

YREKA CITY COUNCIL

AGENDA

November 1, 2012 – 6:30 P.M.

Yreka City Council Chamber 701 Fourth Street, Yreka, CA

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS: This is an opportunity for members of the public to address the Council on subjects within its jurisdiction, whether or not on the agenda for this meeting. The Council has the right to reasonably limit the length of individual comments. Pursuant to Yreka Municipal Code Section 1.24.170 those addressing the Council shall limit their remarks to five minutes. For items, which are on this agenda, speakers may request that their comments be heard instead at the time the item is to be acted upon by the Council. The Council may ask questions, but may take no action during the Public Comment portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda.

SPEAKERS: Please speak from the podium. State your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

1. Discussion/Possible Action - Consent Calendar: 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. The City Manager recommends approval of the following consent calendar items:
 - a. Approval of Minutes of the special meeting held October 11, 2012 and the regular meeting held October 18, 2012.
 - b. Approval of Warrants issued from October 19, 2012 through November 1, 2012.
2. Discussion/Possible Action – Adopt Resolution No. 2997 approving the Department of Forestry and Fire Protection Agreement No. 7FG12080 for Volunteer Fire Assistance Wildland Gear.
3. Presentation – Yreka Police Department Chief of Police – Brian Bowles:
 - Yreka Police Needs Assessment Report
4. Discussion/Possible Action - Introduction of Ordinance No. 831 repealing and amending by adding various sections of Title 11 of the Yreka Municipal Code relating to the adoption by reference of Uniform Construction Codes; Adding New Chapter 11.50 relating to Placards used to donate conditions relating to continued occupancy of buildings; and repealing certain Ordinances.
5. Discussion/Possible Action – Introduction of Ordinance No. 832 amending certain sections of the Yreka Municipal Code in Chapters 2.28 Fire Department, 6.08 Garbage, Rubbish & Waste, 8.04 Animals-General Provisions, and 10.32 Vehicles & Traffic and 16.46 Zoning – Special Provisions.
6. Discussion/Possible Action - Approval of all Warrants payable to Siskiyou County Economic Development Council from October 19, 2012 through November 1, 2012.

7. Discussion/Possible Action – Approval of Request for Proposals for Contract City Attorney services.

City Manager Report:

Council Statements and Requests: Members of the Council may make brief announcements or reports or request staff to report to Council on any matter at a subsequent meeting.

CLOSED SESSION:

1. Conference with Legal Counsel pursuant to Government Code § 54959.9
On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No. 11-1001.
2. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. Three cases – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel No. 013-110-130 & 140
Third Party Negotiator: County of Siskiyou
City Negotiators: City Manager and City Attorney
Under Negotiation: Possible purchase including price, terms of payment, or both
4. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: 320 Miner St., Yreka, CA
Third Party Negotiator: to be determined
City Negotiators: City Manager and City Attorney
Under Negotiation: Possible purchase including price, terms of payment, or both
5. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: 307 North St., Yreka, CA
Third Party Negotiator: to be determined
City Negotiators: City Manager and City Attorney
Under Negotiation: Possible purchase including price, terms of payment, or both
6. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel No. 053-681-070
Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park
City Negotiators: City Manager and City Attorney
Under Negotiation: Possible purchase including price, terms of payment, or both.

RETURN TO OPEN SESSION: Announcement of any action taken by the City Council in Closed Session required by the Ralph M. Brown Act. (Government Code Section 54950 et. seq.)

Adjournment.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

All documents produced by the City which are related to an open session agenda item and distributed to the City Council are made available for public inspection in the City Clerk's Office during normal business hours.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 841-2324 or by notifying the Clerk at casson@ci.yreka.ca.us.

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 18, 2012

On the 18th day of October 2012, 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: Bryan Foster, John Mercier and David Simmen. Absent – Robert Bicego and Rory McNeil.

Consent Calendar: Mayor Simmen 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 of Minutes of the meeting held October 4, 2012.
- b. Approval of Warrants issued from October 5, 2012 through October 18, 2012.
- c. Approval of Treasurer's Report and Budget to Actual for the months of July and August 2012.
- d. Approval of transfer of funds from the Fairgrounds Waterline Relocation Project to the Water Meter Replacement Project.
- e. Approve the Transportation Claim for the 2012/2013 Local Transportation Fund and authorize the Mayor to sign the Claim on behalf of the City.

Council Member Mercier requested item 1d be pulled for discussion.

Following Council discussion, Council Member Foster moved to approve items a,b,c & e on the consent calendar as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Approval of transfer of funds from the Fairgrounds Waterline Relocation Project to the Water Meter Replacement Project.

Steve Neill, Director of Public Works, reported to the Council that they have been making better than expected progress on the Water Meter Replacement Project. The current supply of meters is depleted as well as the \$65,000 in this year's budget, and they would like to keep the momentum going and purchase another 1,000+- meters for this year. The Fairgrounds Water Line Replacement was budgeted for \$625,000, however, we anticipate only being able to complete the engineering this fiscal year. Transferring \$200,000 from the Fairgrounds Water Line Replacement Project to the Water Meter Replacement Project will enable the City to take advantage of the cost savings when buying the meters in large quantities. The Fairgrounds Water Line Replacement Project construction is scheduled for the next fiscal year, and will be budgeted accordingly.

Following Council discussion, Council Member Foster moved to approve the transfer of funds to the Meter Replacement Project as requested.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 2992 authorizing the City Manager to award a construction contract to Precision Builders in the amount of \$39,887, allocate additional \$10,075 from the Unallocated General Fund Capital Projects funds and execute related documents for the Community Theater Beam Repair.

Director of Public Works, Neill, reported to the Council that project will replace existing rot damaged beams in the Community Theater's breezeway and provide a new weatherization system at the exposed portions of the beams. Bids were opened on October 3, 2012 and only 1 bid was received in the amount of \$39,887. Director Neill further reported that the total estimated cost of \$45,075 includes the construction contract and contingencies, inspection, staff time for administration, and other ancillary costs.

Following Council discussion, Council Member Mercier moved to Adopt Resolution No. 2992 as submitted.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 2993 amending Resolution No. 2739 establishing fees relating to dogs pursuant to Ordinance 806, effective December 31, 2012.

Finance Director Rhetta Hogan reported that the City is on track with maintaining the 50% cost recovery model that originally brought the dog license rates from \$5 per animal for altered and \$10 for unaltered in 2008, to the present \$25 for altered and \$50 for unaltered in 2012. The Finance Department is recommending small incremental increases over the next five (5) years to keep pace with departmental costs for animal control (personnel, equipment, trucks, collections, kennel maintenance), and allow for some small improvements at the kennel, e.g. potential solar heating of kennels instead of outdoor open-air heaters.

Finance Director Hogan further reported that this \$1 increase for altered and \$2 for unaltered would result in approximately \$1,434 in increased fee revenue from 1,275 registered dogs. Over 5 years, this would result in \$21,510 of increased revenue, with an additional \$7,170 in revenue every year after that.

Following Council discussion, Mayor Simmen moved to Adopt Resolution No. 2993 as submitted.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 2994 donating surplus property (1979 Dodge D400 Mini Pumper) to the Klamath River Volunteer Fire Company.

City Manager Steve Baker reported that with the arrival of the new brush truck, the Fire Department is now in a position to retire the 1979 Dodge D400 Mini Pumper. In the past the City's surplus fire trucks have been auctioned or sold. The Fire Department believes that donating the unit to another fire department with lower call volume that cannot afford this type of unit is beneficial to the City and to the fire service in the County in general. Having an active engine in other areas of the County will help to suppress fires that could otherwise need mutual aid from Yreka, including fires that could threaten Yreka or other communities. The Chief is recommending that the engine be transferred to the Klamath River Volunteer Fire Department and that CalFire will be able to maintain the unit if transferred to the Klamath River Volunteer Fire Department.

Following Council discussion, Council Member Foster moved to Adopt Resolution No. 2994 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 2995 approving requests associated with the Yreka Chamber of Commerce Special Events to be held on November 24, and December 7, 2012.

Rick Butler addressed the Council to once again express his opposition to the Holiday Parade being scheduled at night. Stating that it is simply too risky to have horses and old cars that do not have lights or good tires out on icy roads.

Joan Smith Freeman, Executive Director of the Chamber of Commerce and Parade Committee Co-Chairs Duane and Debbie Kegg, addressed the Council stating that they do not want to alienate anyone especially not the veterans. One option may be to have the City cinder the parade route prior to the event and place the military vehicles in the front of the parade with point guards with lights walking along with the vehicles. We will also have several "helper elves" running around the parade to keep control and help the parade entries.

In closing Debbie Kegg stated that the Chamber received a very positive response from the community for the 2011 nighttime parade, the attendance and participation numbers increased dramatically. The committee has spent nearly a year preparing for this year's parade and a shift in time at this late date would be very difficult. It is the committee's goal to get as many people involved as possible to make the parade a successful event for everyone, and they would welcome suggestions as to how they can accommodate the veterans and military vehicle clubs to enable them to be a part of the nighttime parade.

Following Council discussion, Council Member Foster moved to Adopt Resolution No. 2995 as submitted.

Mayor Simmen seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Lighting of Miner Street Roof Tops – Miner Street Grant Program.

City Manager Baker reported that the Chamber of Commerce has proposed a project for installation of 1760 feet of commercial grade LED rope lighting along the Miner Street facing roof tops of buildings. The purpose of the lights is to light up Miner Street during the holiday season and the lights would be operated from the first Saturday after Thanksgiving through January 4th.

The City has long supported lighting up downtown; however, the maintenance of the lighting has become an issue. The difficulties in attaching the lights to the buildings; having the proper equipment (e.g. bucket truck) ready and available; and limited staffing in the maintenance division are all constraints to the City maintaining the lighting. Staff would recommend that a plan be developed for long term maintenance of the lighting which does not require the use of city staff, prior to approving the funding request.

The request is for this project to be funded through the Miner Street Grant Program. Although it is on private property, given the multiple ownerships and area-wide benefit of the project, staff would recommend that it be eligible for the public portion of the program with 100% of the project eligible for funding.

Chamber of Commerce Executive Director, Joan Smith-Freeman, addressed the Council to give the commitment of the Chamber of Commerce to take full responsibility for the installation and all future maintenance of the Miner Street Lights.

Following Council discussion, Council Member Mercier moved to approve the project as part of the public portion of the Miner Street Grant Program in the amount of \$5,000 with the Chamber's commitment to take full responsibility for the installation and all future maintenance.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution 2996 Authorizing the Mayor and the City Manager to Prepare and Execute Response to the 2011-2012 Grand Jury Report and Submit to the Superior Court As Required by Penal Code Section 933.05(A).

City Attorney Mary Frances McHugh submitted to the Council a draft letter responding to the 2011-2012 Civil Grand Jury Report regarding Behavioral Health responses to Welfare and Institutions Code 5150 situations. City Attorney McHugh stated that the City Manager, Police Chief and City Attorney all concur in this proposed response, and recommend adoption of Resolution No. 2996 directing the response to be delivered to the Presiding Judge of the Superior Court pursuant to statute.

Following Council discussion, Mayor Simmen moved to Adopt Resolution No. 2996 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

CLOSED SESSION:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 Agency negotiators: Steven Baker, Mary Frances McHugh, and Liz Casson.
 Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association.
2. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.
3. Liability Claim: Claimant: Siskiyou County Auditor. Agency claimed against: City of Yreka. Government Code Section 54956.95.
4. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 053-681-070
 Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.
5. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 013-110-130 & 140
 Third Party Negotiator: County of Siskiyou
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible sale including price, terms of payment, or both.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported out the following:

Councilmembers McNeil and Bicego were absent.

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 Agency negotiators: Steven Baker, Mary Frances McHugh, and Liz Casson.
 Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association. The Council conferred with its labor negotiators and gave direction. No other reportable action was taken.

2. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage. This matter was taken off calendar at the request of the City Attorney.

3. Liability Claim: Claimant: Siskiyou County Auditor. Agency claimed against: City of Yreka. Government Code Section 54956.95. The Council conferred with its legal counsel and gave direction. No other reportable action was taken.

4. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 053-681-070
 Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.
 The Council conferred with its real property negotiators and gave direction. No other reportable action was taken.

5. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 013-110-130 & 140
 Third Party Negotiator: County of Siskiyou
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible sale including price, terms of payment, or both.
 The Council conferred with its real property negotiators and gave direction. No other reportable action was taken.

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

Attest:

 David Simmen, Mayor
 Minutes approved by Council
 Motion 11-1-2012

 Elizabeth E. Casson, City Clerk

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 11, 2012

On the 11th day of October 2012, the City Council of the City of Yreka met in the City Council Chambers of said City in special session, and upon roll call, the following were present: Robert Bicego, Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – None.

CLOSED SESSION:

1. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.
2. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Attorney.
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 Attorney Mary Frances McHugh reported out the following:

By unanimous consent, item 1 was trailed to the end of the Closed Session calendar, and items 2 and 3 were taken together.

2, Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Attorney. *No reportable action was taken.*

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

No reportable action was taken.

1, Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential

litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.

Councilmember John Mercier reported to the Council that he is disqualified by reason of a contractual relationship with a party regarding this matter and for that reason recused himself and left the room. The Council conferred with its legal adviser. No reportable action was taken.

Approval of appointment to Casino ad hoc committee.

Councilmember John Mercier being disqualified by reason of a contractual relationship with the Karuk Tribe and for that reason recused himself. Councilmember Mercier was not present during this action.

Following Council discussion, Mayor Simmen moved to approve the appointment of Council Member Bicego to the Casino ad hoc committee.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, and Simmen.

Mayor Simmen thereupon declared the motion carried.

