

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON MAY 3, 2018

On the 3RD day of May 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 April 20, through May 3, 2018
- b. Approval of Minutes of the regular meeting held April 19, 2018.

Councilmember Bicego requested item 1a Payments be pulled for discussion.

Following Council discussion, Councilmember Kegg moved to approve the minutes as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Approval/ratification of payments issued from April 20, through May 3, 2018

Following Council discussion, Councilmember Bicego moved to approve the payments as submitted.

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.

Adopt Resolution # 2018-16 approving requests associated with the special event to be held on each Saturday from June 2 through October 27 2018 at 401 S. Main St. known as the “Saturday Farmers’ Market”.

City Manager Baker reported that Ann Robinson has submitted a letter on behalf of the Montague Farmers’ Market requesting permission to hold a Special Event known as the “Saturday Farmers’ Market” in the private parking lot located at 401 S. Main Street from 9 am to 2 p.m. on Saturdays beginning June 2 through October 27, 2018.

Ann Robinson addressed the Council to answer any questions regarding the proposed event.

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

Councilmember Baird 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 execution of an Agreement with Emergency Services Consulting International for the Completion of a Fire Department Organizational Assessment.

City Manager Steve Baker and Yreka Volunteer Fire Department Chief Jerry Lemos reported that the City issued a request for proposals for a Fire Department Organizational Assessment. In response to that RFP, the City received three responses. All of the proposers were well qualified. After review of the proposals, the Fire Department and City staff believe that the proposal from Emergency Services Consulting International (ESCI) best met the City's needs.

ESCI is based in Wilsonville Oregon and has extensive experience with both large and small, paid and volunteer fire departments. ESCI will be contacting a number of stakeholders to gather information and then provide information and recommendations to the City.

Staff would like to proceed with contracting with ESCI and getting the assessment underway. The not-to-exceed price for this contact is \$21,819. There will be additional costs for staff to meet with the consultant and to obtain information as needed to complete the assessment

Following Council discussion, Councilmember Shaskey moved to authorize the City Manager to execute the agreement with Emergency Services Consulting International for the completion of a Fire Department Organizational Assessment with a not-to-exceed price of \$21,819.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Freeman, Kegg, and Shaskey. Recused – Bicego, due to his membership relationship with the Yreka Volunteer Fire Department.

Mayor Freeman thereupon declared the motion carried.

Adopt a Resolution # 2018-17 Authorizing City Manager to Enter into a Professional Services Agreement Not to Exceed \$35,000 for a Preliminary Engineering Study of Ringe Pool and Authorizing the Chief Financial Officer to Make a \$35,000 Supplemental Appropriation to the Budget.

Director of Public Works, Matt Bray reported that in June 2017 Ringe Pool opened for the summer, but was forced to close after a half day of operation due to the failure of the pool lining. After Public Works contacted the City Engineer for assistance it was determined that, the liner would need to be removed to properly assess the condition of the pool's concrete/gunite shell. Public Works has worked diligently to remove the pool liner and has received quotes for relining the pool.

City staff has met with Yreka SPLASH multiple times throughout the liner removal process, hoping to achieve the goal of re-opening the pool in June 2018. However, there are many other issues preventing safe and sanitary use of the pool facility. For example, the deck, the drain under the deck and the pool vacuum system all need to be repaired. The building containing the showers and restrooms requires roof repairs, and there is a water leak under the building which must be found and stopped. In addition, the entire facility must be brought into compliance with current ADA standards.

Due to these concerns, staff has determined that the most appropriate use of City time and funds would be to immediately hire an engineer firm with specialized experience in pool evaluation to consult with the City and perform a feasibility study to determine the quickest and most cost-effective way to move forward with these repairs. Staff has researched costs and believes that \$35,000 would be an appropriate maximum amount for a study of this type. Engineering Services are among the special classifications of Professional Services which “need not be competitively bid, but contracts must be awarded on the basis of demonstrated competence (Government Code 4526), which allows the City to quickly choose a reliable firm and begin the process.

Staff requests that the City Council authorize the City to enter into an agreement and authorize the supplemental appropriation in an amount not to exceed \$35,000, in order to ensure timely diagnostic work and to allow staff to provide the Council with information and options needed to move forward with the pool and facility repairs.

