pape Machinery - POWERPL...		-510.85
Bill Pmt -Check	02/14/2018	4870	Plumas-Sierra Telecomm.	Broadband, Account # 37225	-109.00
Bill Pmt -Check	02/14/2018	4871	Plumas Sierra Rural Electric		-2,860.71
Bill Pmt -Check	02/14/2018	4872	Porter Simon Professional Ser...	92132-13200M	-500.00
Bill Pmt -Check	02/14/2018	4873	S.C.O.R.E.	2017-18 Property / Liability Insurance	-2,863.06
Bill Pmt -Check	02/14/2018	4874	Sierra Controls, LLC	Contract Services, Yearly Subscription Services F...	-250.00
Bill Pmt -Check	02/14/2018	4875	Sierra County Auditor	Police Contract	-1,250.00
Bill Pmt -Check	02/14/2018	4876	Sierra Environmental Monitori...	LOY-001	-135.00
Bill Pmt -Check	02/14/2018	4877	State Water Resources Contr...	VOID:	0.00
Bill Pmt -Check	02/14/2018	4878	Sucaba Fleet Services		-600.00
Bill Pmt -Check	02/14/2018	4879	United Healthcare Insurance ...	J. Cussins March 2018 Premium - 327802773-1	-254.67
Bill Pmt -Check	02/14/2018	4880	Xerox Corporation	951429299	-330.52
Bill Pmt -Check	02/14/2018	4881	State Water Resources Contr...	OIT Application	-125.00
Bill Pmt -Check	02/14/2018	4882	State Water Resources Contr...	System No. 4610001 Water System Enforcement ...	-167.00
Total General Checking 1956- NEW					-42,521.46
General Contingency Saving 0322					
Total General Contingency Saving 0322					
Total General Funds					-42,521.46
Designated Funds					
WWTP Construction 1990					
Check	01/31/2018			Service Charge	-2.00
Check	01/25/2018	1189	City of Loyalton	Reimbursement from WWTP Construction Acct, ...	-14,171.18
Bill Pmt -Check	01/23/2018	1190	Sierra Controls, LLC	Project 17-5294-PWP Loyalton-Scada Computer ...	-19,018.65
Bill Pmt -Check	01/30/2018	1191	Farr West Engineering		-19,302.26
Total WWTP Construction 1990					-52,494.09
Community Dev Block Grant 0059					
Total Community Dev Block Grant 0059					
Total Designated Funds					-52,494.09
TOTAL					-155,296.18

Handwritten notes:
C.S.G.
Sierra

Handwritten notes:
Amount to approve

City of Loyaltan
Unpaid Bills
As of February 14, 2018

Type	Date	Num	Due Date	Aging	Open Balance
AJE					
General Journal	06/30/2012	AJE cx			2,646.60
Total AJE					2,646.60
AT&T CALNET 3					
Bill	02/12/2018	93910...	03/21/2018		29.50
Bill	02/12/2018	93191...	03/21/2018		40.61
Bill	02/12/2018	93910...	03/21/2018		39.25
Total AT&T CALNET 3					109.36
Audit Adjustments 2015					
General Journal	07/01/2017	COLR...			-3,753.00
Total Audit Adjustments 2015					-3,753.00
Farr West Engineering					
Bill	02/02/2018	Inv. 95...	03/04/2018		27,798.11
Bill	02/02/2018	9515	03/04/2018		5,877.10
Total Farr West Engineering					33,675.21
Home Depot					
Credit	08/12/2017	9292845			-13.48
Deposit	02/02/2018	16400...			13.48
Total Home Depot					0.00
Pape Machinery - POWERPLAN					
Credit	11/26/2014	CM 92...			-6.00
Total Pape Machinery - POWERPLAN					-6.00
Petty Cash (Tracy Smith)					
Bill Pmt -Check	01/26/2018	4833			-34.83
Bill	01/26/2018		01/26/2018	19	34.83
Total Petty Cash (Tracy Smith)					0.00
PITNEY BOWES INC Purchase Power					
Bill	02/11/2018		03/11/2018		125.00
Total PITNEY BOWES INC Purchase Power					125.00
POSTMASTER					
Bill	10/31/2017		11/30/2017	76	225.00
Total POSTMASTER					225.00
S.C.O.R.E.					
Bill	07/01/2017	1718-...	07/31/2017	198	8,589.18
Total S.C.O.R.E.					8,589.18
Sierra Booster					
Bill	07/28/2017	350	08/12/2017	186	110.05
Bill	09/25/2017	437	10/10/2017	127	21.00
Bill	12/28/2017	Inv. 593	01/12/2018	33	52.25
Bill	01/25/2018	Inv. 593	02/09/2018	5	101.20
Total Sierra Booster					284.50
Sierra Controls, LLC					
Bill	12/31/2017	Inv. 593	01/30/2018	15	4,279.28
Total Sierra Controls, LLC					4,279.28
Sierra County Tax Collector					
Bill	09/22/2017	2596	04/10/2018		300.67
Bill	09/22/2017	2627	04/10/2018		17.64
Bill	09/22/2017	3633	04/10/2018		405.96
Bill	09/22/2017	3521	04/10/2018		1,361.04