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

Attest:

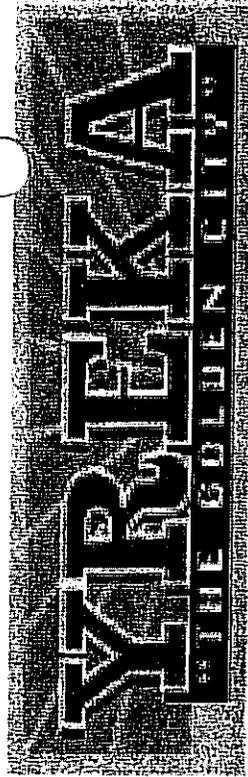
David Simmen, Mayor
Minutes approved by Council
Motion 11-1- 2012

Elizabeth E. Casson, City Clerk

Accounts Payable

Computer Check Proof List by Vendor

User: lysandra
 Printed: 10/25/2012 - 3:07PM
 Batch: 00009.10.2012



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1011	AMERICAN LNEN				ACH Enabled: False
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Vendor: 4301	AT&T CALNET 2				ACH Enabled: False
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3757523	INV 3757523	603.27	11/02/2012	01-200-0000-517-000	
3762567	INV 3762567	28.89	11/02/2012	01-200-0000-517-000	
3788685	INV 3788685	16.07	11/02/2012	01-300-0000-517-000	
3788686	INV 3788686	15.98	11/02/2012	80-560-0000-517-000	
3788690	INV 3788690	45.95	11/02/2012	01-020-0000-517-000	
3788698	INV 3788698	30.67	11/02/2012	70-510-0000-517-000	
3789419	INV 3789419	15.98	11/02/2012	70-510-0000-517-000	
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282973-IN	INV 282973-IN	30.00	11/02/2012	01-230-0000-416-000	
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S027547	INV S027547	154.44	11/02/2012	01-030-0000-515-000	
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143084	INV 143084	16.08	11/02/2012	01-020-0000-515-000	
	Check Total:	16.08			
Vendor: 1148	THOMAS HESSELDENZ			Check Sequence: 9	ACH Enabled: False
1201COYRP	INV 1201COYRP	12,883.10	11/02/2012	60-400-6029-615-022	
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12778	INV 12778	5.36	11/02/2012	01-090-0000-561-039	
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32030	INV 32030	46.49	11/02/2012	01-200-0000-520-360	
32093	INV 32093	46.49	11/02/2012	01-200-0000-520-360	
32192	INV 32192	46.49	11/02/2012	01-200-0000-520-360	
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157112	INV 157112	24.50	11/02/2012	01-040-0000-525-001	
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Vendor: 1400	MADRONE HOSPICE			Check Sequence: 13	ACH Enabled: False
11/02/12	NOVEMBER 2012	5,343.75	11/02/2012	01-090-0000-560-004	
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Vendor: 1530	NATIONAL IMPRINT CORPORATION			Check Sequence: 14	ACH Enabled: False
20730	INV 20730 CRAYONS	123.53	11/02/2012	01-200-0000-516-000	
20731	INV 20731 COLORING BOOKS	179.61	11/02/2012	01-200-0000-516-000	
	Check Total:	303.14			

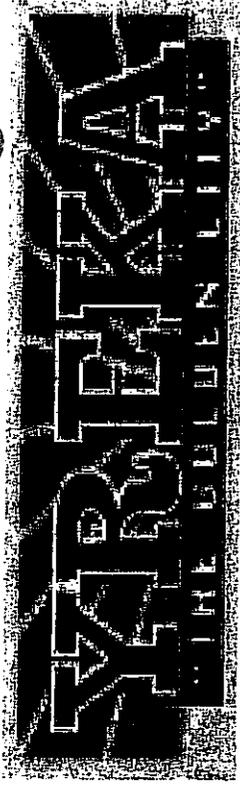
Vendor: 1908 2945-185052	O'REILLY AUTO PARTS INV 2945-185052	50.36	11/02/2012	01-200-0000-520-360	ACH Enabled: False
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	Check Total:	111.14			
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Vendor: 17014 6235529 6483820	QUILL CORPORATION INV 6235529 INV 6483820	419.85 16.08	11/02/2012 11/02/2012	01-200-0000-515-000 01-200-0000-515-000	ACH Enabled: False
	Check Total:	435.93			
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	Check Total:	135.00			
Vendor: 21027 61E73V412	UNITED PARCEL SERVICE INV 61E73V412	24.47	11/02/2012	71-500-3020-625-007	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
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PERMIT #35	PERMIT #35 1-12/2013	190.00	11/02/2012	70-030-0000-515-001	Check Sequence: 24
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Vendor: 25090	USPS				ACH Enabled: False
11/02/12	NOVEMBER 2012	1,220.00	11/02/2012	70-030-0000-515-001	Check Sequence: 25
	Check Total:	1,220.00			
Vendor: 1374	YREKA CHAMBER OF COMMERCE				ACH Enabled: False
11/02/12	NOVEMBER 2012	4,275.00	11/02/2012	01-090-0000-560-000	Check Sequence: 26
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Vendor: 25120	YREKA TRANSFER				ACH Enabled: False
005821 10/12	ACCT 005821 10/12	73.00	11/02/2012	01-210-0000-518-004	Check Sequence: 27
024631 10/12	ACCT 024631 10/12	93.00	11/02/2012	01-200-0000-518-004	
043311 10/12	ACCT 043311 10/12	109.00	11/02/2012	04-620-1017-518-004	
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	Total of Number of Checks:	27			

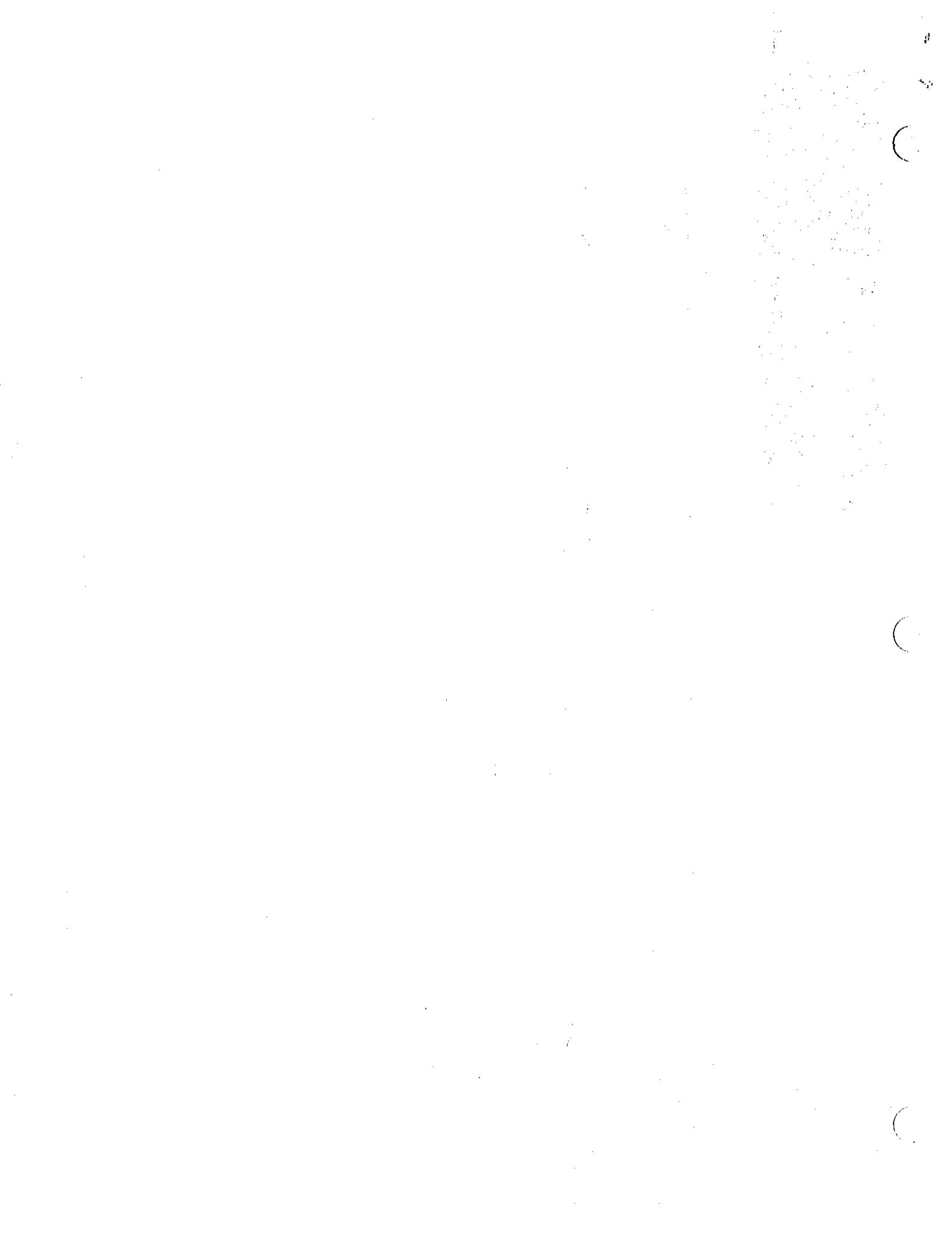
Accounts Payable

Computer Check Proof List by Vendor

User: Debbie
 Printed: 10/25/2012 - 10:01AM
 Batch: 00008.10.2012



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1506	SC SHERIFF				
10/26/2012	ANDERSON LIVE SCAN	23.00	10/25/2012	80-550-0000-525-000	ACH Enabled: False
	Check Total:	23.00			
Vendor: 2115	MITCH SHINAR				
10/24/2012	REIMBURSE LIVE SCAN	23.00	10/25/2012	70-500-0000-525-000	ACH Enabled: False
	Check Total:	23.00			
	Total for Check Run:	46.00			
	Total of Number of Checks:	2			





CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council

Prepared by: Allan Jones, Fire Chief
Steve Baker, City Manager

Agenda title: Discussion/Possible Action – Adoption Resolution No. 2997 Approving the Department of Forestry and Fire Protection Agreement #7FG12080 for Volunteer Fire Assistance (Wildland Gear)

Meeting date: November 1, 2012

Discussion:

In March, 2012 the Yreka Fire Department submitted an application for a Cal Fire Volunteer Fire Assistance (VFA) grant. The grant is a 50/50 local match grant primarily for wildland firefighting safety gear. The total requested amount for the grant is \$12,280.13. The funds used for the purchase of the safety gear will come out of the fire department's benefit fund. No money will be used out of the fire departments budget for this purchase.

On October 2nd, 2012 the Department received approval for the VFA grant in the amount of \$6,141. The items to be purchased are as follows:

- 40 sets of Wolfpack gear wildland web gear.
- 40 Wolfpack gear tool pouches
- 40 Wolfpack gear glove keepers
- 10 Wolfpack gear radio chest harnesses.

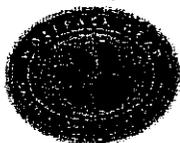
The purpose of the safety gear is to carry a mandated fire shelter, water for hydration and any tools needed while operating on a wildland fire.

The Yreka Fire Department is requesting a resolution from the Yreka City Council to accept the grant to complete the approval process.

Fiscal Impact: No General Fund impact. The local match for the grant of \$6,141 will come from the Fire Department's Benefit Fund.

Recommendation: That the Council adopt Resolution 2997 Approving the Department of Forestry and Fire Protection Agreement #7FG12080 for Volunteer Fire Assistance (Wildland Gear)

Approved by: 
Steven Baker, City Manager

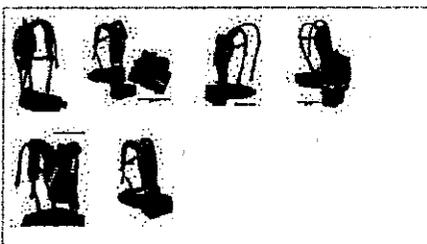
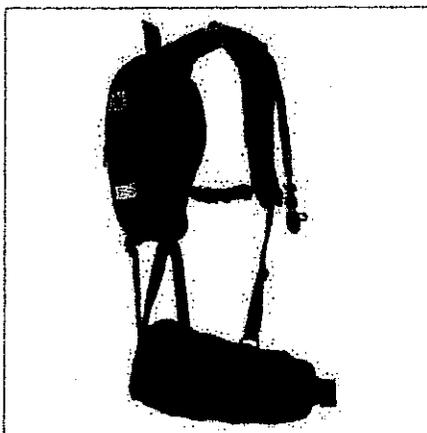


Products.

- [Wildland Products](#)
- [USAR Products](#)
- [CamelBak Products](#)
- [Cargo Series](#)
- [Blackbelt Series](#)
- [Wolfpack Logo Gear](#)
- [\\$ Bargain Bin](#)

Product Detail

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Roll over large image to zoom.
 Roll over thumbnails to preview images, click to swap.

Low Profile Hydration Pack System

LPH-CB-1201-BK

Sleek design for working with Wildland - and USAR- assignments, with backpacks and/or hose pack without sacrificing your hydration needs.

- Utilizes Wolfpack wide padded shoulder strap design for maximized comfort
- 102 ounce CamelBak reservoir included
- Hydration tube routed through shoulder sleeve to maximize protection
- Wide padded lumbar supporting belt and suspenders for better weight distribution
- Accommodates the Wolfpack Detachable Day Pack (not included)
- Horizontal Fire Shelter and other accessories can easily be attached using MOLLE system



Price \$200

[Add to Cart](#)

Recommended Products


Phantom Jr. Radio Chest Harness \$66


Detachable Day Pack \$125


Flagging Tape Dispenser \$16



Products.

[Wildland Products](#)

[USAR Products](#)

[CamelBak Products](#)

[Cargo Series](#)

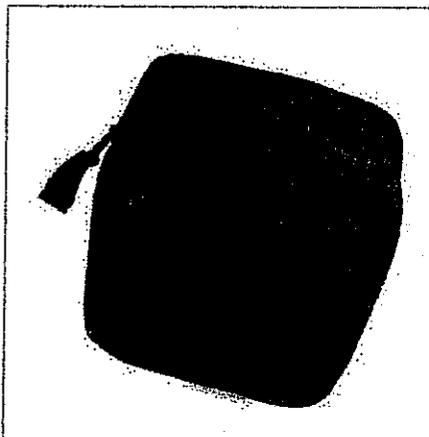
[Blackbelt Series](#)

[Wolfpack Logo Gear](#)

[\\$ Bargain Bin](#)

Product Detail

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 Roll over thumbnails to preview images, click to swap.

Large Accessory Bag

LAB-HR-3105-BK

- Armor-strength ballistic nylon
- Easily accessible wide-mouth zipper opening
- MOLLE attachment system
- 8" x 9" x 4"
- 400 Cubic Inches



Price \$35

[Add to Cart](#)

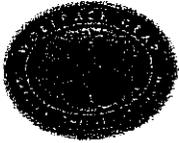
Recommended Products



Hose Clamp and Tool Pouch \$30



Web Gear Harness \$105



[Products](#) [Our Strength](#) [About Us](#) [Fit Instructions](#) [News & Events](#) [Distributors](#) [Contact Us](#) [SHOPPING CART](#)
0 Items

Products.

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- [USAR Products](#)
- [CamelBak Products](#)
- [Cargo Series](#)
- [Blackbelt Series](#)
- [Wolfpack Logo Gear](#)
- [\\$ Bargain Bin](#)

Product Detail

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Roll over large image to zoom.
Roll over thumbnails to preview images, click to swap.

Hose Clamp and Tool Pouch HCT-HR-3108-BK

- Accommodates all types of hose clamps
- Front pocket for wire cutters
- Easy one-gloved hand access
- MOLLE attachment system



Price \$30

[Add to Cart](#)

Recommended Products

	V-Tab Bottle Holder	\$15
	Fusee Holder	\$20
	Flagging Tape Dispenser	\$15



Products.

[Wildland Products](#)

[USAR Products](#)

[CamelBak Products](#)

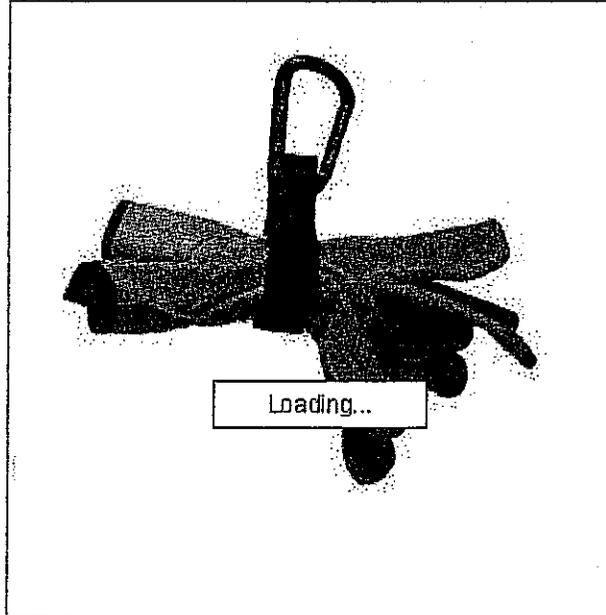
[Cargo Series](#)

[Blackbelt Series](#)

[Wolfpack Logo Gear](#)

[\\$ Bargain Bin](#)

Product Detail



Roll over large image to zoom.
Roll over thumbnails to preview images, click to swap.