Councilmember Bicego stated that he was in favor of Resolution, with the exception of Section 4, authorizing a total of 10% of the revised contract without Council approval. Stating he would prefer an amount not to exceed \$35,000.

Following Council discussion, Councilmember Bicego moved to adopt the Resolution as amended to remove Section 4, authorizing an amount not to exceed \$35,000.

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 # 2018-18 authorizing the City Manager to enter into various agreements to purchase furniture, equipment, and moving services for the Yreka Police Department in a total amount not to exceed \$300,000.

Public Works Administrative Assistant Jeannette Hook reported that on August 6, 2015, the Yreka City Council adopted Resolution No. 2015-20 approving a request for additional funding and a supplemental appropriation to complete the Yreka Police Department New Station Retrofit project. The goal of Council and staff was to create a modern police facility that would serve the citizens of Yreka well into the future. When adopting the resolution authorizing a supplemental appropriation, Council chose to include funds to replace the outdated furniture and hand-me-down equipment. When the Police Department

moves, several individual and small contracts are needed to purchase furniture, equipment, and services for the move and to ensure the department is functional in the new building. Several of the items need up to 6-month lead-time for ordering. Staff has begun the process of procuring these purchases so they are ready when the department is ready to move, which could be as soon as mid-November. Staff requests that the City Council provide authorization to make these purchases and execute agreements to ensure timely delivery of the necessary items.

The costs for new YPD furnishings, equipment, and the move was initially estimated at \$350,000. These expenditures are not eligible for the USDA loan however; these costs will contribute to the City's contribution from the existing appropriation and will be counted as match to the loan.

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

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.

Adopt Resolution # 2018-19 accepting deed of Patrick G. Huycke and Michael T. Mahar.

Public Works Administrative Assistant Jeannette Hook reported that staff has negotiated an agreement with Patrick G. Huycke and Michael T. Mahar to purchase 7.93 acres for the Yreka Creek Greenway Flood Hazard Reduction project. Mr. Huycke has agreed to sell the City three full parcels, and a portion of a fourth parcel. A Boundary Line Adjustment has been prepared to split 0.83 acres from the fourth parcel, for a third-party buyer and this 0.83 acre piece will be added to an adjacent parcel.

Because the funding source carries restrictions against disposal or other uses, this property will be dedicated to flood prevention and Greenway purposes in perpetuity. Should the property be determined that is no longer needed for this purpose, disposal by the City will be subject to the approval of the State. This grant provides for a fund to be established which can be used to help offset the future costs of City maintenance at this location.

The fiscal impact of approving the Resolution is grant-eligible expenditures of \$265,062, plus related escrow fees and expenses. The original Resolution has been amended to reflect the boundary line adjustment and the value of the property.

Councilmember Baird recused herself and left the dais, stating that she had a conflict of interest by reason of ownership of property within 500 feet of the subject property.

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

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

Mayor Freeman thereupon declared the motion carried.

Councilmember Baird returned to her seat at the Council dais.

Adopt a Resolution # 2018-20 approving Professional Services Agreement Amendment No. 4 with Morrison Structures, Inc., for the Yreka Bridge Preventive maintenance Project in the amount of \$44,128.00.

Public Works Director Matt Bray reported that on February 15, 2018, Council awarded a construction contract for the Fairlane Bridge and Three Bridges Preventive Maintenance projects, collectively called the Yreka Bridge Preventive Maintenance Project. This project was first advertised for bids in July 2017; however, due to the unusually busy construction season, there were no bids submitted at that time. The project was advertised for bids again in January 2018 to allow time for contractors to schedule the construction season, resulting in a successful bid and contract award.

The need to repeat the bidding process and the delay between bids extended the time frame of the project overall and resulted in consultant Morrison Structures, Inc. being tasked with extra bid document production and other related project work, creating unforeseen extra expenses. The City's existing contract with Morrison Structures also includes having the firm provide construction management and observation of the contractor during construction. The specifications allow 45 days for construction, and staff anticipates the project will be completed by late July. The original budget amount was an estimate, and it was intended to be refined at the start of construction, when the actual level of oversight required and the Morrison staff available would be determined.