City of Loyalton
Unpaid Bills
As of February 14, 2018

Type	Date	Num	Due Date	Aging	Open Balance
Bill	09/22/2017	3433	04/10/2018		374.40
Bill	09/22/2017	3526	04/10/2018		288.83
Total Sierra County Tax Collector					2,748.54
State Water Resources Control Board					
Bill	12/26/2017	Invoice...	03/26/2018		624.00
Total State Water Resources Control Board					624.00
Western Hydro Corporation					
Credit	07/02/2014	CM 15...			-299.37
Total Western Hydro Corporation					-299.37
WWW Construction, Inc.					
Bill	02/27/2015	2121	03/29/2015	1053	1,000.00
Total WWW Construction, Inc.					1,000.00
TOTAL					50,248.30

Acknowledgement of Approval, City of Loyalton - PP 62

The City of Loyalton acknowledges approval by council vote of the below listed invoices for payment and intends to seek reimbursement from the USDA Rural Development in conjunction with grant monies approved for the Waste Water Treatment Plant construction repair project.

Name	Date	Invoice #	Amount
Sierra Controls, LLC	12/31/2017	119188	4,279.83
Farr West Engineering	02/02/2018	9513	\$27,798.11
Farr West Engineering	02/02/2018	9515	\$5,877.10
THIS TOTAL			\$37,955.04

This authorization took place at the council meeting held on 02/20/2018 and will be further reflected in the council minutes of this meeting.

Authorized Signature

Nancy Rogers, Mayor, Dated 02/20/2018

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed Transfer(s) of Funds.

Transfer From	Transfer To	Date	Amount
General Fund	Enterprise Loan MM 0559	03/02/2018	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	03/09/2018	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	03/16/2018	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	03/23/2018	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	03/30/2018	
	Water		1,500.00
	Sewer		4,500.00

THIS TOTAL

\$30,000.00

This authorization took place at the council meeting held on 02/20/2018 and will be further reflected in the council minutes of this meeting.

Authorized Signature Nancy Rogers, Mayor, Dated 02/20/2018



Tracy Smith <loyalton.klombardi@gmail.com>

Audit proposal

Craig D. Collins <craig@collinsacct.com>
To: Tracy Smith <loyalton.klombardi@gmail.com>

Thu, Jan 25, 2018 at 11:07 AM

Hi Tracy,

Thanks for your e-mail and good to hear from you! I would be happy to help out, although at this point it may be a little tight to finish everything in time for submission of the State Controller's Report by January 31, but I think I could work on it relatively soon. Based on the time it has taken me before, I would estimate the fee for the State Controller's Report preparation would be about \$950. If you wanted to have my help with the year end adjusting and closing entries like I provided last year, that would be an additional \$2,850, but would likely be a little less. I would not be able to come to Loyalton to do the full year end closing work until after April 15, but I can fit in the State Controller's trial balance within the next week.

Let me know if you have any questions or feel free to call to discuss.

Craig

Craig D. Collins, CPA

Partner

Collins Accountancy Company

PO Box 426

Lincoln, CA 95648-0426

Phone: (530)-520-7782

E-mail: craig@collinsacct.com

Website: <http://www.collinsacct.com/>

From: Tracy Smith [<mailto:loyalton.klombardi@gmail.com>]

Sent: Wednesday, January 24, 2018 1:29 PM

To: Craig D. Collins <Craig@collinsacct.com>

Cc: Larry Bain <lpbain@sbcglobal.net>; Mary Fleming Leslie <mffleming@rcac.org>

Subject: Fwd: Audit proposal

[Quoted text hidden]

NOTICE TO ABATE

You are hereby notified that your property situated in the City of Loyalton, State of California, known and designated as (street address) _____, and more particularly described as Sierra County assessor's parcel number _____ is in violation of Section _____ (either 6.70.020 or 6.70.030) of Chapter 6.70 of the City Ordinances regarding public peace, health, and safety. The specific violations occurring on your property are described below:

Pursuant to Section 6.70.050, the City Council of the City of Loyalton directs you to correct these violations in the following manner, within (10) ten days of the date of this notice. _____

You may be subject to a fine and/or citation if the items described above are not corrected as set forth above.

Dated this _____ day of _____, 19____

Patsy Jardin, City Clerk

Exhibit A to Ordinance Relating to Trailers and Mobile Homes

NOTICE OF ADMINISTRATIVE HEARING ON ABATEMENT OF NUISANCE

This is a Notice of Hearing before the City Council to ascertain whether certain property situated in the City of Loyalton, State of California, known and designated as (street address) _____, and more particularly described as Sierra County assessor's parcel number _____ constitutes a public nuisance subject to abatement by removal and disposal. If said property, in whole or part, is found to constitute a public nuisance as defined in Chapter 6.70 of the Loyalton City Ordinances, and if the same is not promptly abated by the owner, such nuisance may be abated by municipal authorities, in which case the cost of such removal or disposal will be assessed upon such property and such costs, together with interest thereon, will constitute a lien upon such property until paid; in addition, you may be cited for violation of the provisions of the City Ordinances and subject to a fine.

Said alleged conditions consist of the following:

The method(s) of abatement are:

All persons having an interest in said matters may attend the hearing and their testimony and evidence will be heard and given due consideration.