Glove Keeper

GK-3110

Custom carabiner al



Price \$1

[Add to Cart](#)

Recommended Products

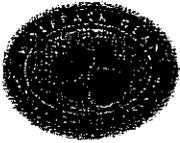


**Phantom Radio Chest
Harness** \$70



**Phantom Jr. Radio
Chest Harness** \$65

\$15

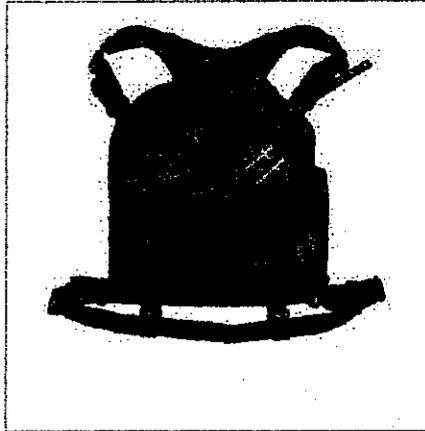


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Products.

- Wildland Products
- USAR Products
- CamelBak Products
- Cargo Series
- Blackbelt Series
- Wolfpack Logo Gear
- \$ Bargain Bin

Product Detail



Roll over large image to zoom.
Roll over thumbnails to preview images, click to swap.

Phantom Jr. Radio Chest Harness PJR-HR-3112

- Armor-strength ballistic nylon and aero spacer mesh construction
- Mounts directly to suspenders
- Padded strap set with wide mesh shoulder pads
- Full size adjustable radio pocket
- Adjustable fleece lined cell phone / GPS pocket
- Full size map pocket with interior organizer
- Roomy zippered exterior utility pocket
- Optional QuikLite available



Price \$65

Add to Cart

Recommended Products

- | | | |
|---|----------------------------|------|
|  | USAR Search Marking Kit | \$65 |
|  | QuikLite Pro (White/White) | \$22 |
|  | Glove Keeper | \$5 |

RESOLUTION NO. 2997

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA APPROVING
THE DEPARTMENT OF FORESTRY AND FIRE PROTECTION AGREEMENT NO.
7FG12080 FOR VOLUNTEER FIRE ASSISTANCE (WILDLAND GEAR)

WHEREAS the Department of Forestry and Fire Protection has prepared Agreement #7FG12080 for services from the date of last signatory on page 6 of the agreement to June 30, 2013 under the Volunteer Fire Assistance (VFA) Program of the Cooperative Forestry Assistance Act of 1978, and

WHEREAS the City of Yreka desires to enter into the Agreement to receive the VFA grant,

BE IT RESOLVED by the City Council of the City of Yreka that the City Council does hereby approve the Agreement with the California Department of Forestry and Fire Protection dated as of the last signatory date on page 6 of the Agreement, and any amendment thereto. This Agreement provides for an award, during the term of this Agreement, under the Volunteer Fire Assistance Program of the Cooperative Fire Assistance Act of 1978 during the State Fiscal Year 2012-13 up to and no more than the amount of \$6,141, and

BE It FURTHER RESOLVED that the City Manager or designee is hereby authorized to sign and execute said Agreement and any amendment on behalf of the City of Yreka.

Passed and adopted this 1st day of November, 2012, by the following vote:

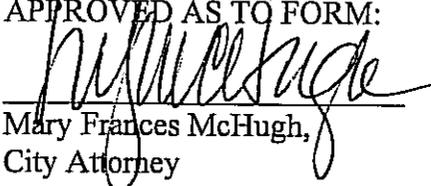
AYES:

NAYS:

ABSENT:

David Simmen, Mayor

APPROVED AS TO FORM:



Mary Frances McHugh,
City Attorney

Attest: _____
Elizabeth E. Casson,
City Clerk

I, Elizabeth E. Casson, Clerk of the City of Yreka, California, do hereby certify this this is a true and correct copy of the Original Resolution No. 2997 as adopted by the Yreka City Council at its meeting held November 1, 2012.

Elizabeth E. Casson, City Clerk

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

P.O. Box 944246
SACRAMENTO, CA 94244-2460
Website: www.fire.ca.gov
(916) 653-7772



October 2, 2012

Yreka Fire Department
401 W. Miner Street
Yreka, California 96097
ATTN: Allan Jones

Dear Chief Allan Jones,

Congratulations! Yreka Fire Department's 2012 Volunteer Fire Assistance (VFA) application has been selected for funding in the amount of \$6,141. Please be aware that due to the number of applications CAL FIRE received this year, we may have reduced your funding so that we could use the federal funds to the fullest.

Enclosed is your VFA Agreement 7FG12080 package to be completed and returned to me no later than December 1, 2012 or the award will be forfeited. The package includes Instructions/Checklist, Four (4) copies of your department's VFA Agreement to be completed and your approved VFA award application (Exhibit A). It is important that you read and follow the instructions carefully.

DO NOT purchase any items and or do any work until you receive a fully executed agreement signed by CAL FIRE with a letter advising you that you may purchase the items and /or begin work. Any items purchased and/or work done prior to the *last* CAL FIRE signature date will not be reimbursable.

If your governing body chooses not to accept the award, or your department cannot use any portion of the award, please notify me as soon as possible. This will enable us to allocate the funds to another fire department.

If you have any questions, please call me at (916) 653-6179 or email

Amber.Davidson@fire.ca.gov.

Sincerely,

Amber Davidson
CFAA Grant Manager
Cooperative Fire Program

INSTRUCTIONS FOR EXECUTING THE VFA AGREEMENT AND RESOLUTION

The VFA Agreement Package consists of: Four Copies of Volunteer Fire Assistance Program Agreement; Your Department's Application for Award – Exhibit A; Resolutions and a sample Resolution with instructions.

VFA AGREEMENT CHECKLIST:

Please review, and complete.

_____ **VFA Agreement** - Fill in the official name of the department on Page 1, Paragraph 1. The name should be the same as the name used in the Resolution.

_____ **VFA Agreement** - Fill in the contact information on Page 3, Paragraph 11, Addresses.

_____ **VFA Agreement** - Have the Official authorized by the resolution sign and date in **BLUE INK** the Agreement on Page 6, Local Agency. The date **MUST NOT** be any earlier than the date of the Resolution.

_____ **Resolution** - The governing body of your department must adopt a Resolution authorizing its chairperson (or other officer) to execute the Agreement between your department and the State of California, Department of Forestry and Fire Protection (CAL FIRE).

_____ **Resolution** - The two (2) copies must have original Official signatures in **BLUE INK** and Clerk completes Certification of Resolution Section or the Official Seal or a Notary Certification.

VFA Agreement – Complete Package for Mailing

_____ Four (4) copies VFA Agreement with Application for Award (Exhibit A) completed

_____ Two (2) Resolutions completed.

_____ Mail no later than December 1, 2012 to:

Amber Davidson
CAL FIRE
Cooperative Fire Programs, Room 1653-2A
P.O. Box 944246
Sacramento CA 94244-2460

IMPORTANT INFORMATION

- ❖ **DO NOT** do any work or purchase any items to be funded by this award until we return a copy of the Agreement to you signed by CAL FIRE with a letter authorizing you to begin work.
- ❖ Your department must perform the projects, and/or purchase the items funded by the award, between the time you receive a fully executed agreement and June 30, 2013.
- ❖ You must use your department's funds, and then bill CAL FIRE at the address specified in the agreement. The bill submitted by your department must clearly delineate the projects performed and/or items purchased. A vendor's invoice, or proof of payment to vendor(s), must be included for items purchased. Further billing and invoice instructions will be included in your fully executed Agreement.

BEFORE THE BOARD OF DIRECTORS OF THE

COUNTY OF _____, STATE OF CALIFORNIA

IN THE MATTER OF:

Resolution Number: _____

Approving the Department of Forestry and Fire Protection Agreement # _____ for services from the date of last signatory on page 6 of the Agreement to June 30, 2013 under the Volunteer Fire Assistance Program of the Cooperative Forestry Assistance Act of 1978.

BE IT RESOLVED by the Board of Directors of the _____ that said Board does hereby approve the Agreement with the California Department of Forestry and Fire Protection dated as of the last signatory date on page 6 of the Agreement, and any amendments thereto.. This Agreement provides for an award, during the term of this Agreement, under the Volunteer Fire Assistance Program of the Cooperative Fire Assistance Act of 1978 during the State Fiscal Year 2012-2013 up to and no more than the amount of \$ _____.

BE IT FURTHER RESOLVED that _____ of said Board be and hereby is authorized to sign and execute said Agreement and any amendments on behalf of the _____

The foregoing resolution was duly passed and adopted by the Board of Directors of the _____, at a regular meeting thereof, held on the _____ day of _____

by the following vote:

AYES:

NAYS:

ABSENT:

Signature, Board of Directors Member

Printed Name and Title

—CERTIFICATION OF RESOLUTION—

ATTEST:

I _____, Clerk of the _____ County of _____ California do hereby certify that this is a true and correct copy of the original Resolution Number _____.

WITNESS MY HAND OR THE SEAL OF THE _____, on this _____ day of _____.

OFFICIAL SEAL
OR NOTARY CERTIFICATON

Signature

Title and Name of Local Agency

KEY FOR COMPLETION OF SAMPLE VFA RESOLUTION

- #1 Enter the official name of the county, city, district, fire dept., etc.
- #2 Enter the name of the county in which the local agency is located.
- #3 Enter the resolution number.
- #4 Enter the grant number from Agreement, Page 1, Upper Right Conner, if not already entered. (i.e. 7FG12xxx)
- #5 Enter the amount from Agreement, Page 2, Paragraph 8, if not already entered. (i.e. \$10,000)
- #6 Enter the name and title of official who is authorized by the Board to sign the contract. **USE BLUE INK**
- #7 Enter the date, month and year of the Board meeting at which the resolution is adopted.
- #8 Enter the vote. Use either the names of the Board Members or the number vote in each category (i.e. Ayes: 4, Nays: 0, Absent: 1)
- #9 Signature of Board Member signing resolution. **USE BLUE INK. Must be different than the official authorized to sign the Agreement in number 6 UNLESS the CERTIFICATION OF RESOLUTION OR NOTARY CERTIFICATION SECTION.**
- #10 Enter printed name of the Board Member signing resolution.

CERTIFICATION OF RESOLUTION SECTION

This section is not required if there is an official seal or a notary certification provided in the OFFICIAL SEAL OR NOTARY CERTIFICATION SECTION.

- #11 Enter the printed name of official Certifying Resolution. This must be a different official than the Board Member signing the resolution in #9 and whose name is printed in #10
- #12 Signature of the official certifying the resolution. **USE BLUE INK.**
- #13 Enter the title of the official signing Certification of Resolution.

OFFICIAL SEAL OR NOTARY CERTIFICATION SECTION

The Official Seal or Notary Certification is NOT required if the CERTIFICATION OF RESOLUTION SECTION is completed.

- #14 Stamp or emboss the official seal or provide a notary certification below the OFFICIAL SEAL OR NOTARY CERTIFICATION SECTION heading.

BEFORE THE BOARD OF DIRECTORS OF THE

#1 Oakmont Fire Protection District
COUNTY OF Fresno, STATE OF CALIFORNIA

IN THE MATTER OF: Resolution Number: 12-0000

Approving the Department of Forestry and Fire Protection Agreement # 7FG12xxx for services from the date of last signatory on page 6 of the Agreement to August 31, 2011 under the Volunteer Fire Assistance Program of the Cooperative Forestry Assistance Act of 1978.

BE IT RESOLVED by the Board of Directors of the Oakmont Fire Protection District that said Board does hereby approve the Agreement with the California Department of Forestry and Fire Protection dated as of the last signatory date on page 6 of the Agreement, and any amendments thereto.. This Agreement provides for an award, during the term of this agreement, under the Volunteer Fire Assistance Program of the Cooperative Fire Assistance Act of 1978 during the State Fiscal Year 2012-2013 up to and no more than the amount of \$ 10,000

BE IT FURTHER RESOLVED that John Stover, Chairperson of said Board be and hereby is authorized to sign and execute said Agreement and any amendments on behalf of the Oakmont Fire Protection District.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Oakmont Fire Protection District at a regular meeting thereof, held on the 22nd day of July, 2012 by the following vote:

AYES: STOVER, TOWER, KERNS, OSGOOD

NAYS: NONE

ABSENT: HARRIS

Signature, Board of Directors Member

James Tower
Printed Name and Title

—CERTIFICATION OF RESOLUTION—

ATTEST:

I Sarah Osgood, Clerk of the Oakmont Fire Protection District, County of Fresno, California do hereby certify that this is a true and correct copy of the original Resolution Number 12-0000

WITNESS MY HAND OR THE SEAL OF THE Oakmont Fire Protection District on this 22nd day of July, 2012.

Signature

Clerk of the Board, Oakmont Fire Protection District
Title and Name of Local Agency

OFFICIAL SEAL
OR NOTARY CERTIFICATION

(OVER)

VOLUNTEER FIRE ASSISTANCE PROGRAM
AGREEMENT
PAGE 1 OF 6

DEPARTMENT OF FORESTRY AND FIRE PROTECTION

STATE OF CALIFORNIA
Natural Resources Agency

Agreement for the Volunteer Fire Assistance Program of the
Cooperative Forestry Assistance Act of 1978

THIS AGREEMENT, made and entered into **ON THE LAST SIGNATORY DATE ON PAGE 6**, by and between the STATE of California, acting through the Director of the Department of Forestry and Fire Protection hereinafter called "STATE", and _____

_____ hereinafter called "LOCAL AGENCY", covenants as follows:

RECITALS:

1. STATE has been approved as an agent of the United States Department of Agriculture, (USDA), Forest Service for the purpose of administering the Cooperative Forestry Assistance Act (CFAA) of 1978 (PL 95-313, United States Code, Title 16, Chapter 41, Section 2010 et seq., Volunteer Fire Assistance Program), hereinafter referred to as "VFA", and
2. The VFA has made funds available to STATE for redistribution, under certain terms and conditions, to LOCAL AGENCY to assist LOCAL AGENCY to upgrade its fire protection capability, and
3. LOCAL AGENCY desires to participate in said VFA.

NOW THEREFORE, it is mutually agreed between the parties as follows:

4. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. LOCAL AGENCY may not commence performance until such approval has been obtained.
5. **TIMELINESS:** Time is of the essence in this Agreement.
6. **FORFEITURE OF AWARD:** LOCAL AGENCY must return this Agreement and required resolution properly signed and executed to STATE at the address specified in paragraph 11, with a postmark no later than December 1, 2012 or LOCAL AGENCY will forfeit the funds.

7FG12080

**VOLUNTEER FIRE ASSISTANCE PROGRAM
AGREEMENT
PAGE 2 OF 6**

7. **GRANT AND BUDGET CONTINGENCY CLAUSE:** It is mutually understood between the parties that this Agreement may have been written for the mutual benefit of both parties before ascertaining the availability of congressional appropriation of funds, to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made.

