

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON NOVEMBER 15, 2018

On the 15th day of November 2018, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Deborah Baird, Robert Bicego, Joan Smith Freeman, Duane Kegg, and Norman Shaskey
Absent - None.

Consent Calendar: Mayor Freeman announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval/ratification of payments issued from November 2 through November 15, 2018.
- b. Approval of Minutes of the meeting held November 1, 2018.

Following Council discussion, Councilmember Kegg moved to approve the items on the consent calendar as submitted.

Councilmember Shaskey seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Freeman, Kegg, and Shaskey.

Mayor Freeman thereupon declared the motion carried.

Adopt Resolution No. 2018-44 accepting Deed from Janson-Davis LLC for Donation of Real Property and authorizing execution of all documents relating to the transaction.

City Manager Steve Baker reported that Dick Janson approached the City with a gracious offer to donate approximately 0.5 acres of land on Mill Road for City use. In order to accept this donation, the Siskiyou County Recorder requires a Resolution from the City accepting the grant deed.

Following Council discussion, Councilmember Kegg moved to adopt the Resolution as submitted.

Councilmember Bicego seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Freeman, Kegg, and Shaskey.

Mayor Freeman thereupon declared the motion carried

Authorize the City Manager to contract with Archive Social for Social Media Archiving Services.

Gabriel Holden, IT Specialist for the City reported to the Council that the City is required by law under the California Public Records Act to make all social media website records such as Facebook, Instagram, Twitter, etc., publicly available to any persons who file a Freedom of

Information Act request. This requirement includes all social media posts, messages and items submitted to social media site by representatives of the City. Replies made by the public in response to the official posts on any active social media sites run by the City or its employees when working in an official manor are also to be included.

Social media sites are not required to provide the tools to access these records beyond what is already publicly visible. This presents a potential liability to the City if a member of the public posted threats of violence against a person or group on the City's Facebook page, the official City social media policy requires the comment to be removed from view. If the offending post is deleted, the original poster could make an argument that their rights have been violated by the City's actions. With no record of the original post beyond the fact it had been deleted by the City, they could conceivably have grounds for a lawsuit. A social media records archiving system would catch the original post, any edits made to the post and then its removal. These records could be brought as evidence to prove that the post was in violation of the City's social media policy, as well as Facebook's own community standards rules.

City Staff has drafted an updated Social Media Policy that better reflects the changing landscape of social media and the government's involvement. This new policy also outlines in plain English the behavior expected of the public when replying or interacting with the City's social media presence and informs the public of the City's right to remove from view any interaction that is in violation of said policy. The new policy was compiled with information gathered from the League of California Cities and may be updated from time to time by the City Manager as needed.

The annual contract is \$2,388 per year, and pro-rated to the current fiscal year. This amount would come from the City's Information Technology budget.

Following Council discussion, Councilmember Bicego moved to authorize the City Manager to contract with Archive Social for Social for Media Archiving Services, provided that the City Attorney has read and approved the language in the contract.

Councilmember Kegg seconded the motion, and upon roll call, the following voted YEA: Baird, Bicego, Freeman, Kegg, and Shaskey.

Mayor Freeman thereupon declared the motion carried

August 2018 CalPERS Actuarial Reports – Information only.

Finance Director Rhetta Hogan provided the Council with the August 2018 CalPERS Actuarial Reports.

CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed, as it

is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported that no reportable action was taken in closed session.

ADJOURNMENT There being no further business before the Council the meeting was adjourned.

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion December 6, 2018

Elizabeth E. Casson, City Clerk