Dated this _____ day of _____, 19__

City Clerk

Time and Date of Hearing: _____

Location of Hearing: _____

Exhibit C to Ordinance Relating to Trailers and Mobile Homes

NOTICE OF ADMINISTRATIVE HEARING ON ABATEMENT OF NUISANCE

*This is a Notice of Hearing before the City Council to ascertain whether certain property situated in the City of Loyalton, State of California, known and designated as **501 Lewis Avenue**, Loyalton, California, and more particularly described as Sierra County assessor's parcel number **017-103-008-0** constitutes a public nuisance subject to abatement by removal and disposal. If said property, in whole or part, is found to constitute a public nuisance as defined in Chapter 6.70 of the Loyalton City Ordinances, and if the same is not promptly abated by the owner, such nuisance may be abated by municipal authorities, in which case the cost of such removal or disposal will be assessed upon such property and such costs, together with interest thereon, will constitute a lien upon such property until paid; in addition, you may be cited for violation of the provisions of the City Ordinances and subject to a fine.*

Said alleged conditions consist of the following:

You are in violation of City of Loyalton ordinance code number 6.70.020. It is unlawful for any person to permanently inhabit, or allow another person to permanently inhabit, any camping trailers, camper shell, recreational vehicle, or mobile home within the City of Loyalton except in a duly licensed mobile home park. For the purpose of this Section a camping trailer, camper shell, recreational vehicle, or mobile home, shall be deemed to be permanently occupied for more than fourteen (14) (consecutive or nonconsecutive) days in any-one year period.

The method(s) of abatement are:

6.06.090 ABSATEMENT BY OWNER

The owner of the property shall cause the property to be rehabilitated, repaired, removed or demolished in the manner and means specifically set forth in said findings and order. In the event the owner fails to abate the nuisance as ordered, the City Council may direct the City Clerk to cause the same to be abated by City employees or private contract. The cost shall be billed to the owner, as specified in Section 6.60.110. The City Clerk is expressly authorized and may authorize others to enter upon said property for such purpose.

6.60.11 ABATEMENT BY CITY

If such nuisance is not abated as ordered within said abatement period, the City Clerk shall cause the same to be abated by City employees or private contract. The City Clerk is expressly authorized and may authorize others to enter upon said property for such purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty (30) days thereafter. The term "incidental expenses" shall include, but not limited to, personnel costs, both direct and indirect, including attorney fees; costs incurred documenting the nuisance;

the actual expenses of the City in preparation of notices, specifications and contracts, and in inspecting the work; and the cost of printing and mailing required hereunder.

No person shall obstruct, impede, or interfere with the City Clerk, or his or her representative in the performance of any necessary act, preliminary to or incidental in, carrying out an abatement order issued pursuant to this Chapter.

All persons having an interest in said matters may attend the hearing and their testimony and evidence will be heard and given due consideration.

Dated this 20th day of February, 2018

City Clerk

Time and Date of Hearing: March 6, 2018

Location of Hearing: City of Loyalton Social Hall

Attached City of Loyalton Ordinance 90-378, pages 1 through 7

NOTICE OF ADMINISTRATIVE HEARING ON ABATEMENT OF NUISANCE

*This is a Notice of Hearing before the City Council to ascertain whether certain property situated in the City of Loyalton, State of California, known and designated as **501 Lewis Avenue, Loyalton, California**, and more particularly described as Sierra County assessor's parcel number **017-103-008-0** constitutes a public nuisance subject to abatement by removal and disposal. If said property, in whole or part, is found to constitute a public nuisance as defined in Chapter 6.70 of the Loyalton City Ordinances, and if the same is not promptly abated by the owner, such nuisance may be abated by municipal authorities, in which case the cost of such removal or disposal will be assessed upon such property and such costs, together with interest thereon, will constitute a lien upon such property until paid; in addition, you may be cited for violation of the provisions of the City Ordinances and subject to a fine.*

Said alleged conditions consist of the following:

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6.60.11 ABATEMENT BY CITY

If such nuisance is not abated as ordered within said abatement period, the City Clerk shall cause the same to be abated by City employees or private contract. The City Clerk is expressly authorized and may authorize others to enter upon said property for such purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty (30) days thereafter. The term "incidental expenses" shall include, but not limited to, personnel costs, both direct and indirect, including attorney fees; costs incurred documenting the nuisance;

the actual expenses of the City in preparation of notices, specifications and contracts, and in inspecting the work; and the cost of printing and mailing required hereunder.

No person shall obstruct, impede, or interfere with the City Clerk, or his or her representative in the performance of any necessary act, preliminary to or incidental in, carrying out an abatement order issued pursuant to this Chapter.

All persons having an interest in said matters may attend the hearing and their testimony and evidence will be heard and given due consideration.