This Agreement is valid and enforceable only if sufficient funds are made available to the STATE by the United States Government for the State Fiscal Year 2012-13 for the purpose of this program. In addition, this Agreement is subject to any additional restrictions, limitations, or conditions enacted by the Congress or to any statute enacted by the Congress that may affect the provisions, terms, or funding of this Agreement in any manner.

The parties mutually agree that if the Congress does not appropriate sufficient funds for the program, this Agreement shall be amended to reflect any reduction in funds.

The STATE has the option to invalidate the Agreement under the 30-day cancellation clause or to amend the Agreement to reflect any reduction in funds.

8. **REIMBURSEMENT:** STATE will reimburse LOCAL AGENCY, from funds made available to STATE by the Federal Government, an amount not to exceed \$6141. on a 50/50 matching funds basis, for the performance of specific projects and/or purchase of specific items identified in Exhibit(s) A, Application for Funding, attached hereto. Reimbursement will be only for those projects accomplished and/or items purchased between **THE LAST SIGNATORY DATE ON PAGE 6 and JUNE 30, 2013**. This sum is the sole and maximum payment that STATE will make pursuant to this Agreement. LOCAL AGENCY must bill STATE, in triplicate, at the address specified in paragraph 11, with a postmark no later than August 31, 2013 in order to receive the funds. The bill submitted by LOCAL AGENCY must clearly delineate the projects performed and/or items purchased. A vendor's invoice or proof of payment to vendor(s) must be included for items purchased.
9. **LIMITATIONS:** Expenditure of the funds distributed by STATE herein is subject to the same limitations as placed by the VFA, upon expenditure of United States Government Funds. Pursuant to Title 7 of the Code of Federal Regulations, Section 3016.32 subject to the obligations and conditions set forth in that section; title to any equipment and supplies acquired under this Agreement vests with the LOCAL AGENCY. For any equipment items over \$5,000, the federal government may retain a vested interest in accordance with paragraph 16 below.
10. **MATCHING FUNDS:** Any and all funds paid to LOCAL AGENCY under the terms of this Agreement, hereinafter referred to as "VFA Funds", shall be matched by LOCAL AGENCY on a dollar-for-dollar basis, for each project listed on attachment(s) hereto identified as "Exhibit(s) A". No amount of unpaid "contributed" or "volunteer" labor or services shall be used or consigned in calculating the matching amount "actually spent" by LOCAL AGENCY.

LOCAL AGENCY shall not use VFA Funds as matching funds for other federal grants, including Department of Interior (USDI) Rural Fire Assistance grants, nor use funds from other federal grants, including USDI Rural Fire Assistance grants, as matching funds for VFA Funds.

11. **ADDRESSES:** The mailing addresses of the parties hereto, for all notices, billings, payments, repayments, or any other activity under the terms of the Agreement, are:

LOCAL AGENCY:

Attention:

Telephone Number(s):

FAX Number:

E-mail

STATE:

Department of Forestry and Fire Protection
Cooperative Fire Programs, Room 1653-2A
P. O. Box 944246
Sacramento, California 94244-2460
PHONE: (916) 653-6179
FAX (916) 653-9708

12. **PURPOSE:** Any project to be funded hereunder must be intended to specifically assist LOCAL AGENCY to organize, train, and/or equip local firefighting forces in the aforementioned rural area and community to prevent or suppress fires which threaten life, resources, and/or improvements within the area of operation of LOCAL AGENCY.
13. **COMBINING:** In the event funds are paid for two or more separate, but closely related projects, the 50/50 cost-sharing formula will be applied to the total cost of such combined projects.
14. **OVERRUNS:** In the event that the total cost of a funded project exceeds the estimate of costs upon which this Agreement is made, LOCAL AGENCY may request additional funds to cover the Agreement share of the amount exceeded. However, there is no assurance that any such funds are, or may be, available for reimbursement. Any increase in funding will require an amendment.
15. **UNDERRUNS:** In the event that the total cost of a funded project is less than the estimate of costs upon which this Agreement is made, LOCAL AGENCY may request that additional eligible projects/items be approved by STATE for Agreement funding. However, there is no assurance that any such approval will be funded. Approval of additional projects/items, not listed on the Exhibit A application, made by STATE, will be in writing and will require an amendment.
16. **FEDERAL INTEREST IN EQUIPMENT:** The Federal Government has a vested interest in any item purchased with VFA funding in excess of \$5,000 regardless of the length of this Agreement, until such time as the fair market value is less than \$5,000. The VFA percentage used to purchase the equipment will be applied to the sale price and recovered for the Government during the sale. This percentage will remain the same even following depreciation.

**VOLUNTEER FIRE ASSISTANCE PROGRAM
AGREEMENT
PAGE 4 OF 6**

The Federal Government may not have to be reimbursed if the disposal sale amounts to a fair market value of less than \$5,000. LOCAL AGENCY will notify STATE Sacramento Property Office of the disposal of such items.

17. **EQUIPMENT INVENTORY**: Any single item purchased in excess of \$5,000 will be assigned a VFA Property Number by the STATE Sacramento Property Office. LOCAL AGENCY shall forward a copy of the purchase documents listing the item, brand, model, serial number, any LOCAL AGENCY property number assigned, and a LOCAL AGENCY contact and return address to STATE at the address specified in paragraph 11. The STATE Sacramento Property office will advise the appropriate STATE Unit and LOCAL AGENCY contact of the VFA Property Number assigned.
18. **AUDIT**: LOCAL AGENCY agrees that the STATE, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. LOCAL AGENCY agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated. LOCAL AGENCY agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, LOCAL AGENCY agrees to include a similar right of the State of California to audit records and interview staff in any subcontract related to performance of this Agreement. (GC 8546.7, PCC 10115 et seq., CCR Title 2, Section 1896).
19. **DISPUTES**: In the event of any dispute over qualifying matching expenditures of LOCAL AGENCY, the dispute will be decided by STATE and its decision shall be final and binding.
20. **INDEMNIFICATION**: LOCAL AGENCY agrees to indemnify, defend, and save harmless, the STATE, its officers, agents, and employees, from any and all claims and losses, accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this Agreement, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by LOCAL AGENCY in the performance of this Agreement.
21. **DRUG-FREE WORKPLACE REQUIREMENTS**: LOCAL AGENCY will comply with the requirements of the Drug-Free Workplace Act of 1990 and will provide a drug-free workplace by taking the following actions:
 - a. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.

- b. Establish a Drug-Free Awareness Program to inform employees about:
- 1) the dangers of drug abuse in the workplace;
 - 2) the person's or organization's policy of maintaining a drug-free workplace;
 - 3) any available counseling, rehabilitation and employee assistance programs; and,
 - 4) penalties that may be imposed upon employees for drug abuse violations.
- c. Every employee who works on the proposed Agreement will:
- 1) receive a copy of the company's drug-free workplace policy statement; and,
 - 2) agree to abide by the terms of the company's statement as a condition of employment on the Agreement.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and LOCAL AGENCY may be ineligible for funding of any future State Agreement if the department determines that any of the following has occurred: (1) the LOCAL AGENCY has made false certification, or violated the certification by failing to carry out the requirements as noted above. (GC 8350 et seq.)

22. **TERM:** The term of the Agreement SHALL COMMENCE ON THE LAST SIGNATORY DATE ON PAGE 6 and continue through August 31, 2013.
23. **TERMINATION:** This Agreement may be terminated by either party giving 30 days written notice to the other party or provisions herein amended upon mutual consent of the parties hereto.
24. **AMENDMENTS:** No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.
25. **INDEPENDENT CONTRACTOR:** LOCAL AGENCY, and the agents and employees of LOCAL AGENCY, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the STATE or the Federal Government.

**VOLUNTEER FIRE ASSISTANCE PROGRAM
AGREEMENT
PAGE 6 OF 6**

IN WITNESS WHEREOF, the parties have executed this Agreement as of the last signatory date below.

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION

LOCAL AGENCY

By: _____
Signature

By: _____
*Signature

Dan Sendek
Printed Name

Printed Name

Staff Chief
Title
Cooperative Fire Programs

**Title

Last Signatory Date

***Date

*Ensure that the officer signing here for LOCAL AGENCY IS THE SAME Officer authorized in the Resolution to execute this Agreement.

**Ensure that the title entered here IS THE SAME title used in the Resolution for the Officer who is executing this Agreement.

***Ensure that the date LOCAL AGENCY signs IS THE SAME DATE as the Resolution date OR LATER.

FOR STATE USE ONLY

AMOUNT ENCUMBERED BY THIS DOCUMENT \$6,141	PROGRAM/CATEGORY (CODE AND TITLE) Support			FUND TITLE Federal
	(OPTIONAL USE) Vendor #			
PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT \$0	ITEM 3540-001-0001	CHAPTER 21	STATUTE 2012	FISCAL YEAR 12/13
TOTAL AMOUNT ENCUMBERED TO DATE \$6,141	OBJECT OF EXPENDITURE (CODE AND TITLE) 12-9214-418.99-92512			
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.	
SIGNATURE OF CDF ACCOUNTING OFFICER X		DATE		

*Department of General Services
Use Only*

**DGS APPROVAL NOT
REQUIRED PER SAM 1215**

CONTRACTOR

STATE AGENCY

DEPT. OF GEN. SER.

CONTROLLER

**CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION
APPLICATION FOR FUNDING
COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978
VOLUNTEER FIRE ASSISTANCE PROGRAM - Agreement #7FG 12680**

Type or print neatly in ink. Complete in duplicate: Submit original to CAL FIRE Operational Unit and keep one copy for your file.

A. DEPARTMENT/ORGANIZATION
 Name: YREKA FIRE DEPARTMENT
 Street Address: 401 W. MINER ST.
 Mailing Address: PO BOX 1726, YREKA, CA 96097
 City, State, Zip: YREKA, CA, 96097
 Telephone: (530) 841-2383 (STATION) (530) 598-8536 (CHIEF JONES)

B. AREA TO BE SERVED BY AWARD (Includes areas covered by contract or written mutual aid agreements).
 Number of Communities: 4 Area: 76 sq. miles Congressional District #: 2
 Population: 8700 Annual Budget: \$276,021 Latitude 41.735 N
 Longitude 122.633 W

C. ACTIVITY: Average annual number of emergency incidents.
 Fire: 1000 EMS: 150 Other: 75 = Total: 1225

D. PURPOSE OF GRANT (Check all that apply. HazMat, EMS, and Rescue equipment are not authorized).
 Safety Equipment Fire equipment Radio Equipment Training

E. PROPOSED PROJECT (List individual items for funding):

Item (Group by project type)	Quantity	Unit Cost	Total
1. <u>WILDLAND WEB GEAR</u>	<u>40</u>	<u>200⁰⁰</u>	<u>8000⁰⁰</u>
2. <u>HOSE CLAMP AND TOOL POUCH</u>	<u>40</u>	<u>30⁰⁰</u>	<u>1200⁰⁰</u>
3. <u>LARGE ACCESSORY BAG</u>	<u>40</u>	<u>35⁰⁰</u>	<u>1400⁰⁰</u>
4. <u>RADIO CHEST HARNESS</u>	<u>10</u>	<u>65⁰⁰</u>	<u>650⁰⁰</u>
5. <u>GLOVE KEEPER</u>	<u>40</u>	<u>5⁰⁰</u>	<u>200⁰⁰</u>
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
9. _____	_____	_____	_____
PROJECT TOTAL COST			\$ 12280.13

F. TOTAL APPLICATION REQUEST (UP TO 50%; \$500 minimum; Possible \$20,000 maximum) \$ 6,140.07
AMOUNT FUNDED FOR THIS AGREEMENT \$ 6,141.13

Population: 306 Number of Structures: 70
Size (acres): 312 Distance to nearest fire station (miles): 2

H. ADDITIONAL INFORMATION (Briefly describe the area to be served: fire protection system; water system; equipment; facilities; equipment; staffing; hazards; etc.; Briefly explain purpose of project):

SEE ATTACHED

In addition to the original request(s), Applicants may list alternative projects for excess or unused funds, which the State will review during the initial application process. The State will determine which of the Applicant's projects are eligible for funding if excess or unused funds become available. Upon advanced written approval by the State, the applicant may use additional/excess funding, up to the contract maximum amount; to purchase State approved items in listed order of priority on their application.

Deviations from the original application are considered an amendment and require additional processing and approvals before expenditures can be approved.

The funds will be only for those projects accomplished and/or items purchased between Agreement Approval Date and June 30, 2013. The Recipient agrees to provide the CAL FIRE itemized documentation of the Agreement project expenditures and bill the CAL FIRE as soon as the project is complete, but no later than September 1, 2013. The Recipient gives the CAL FIRE or any authorized representative access to examine all records, books, papers, or documents relating to the Agreement. The Recipient shall hold harmless the CAL FIRE and its employees for any liability or injury suffered through the use of property or equipment acquired under this Agreement. The applicant certifies that to the best of applicant's knowledge and belief, the data in this application is true VFA Application Contingency Clause


Authorized Representative Signature
FIRE CHIEF

ALLAN JONES
Printed Name
03/24/12

Title

Date

**Volunteer Fire Assistance Grant
Exhibit A- Section H- Additional Information**

The Yreka Fire Department serves the city of Yreka and the surrounding unincorporated areas with one rescue, five engines, and one truck. Included in the unincorporated areas are state and federal responsibility areas containing urban interface zones and rugged terrain containing heavy fuel loads. The department also assists the city of Montague and the South Yreka Fire Protection District through automatic aid agreements and the entire county through established mutual aid agreements. The department participates in interagency local government strike teams to both federal and state fires throughout the state of California.

The Yreka Fire Department currently consists of thirty firefighters and two College of the Siskiyous Fire Science students through a work experience/ sleeper program with COS. YFD is currently expanding its membership numbers and will expand its sleeper program in the future.

The Yreka Fire Department issues both structural and wildland PPE including fire shelters to all members and sleepers. This project will allow the department to issue NFPA approved web gear to all members and sleepers. This will ensure YFD firefighters are properly equipped when responding to wildland incidents. By standardizing this equipment, training will be simplified and with the addition of the radio harnesses in this project safety and communications will be greatly enhanced.