Morrison Structures' current contract has approximately \$23,347 remaining for construction oversight. The cost to have the Resident Engineer oversee the project is estimated to be \$67,475, which is \$44,128 above the current total agreement amount. Staff recommends an agreement amendment in the amount of \$44,128 to compensate Morrison Structures for this essential project work.

Fiscal Impact: The City's current agreement with Morrison Structures would be increased by \$44,128, resulting in a total contract amount not to exceed \$205,509. The project costs are 88.53% reimbursable by the Caltrans Highway Bridges Program, leaving 11.47% of the costs as City match.

Following Council discussion, Councilmember Shaskey 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.

City Treasurer's Report: Approval of:

Cash Balances Report – March 2018

Budget of Revenue and Expenditures with Year to Date Actuals through March 2018

Quarterly Treasurer's Investment Report – 3rd Quarter Fiscal Year 2017/2018

Quarterly Fiscal Performance Report – 3rd Quarter Fiscal Year 2017/2018

Following Council discussion, Councilmember Bicego moved to approve the City Treasurer's Reports as submitted.

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.

Request to Support Senate Bill 1079 (Forestry Grants: Advanced Payment) – Councilmember Shaskey.

Councilmember Shaskey has requested that this item be placed on the agenda, and has provided a description of Senate Bill 1079. The bill would allow CalFire to make advance payments to fire safe councils for Forest Health and Fire Prevention grants. CalFire previously made these advance payments, but in a review of statutory authority determined they did not have that authority. One of our local representatives, Senator Gaines, is a co-author of the bill.

Approval of this item would authorize the Mayor to sign and forward a letter of support on this legislation.

Following Council discussion, Councilmember Shaskey moved to authorize the Mayor to execute the Letter of Support of Senate Bill 1079 to the chair of the Senate Natural Resources and Water Committee, and asked that the City Clerk also send a copy of the letter of support to the offices of Senator Monning and Senator Gains.

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.

Adopt a Resolution # 2018-21 authorizing the City Manager to award a Construction Contract to Siskiyou Cascade Construction, LLC. for the N. Oregon Street Rehabilitation Project in the amount of \$1,072,742 for the Base Bid, and to execute related documents.

Director of Public Works Matt Bray reported that in April 23, 2018, bids were opened for the N. Oregon Street Rehabilitation Project. The purpose of the project is to repair the street and the underlying water and sewer system. The results of the bid opening are as follows:

Name	Location	<u>Total Base Bid</u>
SnL Group	Redding, CA	\$ 1,695,431.00
M. Peters, Inc.	Yreka, CA	\$ 1,389,289.00
Stimpel-Wiebelhaus Associates, Inc.	Redding, CA	\$ 1,594,555.00
S.T. Rhoades Construction, Inc.	Redding, CA	\$ 1,642,415.00
Siskiyou Cascade Construction, LLC	Medford, OR	\$ 1,072,742.00
<i>Estimate of Total Construction Costs</i>		<i>\$1,700,000.00</i>

City staff has evaluated the bidders' and proposed subcontractors' license statuses, references, and insurance company information and has confirmed that the apparent low bidder is not debarred from working on any projects in California. Staff believes the bid is responsive and the bidder is responsible, which requirements allow the City to award the project to the apparent low bidder. The City's existing contract with consultant E&S Engineers and Surveyors includes having the consultant provide project inspection and oversight of the contractor during construction with the assistance of City staff. The specifications allow 90 days for construction, and staff anticipates the project would be completed by late October. The fiscal impact of awarding the Base Bid amount is \$1,072,742, plus an estimated \$ 150,000 for the related costs of construction contingencies, project management, inspection, testing and contract administration. The street project portion of the project would cost \$501,220; these street costs are 88.53% reimbursable by the Caltrans State Transportation Improvement Program (STIP), leaving 11.47% of the costs as City match. The sewer and water portions of the project are not eligible for STIP reimbursement, but are planned improvement expenses covered by water and sewer rates.

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

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.

CLOSED SESSION:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel Nos. 062-051-240, 260, & 300.
Third Party Negotiator: Johnson
City Negotiators: City Manager
Under Negotiation: Possible sale including price, terms of payment, or both.
2. 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).

3. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager.

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported out that Council gave direction to its negotiators as to item No. 1, and 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 May 17, 2018

Elizabeth E. Casson, City Clerk