Dated this 20th day of February, 2018

City Clerk

Time and Date of Hearing: March 6, 2018

Location of Hearing: City of Loyalton Social Hall

Attached City of Loyalton Ordinance 90-378, pages 1 through 7

ORDINANCE 90 - 378

**AN ORDINANCE OF THE CITY OF LOYALTON
RELATING TO TRAILERS AND MOBILE HOMES**

The City Council of the City of Loyaltan does hereby ordain and adopt Chapter 6.70, an addition to Part 6, Public Peace, Health and Safety, of the City of Loyaltan Ordinances:

6.70.010	Definitions
6.70.020	Unlawful Habitation
6.70.030	Mobile Home Storage
6.70.040	Declaration of Public Nuisance
6.70.050	Notification of Nuisance
6.70.060	Administrative Hearing to Abate Nuisance
6.70.070	Notice of Hearing
6.70.080	Administrative Hearing by City Council
6.70.090	Procedure
6.70.100	Hearing Procedure Before City Council
6.70.110	Abatement by City
6.70.120	Limitation of Filing Judicial Action
6.70.130	Record of Costs of Abatement
6.70.140	Assessment Lien
6.70.150	Alternative Actions Available
6.70.160	Failure to Abate Nuisance a Misdemeanor
6.70.170	Effective Date and Posting of Ordinance

6.70.010 DEFINITIONS

- A. **Camping Trailer** "Camping Trailer" shall mean a nonmotorized trailer which is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.

- B. **Camper Shell** "Camper Shell" shall mean a nonmotorized compartment that generally rests on a pickup truck and is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.

- C. **Recreational Vehicle** "Recreational Vehicle" shall mean a motorized trailer which is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.

- D. **Mobile Home** "Mobile Home" shall mean a housing unit that is, or can be, moved from one location to another, but which is customarily and ordinarily used for the permanent housing of people.

6.70.020 UNLAWFUL HABITATION

It is unlawful for any person to permanently inhabit, or allow another person to permanently inhabit, any camping trailer, camper shell, recreational vehicle, or mobile home within the City of Loyaltan except in a duly licensed mobile home park. For purposes of this Section, a camping trailer, camper shell, recreational vehicle, or mobile home shall be deemed to be permanently occupied if it is occupied for more than fourteen (consecutive or nonconsecutive) days in any one-year period.

6.70.030 MOBILE HOME STORAGE

It shall be unlawful for any person to locate, store or maintain a mobile home on any public or private property, including streets and highways, within the City of Loyaltan, except in a licensed mobile home park, or pursuant to a use permit issued by the City of Loyaltan.

6.70.040 DECLARATION OF PUBLIC NUISANCE

Any property found to be maintained in violation of Sections 6.70.020 or 6.70.030 is hereby declared to be a public nuisance and shall be abated by removal and disposal pursuant to the procedures set forth herein. The procedures for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the City from enforcing other City Ordinances or abating public nuisances in any other manner provided by law.

6.70.050 NOTIFICATION OF NUISANCE

Whenever the City Council determines that any property within the City is being maintained contrary to the provisions of Sections 6.70.020 or 6.70.030, it shall give written notice ("Notice to Abate") to the owner of said property stating the Section(s) being violated. Such notice shall set forth a reasonable time limit, in no event less than ten (10) calendar days, for correcting the violation(s) and may also set forth suggested methods of correcting the same. Such notice shall be served upon the owner in accordance with provisions of Section 6.70.070 covering service in person or by mail. The City Clerk shall retain proof of service of this notice.

6.70.060 ADMINISTRATIVE HEARING TO ABATE NUISANCE

In the event said owner shall fail, neglect or refuse to comply with the Notice to Abate, the City Council shall conduct an administrative hearing to ascertain whether said violation constitutes a public nuisance.

6.70.070 NOTICE OF HEARING

Notice of said hearing shall be served upon the owner not less than ten (10) calendar days before the time fixed for hearing. Notice of hearing shall be served in person, by first class mail, or by certified mail to the owner's last known address. Service shall be deemed complete at the time notice is personally served or deposited in the mail. The City Clerk shall retain proof of service of this notice. Failure of any person to receive notice shall not affect the validity of any proceedings hereunder. Notice shall be substantially in the format set forth below:

"Notice of Administrative Hearing on Abatement of Nuisance

This is a Notice of Hearing before the City Council to ascertain whether certain personal property situated in the City of Loyalton, State of California, known and designated as (street address) _____, in said City, and more particularly described as (assessor's parcel number) _____ constitutes a public nuisance subject to abatement by the removal and disposal. If said property, in whole or part, is found to constitute a public nuisance as defined in Chapter 6.70 of the Loyalton City Ordinances, and if the same is not promptly abated by the owner, such nuisance may be abated by municipal authorities, in which case the cost of such removal or disposal will be assessed upon such property and such costs, together with interest thereon, will constitute a lien upon such property until paid; in addition, you may be cited for violation of the provisions of the City Ordinances and subject to a fine.

Said alleged conditions consist of the following: _____

The method(s) of abatement are: _____

All persons having an interest in said matters may attend the hearing, and their testimony and evidence will be heard and given due consideration.

Dated this _____ day of _____, 19__

City Clerk

Time and Date of Hearing: _____.

Location of Hearing: _____."

6.70.080 ADMINISTRATIVE HEARING BY CITY COUNCIL

At the time stated in the notice, the City Council shall hear and consider all relevant evidence, objections or protests, and shall receive testimony under oath relative to such alleged public nuisance and to the proposed removal or disposal of such property. Said hearing may be continued from time to time.