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

P.O. Box 944248
 SACRAMENTO, CA 94244-2480
 Website: www.fire.ca.gov
 (916) 653-7772



F53

**Grant Assurances for
 Cooperative Forestry Assistance Act of 1978, Volunteer Fire Assistance**

Name of Applicant: YREKA FIRE DEPARTMENT

Address: 401 W. MINER STREET

City: YREKA State: CA Zip Code: 96097

Telephone Number: (530) 841-2383 (STATION) 530-598-8536 (CHIEF JONES)

Fax Number: (530) 841-0901

E-Mail Address: ajones@ci.yreka.ca.us

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for the Volunteer Fire Assistance grant, of the Cooperative Forestry Assistance Act of 1978 and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant.
2. Will assure that grant funds are used only for items requested in the application.
3. Assures that all wildland fire response employees (full-time, part-time or volunteer) are fully equipped with appropriate wildland fire response personal protective equipment that meets NFPA 1977, Standard on Protective Clothing and Equipment for Wildland Fire Fighting, and are trained to a proficient level in the use of the personal protective equipment. Wildland fire suppression safety clothing and equipment includes:
 - Safety helmet
 - Goggles
 - Ear protection
 - Fire resistant (i.e. Nomex) hood, shroud, or equivalent face and neck protection
 - Fire resistant (i.e. Nomex) shirt and pants
 - Gloves
 - Safety work boots
 - Wildland fire shelter
 - Communications equipment

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

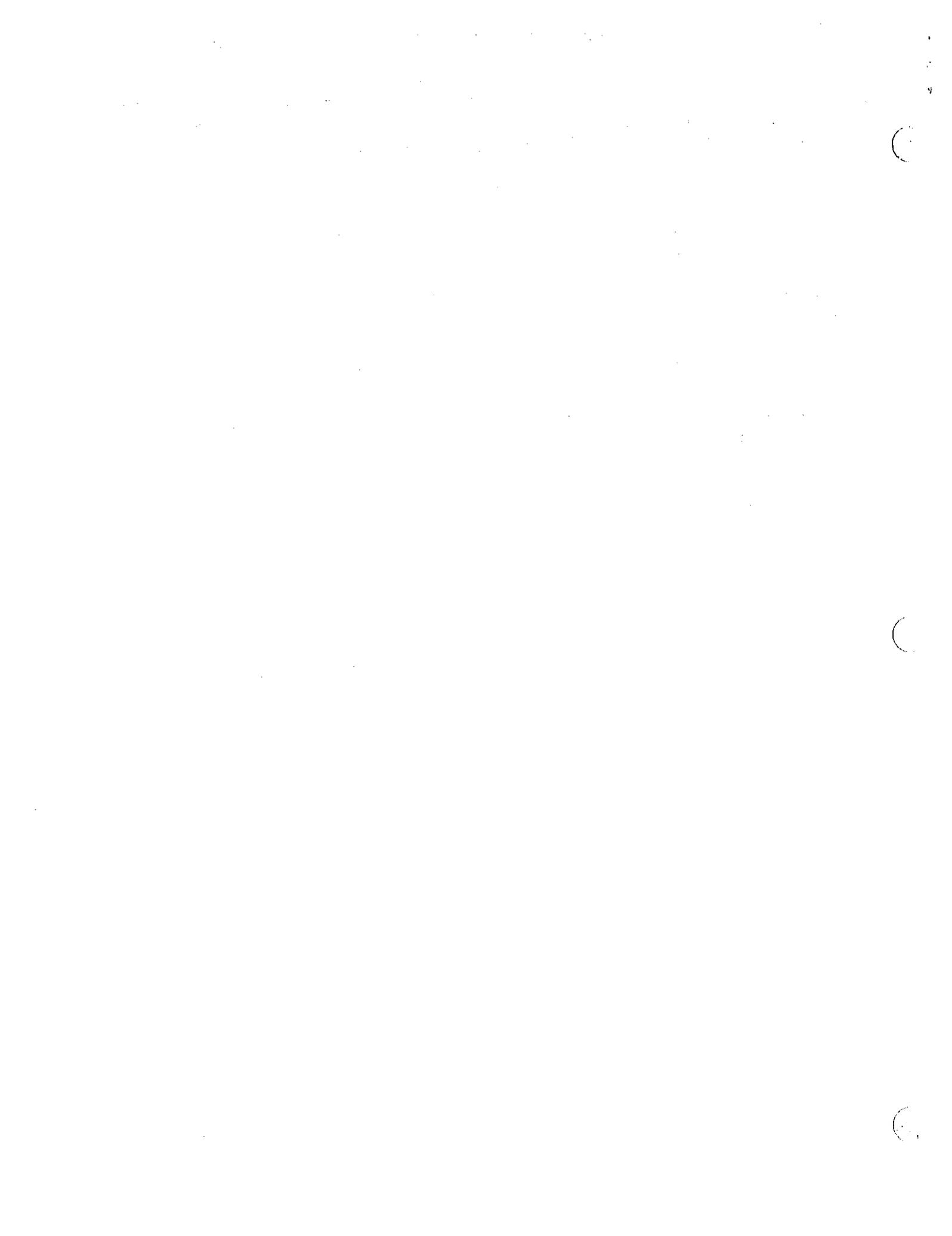
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
6. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
7. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.
- In compliance with NFPA 1977 and trained in the use of wildland PPE.
- Not in compliance with NFPA 1977 but are applying for grant funding to purchase PPE and/ or provide required training.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: *Allan Jones*

Printed Name of Authorized Agent: ALLAN JONES

Title: FIRE CHIEF Date: 03/24/12





CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Chief of Police, Brian Bowles
Agenda title: Yreka Police Needs Assessment Report
Meeting date: November 1, 2012

Discussion:

Presentation by the Chief of Police on a Needs Assessment Report by the Siskiyou Design Group Inc. on the current building used by the Yreka Police Department.

The Yreka Police Department has outgrown their current facility located on Miner Street. The building is very old and will continue to need many fixes to keep it operational. The department has worked creatively and effectively to utilize the existing building layout. However, the existing (three) levels of the facility are antiquated in their design, layout, exiting arrangement, construction and do not promote efficiency.

The Yreka Police Department is an integral part of the community of Yreka and promotes cooperation and service to the citizens of Yreka. The department needs a unified, accessible facility, which addresses needs for public service, security, vehicle parking and storage, as well as adequate space needs for staff members and safe vehicular entry/egress. Additionally the building must meet essential services building requirements so that the facility can continue to provide Public Service Operations in the event of a natural disaster.

Fiscal Impact:

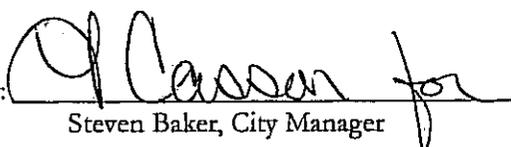
There is no cost to the city for this presentation.

Recommendation and Requested Action:

That the Council:

- Review and discuss the Yreka Police Needs Assessment Report and give direction to staff.

Approved by:


Steven Baker, City Manager

Yreka Police Department



Yreka, California

Needs Assessment Report



Part 1 - Introduction & Executive Summary

pg

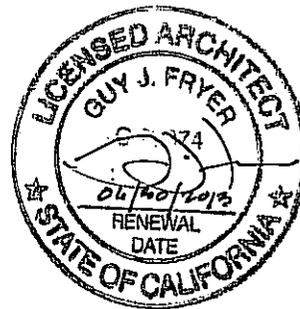
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1.2 Executive Summary 4
1.3 Methodology 5
1.4 Department Structure..... 5

Part 2 - Facility Requirements

2.1 Area Summary..... 5
2.2 Existing facilities / Space and Program Requirements 6

Part 3 - Appendices

3.1 Carnegie Library information
3.2 Siskiyou Grand Jury Report (Police Station)



Yreka Police Department
Brian Bowles - Chief of Police
412 W. Miner St.
Yreka, California 96097
Phone 530-841-2300
Fax 530-841-2310

Siskiyou Design Group, Inc
Guy Fryer, AIA
303 Bruce Street, Suite A
Yreka, California, 96097
530-842-1683
Fax 530-842-1908

1.1 Background and Study Objectives

1.1.1 - Background

The Yreka Police Department has outgrown their current facility located on Miner Street. The existing original building was constructed in 1914 and listed in the National Register of Historic Places in 1992. The Police Department occupied the Facility in 1970 when the new Siskiyou County Library was constructed. A building addition was completed in 1980 after the Police Department outgrew the existing space.

The existing multi-level facility no longer meets the space needs of the Department, and does not provide appropriate public and employee access for persons with disabilities, as required by the American with Disabilities Act and the California Building Code. Due to the extensive age of the Facility and the raised floor design, the removal of hazardous materials required to complete renovation and the necessary re-design for accessibility to the facility point towards options other than renovation of the existing building.

The Department has worked creatively and effectively (by utilizing several adjacent buildings and adapting locations of staff members), to utilize the existing building layout. However, the existing (three) levels of the facility are antiquated in their design, layout, exiting arrangement, construction and do not promote efficiency.

The Yreka Police Department is an integral part of the community of Yreka and promotes cooperation and service to the citizens of Yreka. Public use and access to the Police Department is important and should be recognized as a significant factor in the selection of a new Facility and location. Policing needs in Yreka have seen a moderately steady growth in service since the 1970's. The existing building is currently insufficient in size to accommodate all the required staff, and to fulfill and provide all services and functions.

The Department needs a unified, accessible facility, which addresses needs for Public Service, Security, Vehicle Parking and Storage, as well as adequate space needs for staff members and safe vehicular Entry/Egress. Additionally, the Facility must meet the CBC requirements for an Essential Services Building, the purpose of which is that such a Facility be able to continue providing Public Service Operations in the event of a natural disaster.

1.1.2 - Study objectives

The objective of this study is to determine the current and long term (25 year) needs of the Yreka Police Department and to make recommendations regarding the available accommodation options being considered.

Specific Study Objectives are:

- Understand the Departments policing strategies, and opportunities available in the design of a new (or modification of an existing) facility to promote those strategies.
- Assess and indentify the unique character of the City of Yreka and the relative requirements of Policing.
- Assess the potential growth of the City of Yreka and how this would affect the choice of a new Pollice Facility location (or renovated facility).
- Determine current and future space needs, based on the specific requirements of the Yreka Police Department.
- Determine important internal relationships of the Department which would impact building layout, configuration and site requirements.

1.2 Executive Summary

The existing Police Facility is inadequate, in both capacity and design, to effectively serve the needs of the Yreka Police Department. As noted previously, the Department has worked creatively to adapt and utilize the existing building, as well as adjacent buildings, in order to meet the YPD facility needs. However, there are major deficiencies found in the existing building which should be addressed in the design of a new Facility, or considered in the re-use of an existing building:

- The current building design and site configuration pose significant barriers to persons with disabilities and cannot economically be modified to provide equivalent facilitation to the building. This has become an increasingly litigious issue in California and minimum steps should be taken to mitigate the situation.
- The existing structure (structures) does not meet the Essential Services Act design parameters and upgrade is not economically feasible. Additionally, there is not adequate back-up power to supply the entire Facility in the event of a natural disaster or emergency.
- Existing (original) fuel storage tanks are buried below the rear portion of the building addition and adjacent to the east side of the building- these should be removed, a process which would greatly impact the ability to use the existing building.
- The current multi-level, multi- building, arrangement greatly impacts efficiency, security to the staff members, and the overall effectiveness of the Department in the accomplishment of its Public Service Mission.
- The Site is limited by shared property lines and driveways which effectively prohibit the construction of a secure vehicular entry system, thus greatly affecting the security of the staff members.

The following key design elements, identified in this study, should be provided in a new Facility:

- A unified, adjacency based, building layout to reflect the YPD Departmental structure and methods of operation. Space allocation should be per the recommended 25 year build-out as noted in the Space Needs Area Summary, Part 2.1.
- The building must meet CBC Essential Services Building Design criteria per 2010 CBC, Chapter 4, Article 1.
- Accessible public access and parking- including ADA compliant parking spaces, path of travel and Public Service elements such as separate sex accessible restrooms, Lobby, ancillary Public Service rooms, and Public Service counters.
- Adequate Staff Security through appropriate armor resistant glazing and wall systems, and other design measures.
- Vehicular access control to the site and secure location for staff to enter and exit the facility.
- Staff ADA parking, path of travel and building design features for the entire Police Facility with separate sex restroom and Locker Facilities.
- Appropriately designed secure building areas for communications equipment including adequately sized emergency back-up electrical generation.
- Secure and adequate storage areas for different materials including evidence and long term storage materials.
- A large, expandable area to accommodate Emergency Operations functions.
- Expandable Dispatcher area to accommodate up to (3) Dispatchers/ Call-takers in the event of consolidation of Dispatcher services with other local law enforcement agencies.
- Weight and Work-out Room of adequate size for personnel.
- Safe and compliant vehicle wash area.
- Safe and compliant vehicle service, fueling and storage areas.
- Exterior bike storage and dog kennel.
- Electric Vehicle charging station and storage area.

It is evident from visiting the Yreka Police Department that the spirit of good will, optimism and service are foundational to the Yreka Police Department and its mission. It is also clear that the physical limitations of the existing building make their job (already a difficult one) much more difficult, and contribute to conditions where efficiency and the safety of staff members are compromised. A new or renovated facility with the attributes envisioned by the Administration and as outlined in this study would demonstrate the appropriate support for the police Department by the community it serves.

1.3 Methodology

Two separate tours of the Facility were conducted – first with Lt. Dave Gamache and then with Chief Brian Bowles. Building area summaries were compiled from field review as well as area summaries from the Police Department information.

1.4 Department Structure

The Department currently consists of the Chief of Police, Lieutenant, three Sergeants, nine officers (two were lost in staff reductions this year- one is assigned to the task force undercover, and one is a detective), four full time dispatchers with 2-4 part time dispatchers, two administrative personnel, and one animal control officer. There are 2-6 reserve officers, and 4-6 volunteer employees.

2.1 Space Needs Area Summary

Category / Use	Existing S.F.	Programmed S.F.	Programmed Sub-total (S.F.)	Ref Rm #	Ref Pg #
Public areas including Lobby and Public Restrooms	100	500	500	#1	9
Administration (Chief and Lt. offices)	340	380	380	# 2&8	10&16
Administrative Assistant	100	120	120	# 3	11
Dispatch / Central Common Area	546	900	900	# 6	14
Dispatch Administrator	0	100	100	-	13
Detective Office	85	120	120	#17	25
Sergeants Offices	240	300	300	#16-18	24
Officer / Squad / EOC – include half the area of the EOC annex building (600 s.f.)	1069	1500	1500	#9 & 21	17&
Clerical- include 200 s.f, of annex building	415	500	500	#20	28
Interview	150	200	200		
Weight and Locker area- Include 240 s.f. of annex building and 666 s.f. @ Blacks Building not included in existing	1138	1500	1500	#10,22& Blacks bldg	18 & 30
Storage – Supplies	100	300	300	#24	32
- Short term Evidence Storage	30	50	50	# 15	23
- Weapons	75	140	140	#11 & 18	19 & 26
- Long term Evidence Storage	276	500	500	#12	20
- Exterior	200	300	300	Ext stor blng	7
Staff Restrooms	110	400	400	# 4&5	12
Circulation (programmed @ 10%)		781 S.F.	781 S.F.	NA	NA
Other					
Sub-total	4974 S.F.		8591 S.F.		
Allow 20% growth for 25 year plan			1718 S.F.		
Recommended Minimum Facility (S.F.) :			10,309 S.F.		

2.2 Existing Facilities / Space and Program Requirements

SITE:

PARKING	
Function: Exterior parking for squad cars and employees. Parking for electric vehicles.	
Existing: (24) spaces with (1) accessible parking space delineated. No accessible path of travel to building.	
Current Location: Rear (north) side of Station in a double loaded lot accessed from North Street. Lot is fenced and has an automatic gate at North Street. However, the front (Miner Street) entrance does not have vehicular control due to the location of the property lines and the shared driveways.	
Proximity needs: Adjacent to facility. Accessible parking close to entries	
Square Footage:	Current: 24 parking spaces
Program: Recommend total of (43) spaces- (28) Police, (12) Visitor, (2) Accessible spaces at public lot (one standard and one van accessible) and (2) accessible spaces at Police parking lot, (one standard and one van accessible). (2) vehicle storage garage. Covered canopy charging station for electric police vehicles	
Key Planning Issues:	
<ul style="list-style-type: none"> -Easy and safe access to and from a major public street with good line of sight in each direction, and minor site gradients to facilitate development of accessible routes and accessible parking for public and staff. -Vehicular access control system for Police vehicles- public access from street with accessible path of travel to a public way. - Perimeter security fencing. - Adequate parking spaces and drives. -Exterior lighting complying with Cal-Green and energy codes. -(Stolen cars and cars in evidence are periodically stored at the local CHP garage – an enclosed storage garage is required for this purpose.) - Area for fueling and wash area desired. 	
Storage:	

EXTERIOR STORAGE BUILDING		
Function: Currently an exterior storage building (approximately 200 s.f.) is used to house stolen property, and miscellaneous materials not allowable inside the Police Facility. Additionally, there is one dog kennel and a fenced enclosure for stolen bike storage adjacent to the storage building.		* Storage should be one hour rated construction. *Floor drain / connection to waste in kennel *Larger bike storage area
Current Location: West side of lot		
		Proximity needs: Adjacent to facility.
Square Footage:	Current: 200 s.f. + exterior areas	Program: 250-300 s.f. + fenced covered concrete slab for bike storage and kennel.
Key Planning Issues: Fire rated wall separation from facility. Hazardous material storage cabinets recommended.		Storage: Review storage and shelving requirements with Department for specific needs.
Electrical and mechanical: Typical lighting, power requirements. HVAC not required.		

EXTERIOR COVERED ELECTRIC VEHICLE STORAGE COVER		
Function: Currently a small open exterior cover (approximately 100 s.f.) is used to house meter reader electric vehicles.		
Current Location: West side of lot		
		Proximity needs: Close to facility / adjacent to parking.
Square Footage:	Current: 100 s.f.	Program: 150 s.f. covered concrete slab for bike electric vehicle storage.
Key Planning Issues: Vehicle bollard and protection for charging stations.		
Electrical and mechanical: Electric vehicle charging stations - exterior lighting, utility GFCI power.		

EXTERIOR MECHANICAL, FUEL STORAGE, AND ELECTRICAL GENERATOR	
Function: Propane fuel storage tank, electrical compressors (heat pumps), electrical main distribution panel, electric back-up generator.	Existing: (1) 18 KW Generator, (3) heat pumps units, 250-300 gallon propane storage tank, Main electrical distribution panel.
Current Location: East and north side of Station.	
	Proximity needs: Adjacent to facility.
Key Planning Issues: - Emergency Generator and electrical Main Distribution Panel should have a security fenced enclosure and concrete slab. - Propane or other fuel storage to be located minimum 10 ft away from building in a fenced enclosure. - Exterior compressors and other mechanical equipment should be located in a secure mechanical room or mezzanine.	

EXTERIOR DUMPSTER		
Function: Garbage and refuse disposal		-Review Security considerations -Concrete slab with fenced enclosure & gates -Accessible to Waste Hauler with out entry to secured police area
Current Location: Left rear side of Facility		
		Proximity needs: In close proximity to service area
Square Footage:	Current: (1) 4x6 ft Dumpster	Program: 120 s.f. : (2) 4x6 ft dumpsters

BUILDING: Note : Existing Rooms are numbered for purpose of reference and are noted on Space Needs Area Summary Part 2.1 – numbers do not represent actual room numbers.

ROOM # 1: ENTRY/ SECURE RECEPTION ROOM W/ PUBLIC RESTROOMS	
Function: Public Interface/ waiting/ Information	Notes: Public, basis of contact; friendly Seating, waiting Communicate to dispatch
Current Location: Front of building / raised porch accessed by stairs	
Staff Organization: Dispatcher or Community Service person	Proximity needs: Dispatcher Community Service personnel
Square Footage:	Current: Floor Level One Approx. 100 s.f. (No existing restrooms)
	Program: 220-300 s.f. with accessible restrooms Allow 100 s.f. ea= 200 s.f. total for adjacent Off-Lobby" areas-see below
Key Planning Issues: - Accessible Public entry – Men's' and Women's' accessible Restroom - Need secure (alternate entry) for after hours employee entry - Threat resistant (small arms) interface window w/ document pass - Accessible Public counter at service window - Patch collection - Identification - Visual shielding of dispatcher work station - Employee security: Walls shall be small arms resistant - Public restrooms - After hours communication system?	The Chief envisions two additional rooms located adjacent to the Lobby area to serve multiple functions: - Short term refuge - 290 sex registration and Live Scans - Suspect / Victim areas for initial contact Allow 100 s.f. ea= 200 s.f. total Additionally, a new On-Line reporting computer terminal is proposed to serve the Public at the Lobby area. This will provide visitors the ability to enter calls for service on-line, thereby significantly reducing the Officer time spent on these issues
Equipment : Bulletin/Cork Board for Public messages Telephone (local use only)- PacBel Public Computer	Furnishings: Public seating
HVAC: Typical HVAC requirements- secure penetrations	Electrical: Audio and camera surveillance - parking lot and lobby Free phone system (local use only) Typical power outlets, tamper-proof lighting, emergency illumination, etc.

ROOM # 2: CHIEF'S OFFICE	
Function: Police Chief's Office	Notes:
Current Location: Adjacent to the reception area	
Staff Organization: Chief interacts with all members of the staff- easily accessible location	Proximity needs: Relatively close to Entry / Foyer Dispatcher Lieutenant Sear gents
Square Footage:	Current: Floor Level One Approx. 200 s.f.
	Program: 220 s.f.
Key Planning Issues: - Sound control/ privacy - Staff and Facility oversight – select location - Adequate space for meeting/ discussions w/ staff and visitors - Natural illumination from secure source - Solid doors	
Equipment : Whiteboard Corkboard Telephone	Furnishings: Large desk Computer station Small conference table Several rolling file cabinets Storage cabinets
HVAC: Typical HVAC requirements	Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 3: ADMINISTRATIVE ASSISTANT	
Function: Administrative Assistant Office	Notes:
Current Location: Adjacent to the Chiefs Office and common area / dispatch	
Staff /Organization: Admin Assistant	Proximity needs: Adjacent to Chiefs Office Central to Facility and offices
Square Footage:	Current: Floor Level One Approx 100 s.f.
Key Planning Issues: - Sound control/ privacy - Solid doors - Natural illumination from secure source	Program: 120 s.f.
Equipment :	Furnishings: Standard desk and work station File cabinets
HVAC:	Electrical: Standard power outlets, data and phone terminations, and lighting Digital notification device / clock

ROOMS # 4 & 5: STAFF RESTROOMS		
Function: Employee Restrooms		Notes: Base new capacity on Plumbing Fixtures required per code for occupant load: approximately 24-30 persons- see program suggestion below
Current Location: Floor level One Adjacent to the common area / dispatch		
Staff/ Organization: Clerical staff		Proximity needs: Central to Facility and offices Central but screened
Square Footage:	Current: Floor Level One Approx 110 s.f. combined.	Program: 400 s.f. Allow (3) fixtures for each sex with minimum (1) accessible toilet stall
Key Planning Issues: Sound control - Screened layout – entry arrangement - Plumbing wall - Maintenance Room / ease of cleaning - Minimum maintenance finish materials - Natural illumination from secure source if possible		
Equipment :		Furnishings: Benches and Lockers
HVAC: High exhaust volume- link to occupancy sensor and lighting All return air to exterior via heat exchange		Electrical: GFCI power outlets, occupancy switched lighting

ROOM (not existing): OFFICE	
Function: Office Space – Dispatch Lead Supervisor	Notes:
Current Location: Floor Level One Adjacent to the common area / dispatch	
Staff/ Organization:	Proximity needs: Adjacent to open / common area
Square Footage:	Current: Not existing
	Program: New 100 s.f. min
Key Planning Issues: - Sound control/ privacy - Solid doors - Natural illumination from secure source	
Equipment : Standard accessories , mirrors, etc.	Furnishings: Standard desk and work station File cabinets
HVAC: Typical HVAC requirements	Electrical: Standard power outlets, data and phone terminations, and lighting Digital notification device / clock

ROOM # 6: DISPATCH / CENTRAL COMMON AREA		
<p>Function: Dispatcher / work stations Volunteer work stations Second Administrative Assistant Animal Control Officer</p>		<p>Notes: Existing open area accommodates 1.5 Dispatcher stations and 4-5 typical work stations. Proposal is to provide an expandable Dispatcher area to accommodate up to (3) Dispatchers / Call-takers in the event of consolidation of Dispatcher services with other local law enforcement agencies.</p>
<p>Current Location: Floor Level One Central portion of original building- behind public interface window @ Lobby area</p>		
<p>Staff/ Organization: (2-3) dispatchers</p>		<p>Proximity needs: Adjacent to Lobby and central to Facility- important that Dispatchers are not isolated from other staff</p>
<p>Square Footage:</p>	<p>Current: Floor Level One Approx 564 s.f.</p>	<p>Program: 900 s.f.</p>
<p>Key Planning Issues: - Monitor Lobby/ visitors - Configure for multiple work stations and provide screening for dispatcher work areas</p>		
<p>Equipment : Phone bank, clue line, scanners for all law enforcement agencies, computer aided dispatch screen, records management screen, CLETS, wants and warrants file cabinet, radio for field units, TV, Surveillance cameras on PD and other areas. Two Printers, Cabinets for books and binders. Under cabinets is full of equipment.</p>		<p>Furnishings: (3) Standard desk and work station Min (7-8) tall file cabinets Storage cabinets Foot rests Key storage system</p>
<p>HVAC: Typical HVAC requirements</p>		<p>Electrical: UPS for designated equipment Standard power outlets, data and phone terminations, and lighting Digital notification device / clock</p>

ROOM # 7: COPY / WORK AREA/ VOLUNTEER DESK	
Function: Copier and work area Volunteer work station	Notes:
Current Location: Floor Level One Adjacent to Dispatch/ Central area	
Staff/ Organization: Intermittent use area	Proximity needs: Adjacent to Dispatch and available to all office areas
Square Footage: Current: Floor Level One Approx 85 s.f.	Program: 100 s.f.
Key Planning Issues: -Noise dampening (tackboard walls) -Good illumination and power - Separate by wing wall but easily accessed - Verify copier and other equipment sizes and access requirements	
Equipment : Copiers/ and fax machines	Furnishings: Counter space for equipment Overhead storage cabinets File cabinets
HVAC: Typical HVAC requirements	Electrical: Power for specific equipment Data terminations Good lighting Digital notification device / clock

ROOM # 8 : LIEUTENANT'S OFFICE		
Function: Lieutenant's Office		Notes:
Current Location: Adjacent to the reception and Lobby area		
Staff Organization: Chief interacts with all members of the staff- easily accessible location		Proximity needs: Relatively close to Entry / Foyer Available to Dispatchers, Sear gents, Chief
Square Footage:	Current: Floor Level One Approx 140 s.f.	Program: 160 s.f.
Key Planning Issues: - Sound control/ privacy - Staff and Facility oversight – select location - Adequate space for meeting/ discussions w/ staff and visitors - Natural illumination from secure source - Solid doors		
Equipment : Whiteboard Corkboard Telephone		Furnishings: Large desk Computer station File cabinets Storage cabinet
HVAC: Typical HVAC requirements		Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 9 : SQUAD ROOM	
Function: Squad Room – Officer work stations	Notes: Existing room doubles as a Break area with a very small Kitchenette area and large table
Current Location: Rear (north) side of building / downstairs	
Staff Organization: Officers computer work stations	Proximity needs: Close to Central / Common area and offices, staff entry and Gun locker Available to Dispatchers, Lieutenant, Chief
Square Footage:	Current: Basement Level Approx 449 s.f. Program: 600 s.f.
Key Planning Issues: - Sound control @ work stations - Circulation and access to adjacent rooms/ offices	
Equipment : Whiteboards Corkboards Telephone	Furnishings: Perimeter deep plastic laminate computer counters with data/ power raceways for flexibility and expandability of work areas Case file storage cabinets
HVAC: Typical HVAC requirements	Electrical: Horizontal data/ power raceway Perimeter task lighting for work stations' Digital notification device / clock

ROOM # 10 : LOCKER ROOM / DOWNSTAIRS RESTROOM – SEE ROOM # 3		
<p>Function: Space doubles as small locker area with small adjacent restroom. Currently the lockers serve as short term evidence storage</p>		<p>Notes: Functions in this space would be included in a new separate-sex ADA compliant staff restroom- See Room # 4&5 new Locker and Weight Room – See Room # 4&5</p>
<p>Current Location: Downstairs adjacent to Squad Room</p>		
<p>Staff Organization: Officers and all staff should be able to use this type of area</p>		<p>Proximity needs: Close to Squad Room</p>
<p>Square Footage:</p>	<p>Current: Basement Level Approx 232 s.f.</p>	<p>Program: 500 s.f. (250 s.f. each Men's and Women's)</p>
<p>Key Planning Issues: - Sound control - Good Ventilation</p>		
<p>Equipment : Showers Lockers Benches</p>		<p>Furnishings: Benches and Lockers</p>
<p>HVAC: Exhaust and typical HVAC requirements</p>		<p>Electrical: GFCI outlets Digital notification device / clock</p>

ROOM # 11 : GUN LOCKER	
Function: Weapon and ammunition storage	Notes:
Current Location: Downstairs adjacent to Squad Room	
Staff Organization: Officers	Proximity needs: Adjacent to Squad Room
Square Footage:	Current: Rear Basement Level Approx 30 s.f.
Key Planning Issues: - Security - Proper ventilation - Access - Envelope construction	Program: 60 s.f.
Equipment : Weapon racks	Furnishings:
HVAC: Humidity controlled ventilation	Electrical: Explosion proof outlets & light fixtures

ROOM # 12 : Evidence Storage	
Function: Evidence and Record storage	Notes: Existing storage is in basement and is not large enough to adequately house all evidence materials
Current Location: Downstairs adjacent to Squad Room	
Staff Organization: Officers	Proximity needs: Adjacent to Squad Room
Square Footage: Current: Rear Basement Level 12' x 23' = 276 s.f.	Program: 500 s.f.
Key Planning Issues: - Security - Proper ventilation - Access	
Equipment : Metal storage racks	Furnishings:
HVAC: Ventilation	Electrical:

ROOM # 13 : STORAGE		
Function: Record and material storage		Notes: Existing storage is in basement and is accessed via stair (from original building area). Area is adjacent to crawl space of main building
Current Location: Basement of original building		
Staff Organization: All staff		Proximity needs: Adjacent to Central/ Common area
Square Footage:	Current: Basement Level Approx 308 s.f.	Program: 500 s.f.
Key Planning Issues: - Security - Humidity control - Access		
Equipment : Metal storage shelving system		Furnishings:
HVAC: Ventilation		Electrical: Lighting and convenience outlets