If the City Council finds that such public nuisance does exist and that there is sufficient cause to remove or dispose of the same, the City Council shall prepare findings and an order, which shall specify the nature of the nuisance, the method(s) of abatement and the time within which the work shall be commenced and completed. A copy of the findings and order shall be served on all owners of the subject property in accordance with the provisions of Section 6.70.070. The City Clerk shall retain proof of service of the findings and order. In addition, a copy of the findings and order shall be forthwith conspicuously posted on or near the property. The order shall set forth the time within which such work shall be completed by the owner, in no event less than thirty (30) days. The decision and order of the Council shall be final.

6.70.090 PROCEDURE

The property shall be removed or disposed of in the manner and means specifically set forth in said findings and order. In the event the owner fails to abate the nuisance as ordered, the City Council may direct the City Clerk to cause the same to be abated by City employees or private contract. The costs shall be billed to the owner, as specified in Section 6.70.110. The City Clerk is expressly authorized and may authorize others to enter upon said property for such purposes.

6.70.100 HEARING PROCEDURE BEFORE CITY COUNCIL

All hearings shall be tape recorded. Hearings need not be conducted according to the technical rules of evidence. Any relevant evidence shall be admitted if it is the type of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Oral evidence shall be taken only on oath or affirmation. Irrelevant and unduly repetitious evidence shall be excluded.

6.70.110 ABATEMENT BY CITY

If such nuisance is not abated as ordered within said abatement period, the City Clerk shall cause the same to be abated by City employees or private contract. The City Clerk is expressly authorized and may authorize others to enter upon said property for such

purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty (30) days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs, both direct and indirect, including attorneys' fees; costs incurred in documenting the nuisance; the actual expenses and costs of the City in the preparation of notices, specifications and contracts, and in inspecting the work; and the costs of printing and mailing required hereunder.

No person shall obstruct, impede, or interfere with the City Clerk, or his or her representative in the performance of any necessary act, preliminary to or incidental in, carrying out an abatement order issued pursuant to this Chapter.

6.70.120 LIMITATION OF FILING JUDICIAL ACTION

Any court action appealing or challenging the Council's decision and order shall be commenced within thirty (30) calendar days of the date of service of the decision.

6.70.130 RECORD OF COSTS OF ABATEMENT

The City Clerk shall keep an account of the cost, including attorneys' fees and incidental expenses, of abating such nuisance on each separate lot or parcel of land where the work is done by the City and shall render an itemized report in writing to the City Council showing the cost of abatement, including the removal and disposal of said property, including any salvage value relating thereto; provided that before said report is submitted to the City Council, a copy of the same shall be posted for at least five (5) days upon or in front of such property, together with a notice of the time when said report shall be heard by the City Council for confirmation. A copy of said report and notice of the hearing shall be served upon the owners of said property in accordance with the provisions of Section 6.70.080 at least five (5) calendar days prior to submitting the same to the City Council. The City Clerk shall retain proof of such posting and service.

6.70.140 ASSESSMENT LIEN

The total cost for abating such nuisance, if confirmed by the City Council after a hearing, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the County Recorder of a Notice of Lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

After such confirmation and recordation, a certified copy of the Council's decision shall be filed with the Sierra County Auditor-Controller on or before August 1 of each year, whereupon it shall be the duty of said Auditor-Controller to add the amounts of the respective assessments to the next regular tax bills levied against said respective lots and parcels of land for municipal purposes and thereafter said amounts shall 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 such special assessment.

In the alternative, after such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law, including California Civil Code Sections 2924, 2924b, 2924c, 2924f, 2924g, and 2924h.

Such Notice of Lien for recordation shall be in substantially the following form:

"NOTICE OF LIEN

(Claim of City of Loyalton)

Pursuant to the authority vested by the provisions of Section 6.70.140 of the Ordinances of the City of Loyalton, the City Clerk of the City of Loyalton did on or about the _____ day of _____, 19__, cause the property hereinafter described to be removed or disposed of in order to abate a public nuisance on said real property; and the City Council of the City of Loyalton on the ____ day of _____, 19__, did assess the cost of such removal and disposal upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Loyalton does hereby claim a lien on such real property in the amount of said assessment, to wit: the sum of \$ _____; and the same, shall be a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinabove mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Loyalton, County of Sierra, State of California, and particularly described as follows:

Street Address: _____

Assessor Parcel No.: _____

Legal Description: _____

(description)

Dated this _____ day of _____, 19__.

City Clerk, City of Loyalton"

6.70.150 ALTERNATIVE ACTIONS AVAILABLE

Nothing in this Ordinance shall be deemed to prevent the City Council from ordering the commencement of a civil proceeding to abate a public nuisance pursuant to applicable law or from pursuing any other remedy available under applicable law. The City Clerk is designated as the enforcement authority.

6.70.160 FAILURE TO ABATE NUISANCE A MISDEMEANOR

It is unlawful and a misdemeanor for any person to fail or refuse to abate a nuisance when ordered to do so in accordance with the abatement provision of this Chapter or state law where such state law is applicable.