ROOM # 14 : RADIO ROOM		
Function: Radio and Main Distribution Frame Racks		Notes: Existing room is subject to water infiltration and has a sump in floor with pump.
Current Location: Basement of original building		
Staff Organization: Administrative & IT staff		Proximity needs: Adjacent to Central/ Common area
Square Footage:	Current: Basement Level Approx 80 s.f.	Program: 120 s.f.
Key Planning Issues: - Security - Humidity control - Access - Anti-static carpet / flooring - Cabling/ electrical flexibility		
Equipment : MDF Racks Work counter Storage cabinets		
HVAC: Air conditioning sized for equipment loads		Electrical: Specific loads for MDF's and Radio with back-up emergency power system Lighting and convenience outlets @ counter

ROOM # 15 : EVIDENCE STORAGE/ PROCESSING ROOM	
Function: Process evidence such as drying bloody clothing, storage of fume and other kits, store evidence	Notes:
Current Location: Second Level	
Staff Organization: Administrative & Officers	Proximity needs: Adjacent to Squad Room / Sergeants offices
Square Footage:	Current: Rear Floor Level Two Approx 30 s.f.
Program: 50 s.f.	
Key Planning Issues: - Security - Humidity control	
Equipment : Work counter Metal drying rack Storage cabinets	
HVAC: Humidity controlled ventilation	Electrical: Lighting and convenience outlets @ counter

ROOM # 16-18: SERGEANT'S OFFICES	
Function: Sergeant's offices	Notes: (3) offices located at upper level
Current Location: Second Level	
Staff Organization: Sergeants	Proximity needs: Adjacent to Squad Room / Common / Central area
Square Footage:	Current: Rear Upper Floor Level Approx 85 s.f. each.
	Program: 80- 100 s.f. each= 240- 300 s.f. total Could be combined as individual work stations in a larger common work room
Key Planning Issues: - Sound control/ privacy - Natural illumination from secure source - Solid doors	
Equipment :	Furnishing: Desk Computer station File cabinets
HVAC: Typical HVAC	Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 17: DETECTIVE OFFICE	
Function: Detective Office	Notes: Needs a secure closet for Kits and materials related to investigative work
Current Location: Floor Level Two Adjacent to Sergeants Offices	
Staff/ Organization: Detective when on duty	Proximity needs: Closet attached or adjacent as noted above Available to all office areas
Square Footage:	Current: Floor Level Two Approx 85 s.f. Program: 100 s.f. + 20 s.f. closet = 120 s.f.
Key Planning Issues: - Sound control/ privacy - Natural illumination from secure source - Solid doors	
Equipment :	Furnishings: Desk Computer station File cabinets
HVAC: Typical HVAC requirements	Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 18 : WEAPON AND AMMUNITION STORAGE CLOSET			
Function: Secure weapon and ammo storage		Notes: Access limited to Administration	
Current Location: 18A Floor Level Two Adjacent to Hallway / Sergeants Offices			
Staff/ Organization: Administration Officers		Proximity needs: In proximity of Squad Room	
Square Footage:	Current: Floor Level Two Approx 45 s.f.	Program: 80 s.f.	
Key Planning Issues: - Security -Envelope construction			
Equipment : Metal storage racks and weapon racks		Furnishings:	
HVAC: Humidity controlled ventilation		Electrical: Explosion proof outlets & light fixtures	

ROOM # 19: INTERVIEW ROOM	
Function: Interviews, fingerprinting, filming	Notes: Existing room doubles as small conference / meeting room
Current Location: Floor Level Two End of Hallway / adjacent to Sergeants Offices	
Staff/ Organization: Officers and Administration	Proximity needs:
Square Footage:	Current: Floor Level Two Approx 150 s.f.
Program: 200 s.f.	
Key Planning Issues: - Security - Sound-proofing - Technology	
Equipment : Video equipment Fingerprinting	Furnishings: Conference table
HVAC: Humidity controlled ventilation	Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 20: DICTATION OFFICE		
Function: Dictation		Notes:
Current Location: Floor Level Two End of Hallway		
Staff/ Organization: Typist		Proximity needs: Near Sergeants Offices/ Administration
Square Footage:	Current: Floor Level Two Approx 70 s.f.	Program: 100 s.f.
Key Planning Issues: - Sound-proofing		
Equipment : Dictation module/ computer		Furnishings: Desk / computer work station
HVAC: Typical HVAC		Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 21: EOC (Emergency Operation Center)- currently located in rented space adjacent to Police Facility		
Functions: -Currently Emergency Operations Center occupies primary portion of the building -Officer Locker area		Notes: -Interagency and EOC operations would be combined in a large common room
Current Location: In Annex Building adjacent to Police Facility		
Staff/ Organization: Officer/ Admin		Proximity needs: All functions integrated in unified Facility plan- central location
Square Footage:	Current: Ground floor level: Approx 500 s.f.	Program: 700 s.f. total.
Key Planning Issues:		
Equipment : Storage Shelving		Furnishings: Conference table Desks / computer work stations
HVAC: Typical Hvac		Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 22: Locker Area currently located in rented space adjacent to Police Facility	
Functions: -Officer Locker area	Notes: - Locker areas would be included in new combined locker/ restroom areas for each sex
Current Location: Adjacent to Police Facility	
Staff/ Organization: All staff	Proximity needs: All functions integrated in unified Facility plan
Square Footage:	Current: Ground floor level: Approx 250 s.f.
Program: 400 s.f. total.	
Key Planning Issues:	
Equipment : Lockers Benches	Furnishings:
HVAC: Typical Hvac	Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

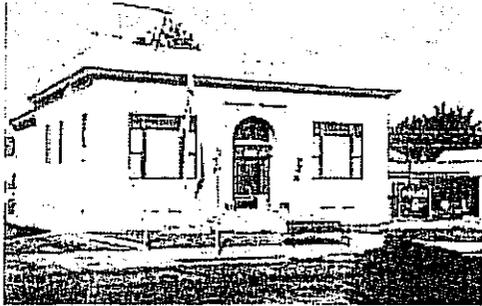
ROOM # 23: Offices currently located in rented space adjacent to Police Facility		
Functions: -Offices		Notes:
Current Location: Adjacent to Police Facility		
Staff/ Organization: Typist		Proximity needs: All functions integrated in unified Facility plan
Square Footage:	Current: Ground floor level: Approx 200 s.f.	Program: 240 s.f. total.
Key Planning Issues:		
Equipment :		Furnishings: Desks / computer work stations
HVAC: Typical Hvac		Electrical: Typical power outlets, data and phone terminations, lighting, etc Digital notification device / clock

ROOM # 24: Office Supply Storage currently located in rented space adjacent to Police Facility		
Functions: Office Supply Storage		Notes:
Current Location: Adjacent to Police Facility		
Staff/ Organization: Typist		Proximity needs: All functions integrated in unified Facility plan
Square Footage:	Current: Ground floor level: Approx 100 s.f.	Program: 150 s.f. total.
Key Planning Issues:		
Equipment : Storage Shelving		Furnishings:
HVAC: Typical Hvac		Electrical: Typical power outlets, data and phone terminations, lighting, etc

3.1 Carnegie Library Information

Yreka, Siskiyou County

North Central/Northeast area, Shasta Cascade region



Yreka Police Department
412 West Miner Street
Yreka, CA 96097

opened 1915
Yreka Carnegie Library 1915-1970
currently a police department



grant amount: \$8,000
architectural style: Classical Revival (Type C)
architect: W. H. Weeks

The most northerly California Carnegie community, Yreka is just south of the Oregon border on Interstate Highway 5. Many features of the old downtown are reminiscent of its early frontier mining heritage. In contrast is the small, Classical Revival, one story Carnegie building, now the home of the municipal police department. It was added to the National Register of Historic Places in 1992.

Yreka's interest in libraries dates from 1855 according to a San Francisco newspaper report on agitation for a joint stock library; possibly no formal steps were taken. In 1857 a "ladies' library" was formed which differed from gold country "saloon substitute" libraries in that it was intended to fill some of the void experienced by the women and children in the absence of the miners. This may have been the nucleus of the 1910 Yreka Improvement Club library, initial project of the newly organized group, which became the Yreka Public Library in 1910. The city requested Carnegie funding;

\$8000 was offered in 1913. The city purchased a lot for \$1000 with the aid of the Improvement Club which later provided another \$400 for furnishings. William H. Weeks designed the building; Peterson and Wilson of San Francisco won the contract, only to suffer financial reverses; C.L. Noel completed the project. After consolidation of city and county libraries at a new location, the police department moved into the Carnegie building. In 1980, when they in turn required more space, an addition was built to the rear.

3.2 Grand Jury Report – attached.

September 16, 2011

The Honorable Laura Masunaga
Presiding Judge
Superior Court, State of California
County of Siskiyou
311 Fourth Street
Yreka, California 96097

Re: Response to the 2010/11 Grand Jury Report by the City of Yreka (Watchdog Follow-Up on Yreka Police Department)

Dear Judge Masunaga:

The City of Yreka received a July 14, 2011 request for a response to Findings, which were included as part of the 2010-2011 Civil Grand Jury annual report. The Findings to be addressed are Findings 1, 2, 3, 4, 5, 7, 8, 9 and 10 of the Findings Section of the 2005-06 Grand Jury Report. This letter is the response to those findings pursuant to Penal Code Section 933.05.

The Yreka City Council and Yreka City Manager were both requested to respond to the Findings. This letter is intended be a joint response by both the City Council and City Manager.

Findings:

Finding #1: The doors to the front entrance have windows with standard glass.

Response: The City agrees with the finding with explanation. The City is investigating sources of funding for safety glass for the front entrance doors. There is no known building code requirement that front entrance doors have safety or bullet-proof glass. The City desires to install this improvement and hopes to locate a source of funding suitable for this project, perhaps through grants. This type of installation would greatly increase the weight of the existing doors, and will probably require a different door configuration.

Finding #2: There is no handicapped access at the front entrance.

Response: The City agrees partially with the finding in that access is not available at the front entrance; however, handicapped persons do have access to the Yreka Police Department. The City agrees that this is an important need and provides the following explanation: Those persons, who cannot mount the front stairs for any reason, including disability, are directed to the rear of the building where handicapped access is established. The City would like to upgrade the front entry to make it more accessible at that point for handicapped access, however there are cost and historic building considerations. The city has signage on the front of the building that directs them to the rear. At the rear of the building we have an interactive speaker system.

Finding #3: The self-contained generator on site is insufficient for full-building use in case of power outages.

Response: The City agrees partially with the finding. While it is the case that the entire building cannot be served by the existing generator, currently the most critical services, such as dispatch services, are supported by the existing generator without difficulty. The City agrees that this is an important need. As funding becomes available, the City hopes to implement upgrades of the electrical system and its redundancy.

Finding #4: The entire electrical system is outdated, with too few outlets for all the modern office equipment.

Response: The City agrees with the finding. The building occupied by the Yreka Police Department is a Carnegie Library building. It was built in 1914. In 1968 it was converted to the Police Department. This is a building of historical significance and is one of the key buildings in the Historic and Preservation District of the City of Yreka. The space available is limited and wiring can be problematic. The City has abated the asbestos and put out an request for bids for contractors to bid on the electrical work. Except as limited by funding, the electrical issue should be remedied as a result of the work contemplated by this bid process.

Finding #5: There are no separate locker rooms for female employees.

Response: The City agrees partially with this finding, in that no separate locker rooms exist for female employees; however, currently there are no female uniformed employees that come to work in plain clothes that would need to change. If and when the city has female employees that require a locker room we will look at the YPD annex next door and evaluate the reallocation of space for this function.

Finding #6: The basement windows and the parking lot are unsecured.

Response: The City agrees with the finding with respect to the parking lot (the 2010/11 report notes that the windows have been fixed). The parking lot is not secured and the City is evaluating construction of fencing to secure the parking area. The city is exploring funding options for this project. The City is also aware of the residential area behind the Police Station and the need for the project to be functional, but also to be compatible with the neighborhood.

Finding #7: The new addition to the building was erected atop an abandoned fuel tank which remains buried beneath the floor.

Response: The City agrees with the finding, but has evaluated the possible hazards of a possible abandoned fuel tank beneath the building. The City has determined there was construction of an addition to the building occupied by the Yreka Police Department which was completed on November 8, 1977. At the time, the law in effect regarding Abandonment of Tanks was contained in the Uniform Fire Code, Section 15.217.

According to the building plans from the time of the construction of the addition, the existing heating oil tank was intended to be replaced with a new tank, which would have required removal or decommissioning or abandonment according to UFC §15.217. Oftentimes, if the

September 16, 2011

Re: Response to the 2010/11 Grand Jury Report by the City of Yreka

tank was too close to the structure to be safely removed without causing harm to the structural foundation, it was left in place. Tanks were commonly decommissioned by pumping out, cleaning the piping, and filling the tank with a non-reactive solid material such as sand with a small amount of water-puddling to cause the sand to flow to the heating oil tank ends. The City has searched for records to confirm what method was adopted at the time. The records do not indicate which method was followed. Presently, there is an existing above-ground heating oil tank that serves the structure located on the eastern elevation of the building addition. The only certain way to determine whether the tank was removed, decommissioned or abandoned, would be to dig through the cement foundation flooring at the probable site of the old tank. The City is not aware of any leakage attributed to fuel tanks in the vicinity of the Yreka Police Department building. The City is aware that while leakage may occur, the City believes that remediation is not required unless and until there is such an event. The City has received no notice from any state or federal agency that further action or any remediation is required for this tank.

Finding #8: The building lacks adequate space for existing personnel.

Response: The City agrees partially with the finding. With the current staffing levels and the YPD Annex building next door the current building and annex are sufficient. When or if the frozen staffing levels are increased we would have to reevaluate the situation.

Finding #9: Employees are evaluated annually and training is current.

Response: The City agrees with this finding. The City will continue to re-evaluate annually and keep training current.

Finding #10: The YPD investigates any citizen complaint received.

Response: The City agrees with this finding. The City will continue to investigate any citizen complaints.

The City understands and appreciates that the Grand Jury's reporting function of its oversight pursuant to Penal Code Section 933 is central to its effective operation in the public interest. The recommendations which have been cited to the City are areas which the City likewise has substantial interest and concern. The City appreciates the points made by the Grand Jury and realizes the importance of the role of the Grand Jury service in conjunction with the affairs of local government.

Please feel free to contact us should you have any questions or require further information.

Very truly yours,

CITY OF YREKA

By: _____

Rory McNeil, Mayor

By: _____
Steven W. Baker, City Manager

Approved as to legal form:

By: _____
Mary Frances McHugh,
City Attorney, City of Yreka

cc:

The Honorable Mr. Schoonmaker
Foreperson, Siskiyou County Grand Jury
c/o J. L. Peery, Administrative Services
Officer
PO Box 1026, Yreka, California 96097

The Honorable Ms. James Cook,
Chair, Board of Supervisors of Siskiyou
County

Members of the City Council, City of Yreka

WATCHDOG FOLLOW-UP
ON
YREKA POLICE DEPARTMENT

YREKA POLICE
JUL 19 2006
RECEIVED

BACKGROUND

The 2005-2006 Grand Jury (GJ) conducted a Watchdog on the Yreka Police Department (YPD). This years GJ decided to follow-up on this previous report to ascertain if any of the Findings and / or Recommendations had been addressed. The Law Committee (LC) was assigned this follow-up investigation.

The following is the complete 2005-2006 Watchdog Report on YPD:

BACKGROUND

The Grand Jury conducted a watchdog evaluation of the Yreka Police Department (YPD).