6.70.170 EFFECTIVE DATE AND POSTING OF ORDINANCE

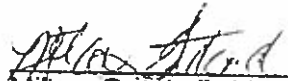
The City Clerk of the City of Loyalton shall cause this Ordinance to be posted in at least three (3) public places in the City of Loyalton in accordance with Section 36933 of the Government Code of the State of California. However, this Ordinance is an emergency ordinance, and shall take effect immediately, pursuant to Section 36937(b) if passed by a four-fifths majority of the City Council.

PASSED AND ADOPTED by the City Council of the City of Loyalton on this 12th day of April, 1990 by the following vote:


AYES: K. Peterson, M. Moran, M. Hudson

NOES: None

ABSENT: M. Gottardi, E. Smith


Milton Gottardi, Mayor

ATTEST:


Patsy Jardin, City Clerk

Kathy LeBlanc

From: Steven C. Gross [gross@PorterSimon.com]
Sent: Tuesday, February 06, 2018 5:24 PM
To: Joy Markum
Cc: Kathy LeBlanc
Subject: RE: City of Loyalton
Attachments: Notice to Abate Nuisance (00713506xB33D7).docx; Notice of Administrative Hearing re Abatement of Nuisance (00713508xB33D7).docx

Joy,

I found some very old files/documents that may be what you want. The first document is a Notice to Abate Nuisance and the second is a Notice of Administrative Hearing for the Abatement of a Nuisance. Both documents appear to have last been reviewed in approximately 1997, more than 20 years ago. All I have done is to provide you copies of what I have. I have NOT reviewed, edited, updated or confirmed the accuracy of either of these documents. It is possible that the City has more recent notices, etc that would assist you.

BEFORE THESE DOCUMENTS ARE USED, all references to the City ordinances/municipal code should be checked and confirmed and the ordinances/municipal codes should be reviewed for additional or new requirements that would need to be added. I have NOT done this because I don't really know if this is what you are looking for and I don't know if I have authorization to do more work on this matter. Correct references to the applicable ordinances/municipal codes will need to be included, as will the correct address and APN for the property and the specific facts giving rise to the nuisance abatement order and hearing.

The ordinances/municipal codes likely have specific requirements for service of the notices and for the minimum number of days before the hearing that the hearing notice would need to be serviced. I have NOT reviewed any of the ordinances/municipal codes or requirements at this time.

Please let me know if these documents are what you are looking for or if you are looking for something else. Thanks

Steve



Steven C. Gross
PORTER SIMON | Professional Corporation
40200 Truckee Airport Road, Suite One | Truckee, CA 96161
530.587.2002 ext. 4485 | 530.587.1316 fax

gross@portersimon.com | www.portersimon.com

CONFIDENTIALITY NOTICE: This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or taking of any action in reliance upon the communication is strictly prohibited. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. If you have received this communication in error please contact me by e-mail or by telephone at (530) 587-2002. Thank you.

From: Steven C. Gross
Sent: Tuesday, February 06, 2018 4:52 PM

ORDINANCE 90 - 378

AN ORDINANCE OF THE CITY OF LOYALTON
RELATING TO TRAILERS AND MOBILE HOMES

The City Council of the City of Loyaltan does hereby ordain and adopt Chapter 6.70, an addition to Part 6, Public Peace, Health and Safety, of the City of Loyaltan Ordinances:

6.70.010	Definitions
6.70.020	Unlawful Habitation
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6.70.150	Alternative Actions Available
6.70.160	Failure to Abate Nuisance a Misdemeanor
6.70.170	Effective Date and Posting of Ordinance

6.70.010 DEFINITIONS

- A. Camping Trailer "Camping Trailer" shall mean a nonmotorized trailer which is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.
- B. Camper Shell "Camper Shell" shall mean a nonmotorized compartment that generally rests on a pickup truck and is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.
- C. Recreational Vehicle "Recreational Vehicle" shall mean a motorized trailer which is customarily and usually used for the purpose of housing persons while camping or otherwise vacationing.
- D. Mobile Home "Mobile Home" shall mean a housing unit that is, or can be, moved from one location to another, but which is customarily and ordinarily used for the permanent housing of people.

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6.70.030 MOBILE HOME STORAGE

It shall be unlawful for any person to locate, store or maintain a mobile home on any public or private property, including streets and highways, within the City of Loyaltan, except in a licensed mobile home park, or pursuant to a use permit issued by the City of Loyaltan.

6.70.040 DECLARATION OF PUBLIC NUISANCE

Any property within the City of Loyaltan which is used for any purpose prohibited by law is hereby declared to be a public nuisance and shall be abated by removal and disposal pursuant to the procedures set forth herein. The procedures for abatement set forth herein shall not be exclusive and shall not in any manner limit or restrict the City from enforcing other City Ordinances or abating public nuisances in any other manner provided by law.

6.70.050 NOTIFICATION OF NUISANCE

Whenever the City Council determines that any property within the City is being maintained contrary to the provisions of Sections 6.70.020 or 6.70.030, it shall give written notice ("Notice to Abate") to the owner of said property stating the Section(s) being violated. Such notice shall set forth a reasonable time limit, in no event less than ten (10) calendar days, for correcting the violation(s) and may also set forth suggested methods of correcting the same. Such notice shall be served upon the owner in accordance with provisions of Section 6.70.070 covering service in person or by mail. The City Clerk shall retain proof of service of this notice.

6.70.060 ADMINISTRATIVE HEARING TO ABATE NUISANCE

In the event said owner shall fail, neglect or refuse to comply with the Notice to Abate, the City Council shall conduct an administrative hearing to ascertain whether said violation constitutes a public nuisance.

6.70.070 NOTICE OF HEARING

Notice of said hearing shall be served upon the owner not less than ten (10) calendar days before the time fixed for hearing. Notice of hearing shall be served in person, by first class mail, or by certified mail to the owner's last known address. Service shall be deemed complete at the time notice is personally served or deposited in the mail. The City Clerk shall retain proof of service of this notice. Failure of any person to receive notice shall not affect the validity of any proceedings hereunder. Notice shall be substantially in the format set forth below:

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Said alleged conditions consist of the following: _____

The method(s) of abatement are: _____

All persons having an interest in said matters may attend the hearing, and their testimony and evidence will be heard and given due consideration.

Dated this _____ day of _____, 19__

City Clerk

Time and Date of Hearing: _____.

Location of Hearing: _____."

6.70.080 ADMINISTRATIVE HEARING BY CITY COUNCIL

At the time stated in the notice, the City Council shall hear and consider all relevant evidence, objections or protests, and shall receive testimony under oath relative to such alleged public nuisance and to the proposed removal or disposal of such property. Said hearing may be continued from time to time.

If the City Council finds that such public nuisance does exist and that there is sufficient cause to remove or dispose of the same, the City Council shall prepare findings and an order, which shall specify the nature of the nuisance, the method(s) of abatement and the time within which the work shall be commenced and completed. A copy of the findings and order shall be served on all owners of the subject property in accordance with the provisions of Section 6.70.070. The City Clerk shall retain proof of service of the findings and order. In addition, a copy of the findings and order shall be forthwith conspicuously posted on or near the property. The order shall set forth the time within which such work shall be completed by the owner, in no event less than thirty (30) days. The decision and order of the Council shall be final.

6.70.090 PROCEDURE

The property shall be removed or disposed of in the manner and means specifically set forth in said findings and order. In the event the owner fails to abate the nuisance as ordered, the City Council may direct the City Clerk to cause the same to be abated by City employees or private contract. The costs shall be billed to the owner, as specified in Section 6.70.110. The City Clerk is expressly authorized and may authorize others to enter upon said property for such purposes.

6.70.100 HEARING PROCEDURE BEFORE CITY COUNCIL

All hearings shall be tape recorded. Hearings need not be conducted according to the technical rules of evidence. Any relevant evidence shall be admitted if it is the type of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Oral evidence shall be taken only on oath or affirmation. Irrelevant and unduly repetitious evidence shall be excluded.

6.70.110 ABATEMENT BY CITY

If such nuisance is not abated as ordered within said abatement period, the City Clerk shall cause the same to be abated by City employees or private contract. The City Clerk is expressly authorized and may authorize others to enter upon said property for such

purposes. The cost, including incidental expenses, of abating the nuisance shall be billed to the owner and shall become due and payable thirty (30) days thereafter. The term "incidental expenses" shall include, but not be limited to, personnel costs, both direct and indirect, including attorneys' fees; costs incurred in documenting the nuisance; the actual expenses and costs of the City in the preparation of notices, specifications and contracts, and in inspecting the work; and the costs of printing and mailing required hereunder.

No person shall obstruct, impede, or interfere with the City Clerk, or his or her representative in the performance of any necessary act, preliminary to or incidental in, carrying out an abatement order issued pursuant to this Chapter.

6.70.120 LIMITATION OF FILING JUDICIAL ACTION

Any court action appealing or challenging the Council's decision and order shall be commenced within thirty (30) calendar days of the date of service of the decision.

6.70.130 RECORD OF COSTS OF ABATEMENT

The City Clerk shall keep an account of the cost, including attorneys' fees and incidental expenses, of abating such nuisance on each separate lot or parcel of land where the work is done by the City and shall render an itemized report in writing to the City Council showing the cost of abatement, including the removal and disposal of said property, including any salvage value relating thereto; provided that before said report is submitted to the City Council, a copy of the same shall be posted for at least five (5) days upon or in front of such property, together with a notice of the time when said report shall be heard by the City Council for confirmation. A copy of said report and notice of the hearing shall be served upon the owners of said property in accordance with the provisions of Section 6.70.080 at least five (5) calendar days prior to submitting the same to the City Council. The City Clerk shall retain proof of such posting and service.

6.70.140 ASSESSMENT LIEN

The total cost for abating such nuisance, if confirmed by the City Council after a hearing, shall constitute a special assessment against the respective lot or parcel of land to which it relates, and upon recordation in the office of the County Recorder of a Notice of Lien, as so made and confirmed, shall constitute a lien on said property for the amount of such assessment.

After such confirmation and recordation, a certified copy of the Council's decision shall be filed with the Sierra County Auditor-Controller on or before August 1 of each year, whereupon it shall be the duty of said Auditor-Controller to add the amounts of the respective assessments to the next regular tax bills levied against said respective lots and parcels of land for municipal purposes and thereafter said amounts shall 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 such special assessment.

In the alternative, after such recordation, such lien may be foreclosed by judicial or other sale in the manner and means provided by law, including California Civil Code Sections 2924, 2924b, 2924c, 2924f, 2924g, and 2924h.

Such Notice of Lien for recordation shall be in substantially the following form:

"NOTICE OF LIEN

(Claim of City of Loyalton)

Pursuant to the authority vested by the provisions of Section 6.70.140 of the Ordinances of the City of Loyalton, the City Clerk of the City of Loyalton did on or about the _____ day of _____, 19__, cause the property hereinafter described to be removed or disposed of in order to abate a public nuisance on said real property; and the City Council of the City of Loyalton on the _____ day of _____, 19__, did assess the cost of such removal and disposal upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Loyalton does hereby claim a lien on such real property in the amount of said assessment, to wit: the sum of \$ _____; and the same shall be a lien upon said real property until the same has been paid in full and discharged of record.

The real property hereinabove mentioned, and upon which a lien is claimed, is that certain parcel of land lying and being in the City of Loyalton, County of Sierra, State of California, and particularly described as follows:

Street Address: _____

Assessor Parcel No.: _____

Legal Description: _____

(description)

Dated this _____ day of _____, 19__.

City Clerk, City of Loyalton"

6.70.150 ALTERNATIVE ACTIONS AVAILABLE

Nothing in this Ordinance shall be deemed to prevent the City Council from ordering the commencement of a civil proceeding to abate a public nuisance pursuant to applicable law or from pursuing any other remedy available under applicable law. The City Clerk is designated as the enforcement authority.

6.70.160 FAILURE TO ABATE NUISANCE A MISDEMEANOR

It is unlawful and a misdemeanor for any person to fail or refuse to abate a nuisance when ordered to do so in accordance with the abatement provision of this Chapter or state law where such state law is applicable.

6.70.170 EFFECTIVE DATE AND POSTING OF ORDINANCE

The City Clerk of the City of Loyalton shall cause this Ordinance to be posted in at least three (3) public places in the City of Loyalton in accordance with Section 66933 of the Government Code of the State of California. However, this Ordinance is an emergency ordinance, and shall take effect immediately, pursuant to Section 66937(b), if passed by a four-fifths majority of the City Council.

PASSED AND ADOPTED by the City Council of the City of Loyalton on this 12th day of April, 1991, by the following vote:


AYES: K. Peterson, M. Moran, M. Hudson

NOES: None

ABSENT: M. Gottardi, E. Smith


Milton Gottardi, Mayor

ATTEST:


Patsy Jardin, City Clerk

Kathy LeBlanc

From: Steven C. Gross [gross@PorterSimon.com]
Sent: Tuesday, February 06, 2018 5:24 PM
To: Joy Markum
Cc: Kathy LeBlanc
Subject: RE: City of Loyalton
Attachments: Notice to Abate Nuisance (00713506xB33D7).docx; Notice of Administrative Hearing re Abatement of Nuisance (00713508xB33D7).docx

Joy,

I found some very old files/documents that may be what you want. The first document is a Notice to Abate Nuisance and the second is a Notice of Administrative Hearing for the Abatement of a Nuisance. Both documents appear to have last been reviewed in approximately 1997, more than 20 years ago. All I have done is to provide you copies of what I have. I have NOT reviewed, edited, updated or confirmed the accuracy of either of these documents. It is possible that the City has more recent notices, etc that would assist you.

BEFORE THESE DOCUMENTS ARE USED, all references to the City ordinances/municipal code should be checked and confirmed and the ordinances/municipal codes should be reviewed for additional or new requirements that would need to be added. I have NOT done this because I don't really know if this is what you are looking for and I don't know if I have authorization to do more work on this matter. Correct references to the applicable ordinances/municipal codes will need to be included, as will the correct address and APN for the property and the specific facts giving rise to the nuisance abatement order and hearing.

The ordinances/municipal codes likely have specific requirements for service of the notices and for the minimum number of days before the hearing that the hearing notice would need to be serviced. I have NOT reviewed any of the ordinances/municipal codes or requirements at this time.

Please let me know if these documents are what you are looking for or if you are looking for something else. Thanks

Steve



Steven C. Gross
PORTER SIMON | Professional Corporation
40200 Truckee Airport Road, Suite One | Truckee, CA 96161
530.587.2002 ext. 4455 | 530.587.1316 fax

gross@portersimon.com | www.portersimon.com

CONFIDENTIALITY NOTICE: This communication or any attachments are confidential and privileged. They are intended for the use of the addressee. If you have received this communication in error, you should not disseminate, distribute, or act on the information contained herein. If you have received this communication in error, please contact the sender by telephone at 530-587-2002. Thank you.

From: Steven C. Gross
Sent: Tuesday, February 06, 2018 4:52 PM

February 15, 2018

To N. Rogers Mayor Loyalton California

This is my letter of resignation for the City Clerk, Do to time constraints with my other job and my family I will no longer be able to do the job. I will finish out this last meeting and do the minutes but you will need to hire someone for March

Thank you

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Kathryn Graves