No record of the last watchdog was noted. The YPD building is located at 412 Miner St. in the Old Library Building, a Historical District structure subject to historical building restrictions.

As of September 2005, the YPD had the following authorized positions: one chief, one lieutenant, three sergeants, one detective, seven patrol officers, one canine patrol officer, one narcotics officer, one animal control officer, one part-time and four full time dispatchers, and five administrative personnel.

1. The doors to the front entrance have windows with standard glass.
2. There is no handicapped access at the front entrance.
3. The self-contained generator on site is insufficient for full-building use in case of power outages.
4. The entire electrical system is outdated, with too few outlets for all the modern office equipment.
5. There are no separate locker rooms for female employees.

6. The basement windows and the parking lot are unsecured.
7. The new addition to the building was erected atop an abandoned fuel tank which remains buried beneath the floor.
8. The building lacks adequate space for existing personnel.
9. Employees are evaluated annually and training is current.
10. The YPD investigates any citizen complaint received.

RECOMMENDATIONS

1. The windows in the front entrance doors should be replaced with safety or bulletproof glass as required for the Department security.
2. The City should consider installing hand railings and ramps to allow handicapped persons to access the police department.
3. A new generator needs to be purchased to provide adequate power in the event of an outage.
4. The electrical system needs to be upgraded.
5. The YPD should provide a locker room for females.
6. The City should secure the basement windows and fence the parking lot.
7. The City needs to evaluate the possible hazard posed by the abandoned fuel tank beneath the station floor.

RESPONSE

The Yreka City Council is requested to respond to the Grand Jury report as per 933.05 P.C.

**GRAND JURY 2010-2011
WATCHDOG FOLLOW -UP
ON**

YREKA POLICE DEPARTMENT

BACKGROUND

The LC contacted the YPD in February of 2011. The LC met with the Chief and the Lieutenant (LT). They both reviewed the 2005-2006 GJ Watchdog report.

FINDINGS

1. The LC determined that the following personnel positions have been eliminated: canine patrol officer; two reserve officers; and two administrative personnel positions.
2. The LC was advised that one additional part-time radio dispatcher had been added.
3. The LC was advised that Item #6 in the Findings Section of the 2005-2006 report had been addressed and corrected.
4. The LC was advised that no other Findings issues have been addressed.

RECOMMENDATIONS

1. The YPD should contact the Yreka City Council and the City Manager regarding the items that were not addressed in the 2005-2006 Watchdog Report.

RESPONSE

1. The Yreka City Council is requested to respond to the following issues listed in the Findings Section of the 2005-2006 Watchdog Report: 1, 2, 3, 4, 5, 7, 8, 9, & 10 as per Section 933.05 P.C.
2. The Yreka City Manager is requested to respond to the following issues listed in the Findings Section of the 2005-2006 Watchdog Report: 1, 2, 3, 4, 5, 7, 8, 9, & 10 as per Section 933.05 P.C.



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Mary Frances McHugh, City Attorney
AGENDA TITLE: Introduction of Ordinance 831 Repealing And Amending By Adding Various Sections Of Title 11 Of The Yreka Municipal Code Relating To The Adoption By Reference Of Uniform Construction Codes; Adding New Chapter 11.50 Relating To Placards Used To Denote Conditions Relating To Continued Occupancy Of Buildings; And Repealing Certain Ordinances
Meeting date: November 1, 2012

Recommendation and Requested Action: Waive reading and introduce Ordinance 831. Staff recommends adoption of Ordinance 831.

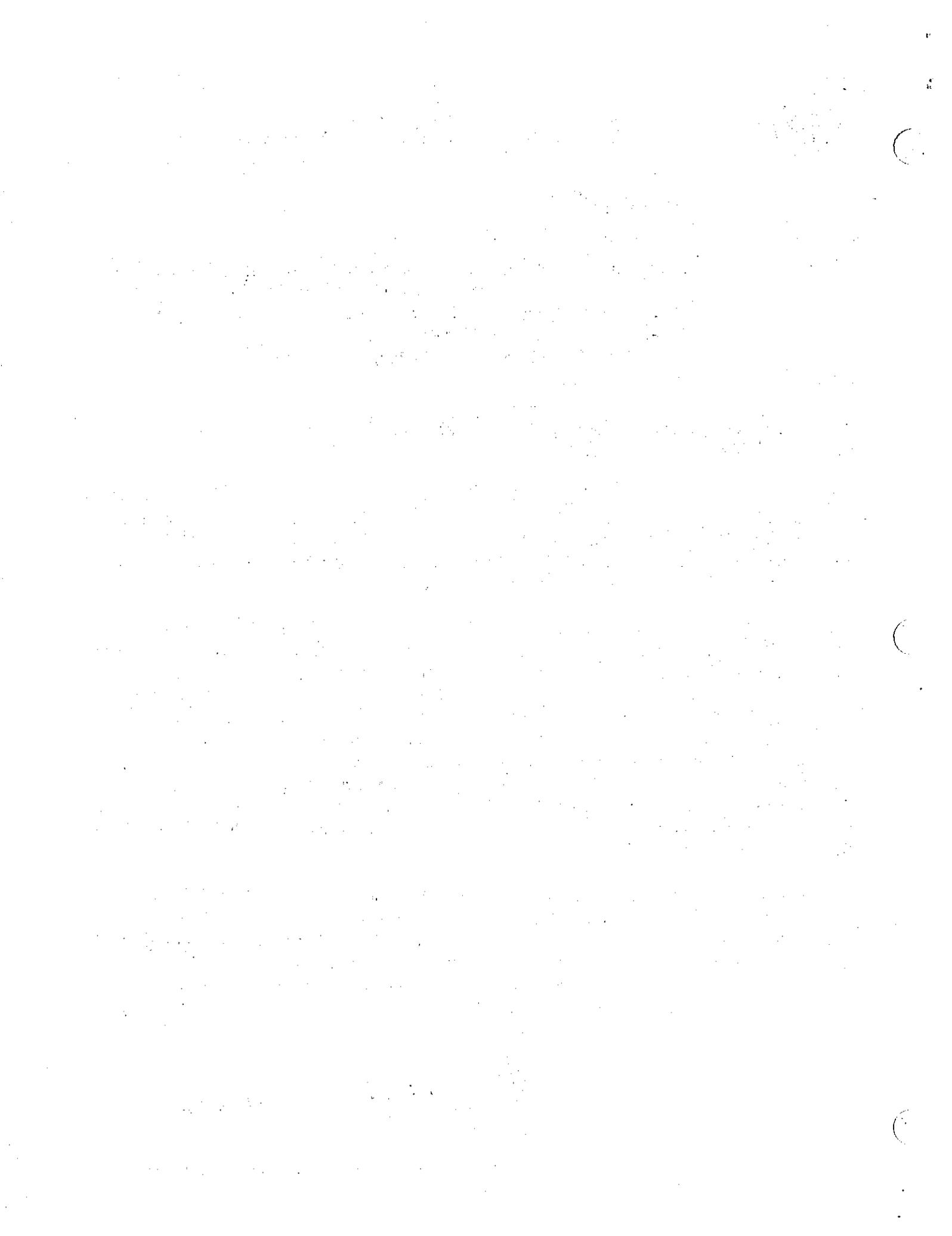
Discussion: The California Building Standards Codes are published every 3 years by the California Building Standards Commission. The California Building Standards Commission has published the 2010 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2011. By California law, these codes became enforceable within the jurisdiction of the City of Yreka six months after adoption.

The City has the power at any time to make jurisdiction-specific modifications to the Building Standards if certain findings are made in connection with the particular changes. This ordinance will amend California Building Code Chapter 16, and California Code of Regulations R301.2. Snow Load, to fix the minimum snow load in the City limits at 40 pounds per square foot of roof snow and establishing the basic wind speeds at 80 MPH except for the area east of Butcher Hill, which shall be 90 MPH. These standards have been required by the Building Official of the City for many years without the support of appropriate amendment to the Building Standards Codes in the City. The changes include the adoption of the current appendix now referenced as Appendix J in place of Appendix 33, the grading requirements. The 2010 CBC requires any adopting ordinance specifically reference the grading appendix in order for it to be enforceable. Once adopted, this ordinance will be filed with the State Commission.

Fiscal Impact: There is pending litigation relating to enforcement of Section 11.04. The City's position in that litigation will not be adversely affected by this action because the ordinance specifically states it will not operate as an abatement of any action then pending. This change will not impair the rights of any litigant because there is no holder of a permit under Section 11.02 in that litigation. The adoption of this ordinance will allow for enforcement of these requirements in that action. There is no other litigation pending which might be affected.

Approved by: _____

Mary Frances McHugh 10/26/12
Mary Frances McHugh, City Attorney



ORDINANCE NO. - 831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA, CALIFORNIA, REPEALING AND AMENDING BY ADDING VARIOUS SECTIONS OF TITLE 11 OF THE YREKA MUNICIPAL CODE RELATING TO THE ADOPTION BY REFERENCE OF UNIFORM CONSTRUCTION CODES; ADDING NEW CHAPTER 11.50 RELATING TO PLACARDS USED TO DENOTE CONDITIONS RELATING TO CONTINUED OCCUPANCY OF BUIDLINGS; AND REPEALING CERTAIN ORDINANCES

WHEREAS, the State Building Standards Commission adopted the 2010 California Building Standards Code, codified in Title 24 of the California Code of Regulations; and

WHEREAS, the City Council of the City of Yreka (the "City") wish to update the rules and regulations governing building and construction in the City limits to reflect the 2010 California Building Standards Code, California Code of Regulations Title 24 ("CBSC"); and

WHEREAS, the City desires to make certain amendments to the 2010 CBSC in order to address the health and safety issues of the City's local climatic, geological or topographical conditions; and,

WHEREAS, before making changes to the CBSC pursuant to Health and Safety Code Section 17958.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological or topographical conditions; and,

WHEREAS, the Applied Technology Council ("ATC" developed building placards ("ATC 20 placards") that clearly identify the condition of a building for continued occupancy; and,

WHEREAS, the City would like to officially adopt the ATC-20 placards to make then enforceable under law and to protect to the property owner, tenant and the general public;

Now, therefore, the City Council of the City of Yreka does hereby ordain as follows:

SECTION 1. Repeal.

- A. Chapters 11.02, 11.05, 11.07, 11.12, 11.16, 11.18, and 11.19 are repealed in their entirety.
- B. Chapter 11.04 is repealed except that this ordinance shall not have any effect upon existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed Chapter.

SECTION 2. Findings. The City finds it is necessary to adopt local amendments to the following subcodes of the CBSC: Building Code and Fire Code. These local amendments have been evaluated and recognized by the City as tools for addressing problems with building construction in the City of Yreka, which are aimed at establishing and maintaining an environment that will afford the City a high level of fire and life safety to all those who work live and play within the City's boundaries. The City finds as follows:

A. The City, pursuant to the authority granted it under California Health and Safety Code Sections 17958.5 and 18941.5, has determined that there is a need to establish building standards that are more restrictive than those adopted by the State of California and found in Title 24 and Title 25 of the California Code of Regulations. These new building standards have been determined by the City of Yreka to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.

B. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local climatic, topographical and/or geological conditions and the City must make express findings in this regard. The Council has determined that the following findings of fact address and present the local climatic, topographical, and/or geological conditions, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC

a. The City of Yreka has extreme variations in weather patterns: summers are arid and hot, winters are freezing and snowy, fall and spring can bring any combination of weather pattern together, and high winds are frequent during changes of weather patterns. As a result, the climate in the City of Yreka area can have a great influence on fire behavior and other major emergency events in the City.

2. TOPOGRAPHICAL

a. The City of Yreka is subject to possible flooding in low lying elevations within the City and along creeks which are seasonal.

b. Climate and Weather relating to wildland fire risks. As reported in the Jay Perkins Proposed Changes for the Yreka Local Responsibility Area re Fire Hazard Severity Zones approved by the City Council on May 15, 2008, the City of Yreka is situated in the Shasta Valley in north central Siskiyou County. Climate associated with wildland is not atypical for other Mediterranean type systems; cool, rainy winter months followed by four or more months of hot, dry weather with no front-borne rain. This pattern sets the area up for long, hot dry summers. The wildland fire season occurs primarily mid-June through late-September. However, drought and climate change are responsible for fire season starting as early as mid-April and lasting well into October.

Temperatures into the 90's coupled with relative humidity in the teens are not uncommon in summer. Wind is the most variable of the weather elements. It is also the weather component most responsible for dramatic fire spread and fire intensity that we experience. Daily summer winds are typically out of the south, southwest reinforced by the daytime heating of the valley floor. Wind speeds average about six to eight miles per hour.

There are several wind situations that do occur in the Shasta Valley that can be responsible for potentially problematic wildfire events:

1. Winds associated with summer thunderstorm occurrence. This is a common wind event associated with summer thunderstorm weather. Well developed thunderstorm cells have characteristically strong downdrafts. These strong downdrafts can push fires in any direction depending on the location of a fire with respect to the location of the thunderstorm cell. When the

thunderstorm cells move on the wind event is finished, but it can leave a problem wildfire in its aftermath. Downdraft winds can reach peak gusts of from 40 to 60 miles per hour.

2. Early fall north/northeast wind events. These events commonly occur annually. The wind is strong and low double digit to single digit relative humidity is not uncommon with these events. Typically short lived (18 to 24 hours), fires in the greater Siskiyou or adjacent counties have experienced significant fire growth. 20 to 40 mile per wind speeds can be predicted.

3. A third situation, which occurred during the Going fire outside of town in July 2006, is associated with late afternoon intense heating before the sun sets below the ridge. The intense valley heating can "draw" the wind from the hills towards the valley, creating a high speed, down slope wind situation. Though typically short-lived, wind speeds can reach into the 20 mile per hour range.

4. Topography. The City is mainly situated on lands that are flat or gently rolling. The western edge of the City does have slopes that are about 30%. These slopes have an easterly facing aspect that the setting sun leaves first. The other outstanding feature within the LRA is an area known as Butcher hill. Butcher Hill is located directly east of 1-5 in the centrally located. The area of greatest concern on Butcher Hill is the aspect that directly faces the City. It is a west aspect, which directly faces the sun at the peak of the daytime heating. These aspects are the hottest and driest during the summer months.

5. Fuels. The City of Yreka has areas which have been identified as having wildland fuel profiles which are considered Very High.

3. GEOLOGICAL

a. The City of Yreka is subject to ground tremors from seismic events as the City Seismic Design Category (D) is as determined by CBC Chapter 16.

b. The City of Yreka is located in Seismic Design Category (D), as defined by the International Code Council, an area with a higher risk of seismic activity than most areas in the country. Catastrophic earthquakes account for 60% of worldwide casualties associated with natural disasters. Economic damage from earthquakes is increasing, even in technologically advanced countries, as shown by the 1989 Loma Prieta, CA, (\$ 6 billion), 1994 Northridge, CA, (\$ 25 billion), and 1995 Kobe, Japan, (> \$ 100 billion) earthquakes. Additionally, a high degree of hazard to occupants has been found to occur from unsupported fixtures, appliances and appurtenances in ceilings. These fixtures, though small in size, have been found to create a significant hazard to occupants in the event of seismic activity.

Soil conditions have been found to be a source of concern for footing and foundation design. Additionally, expansive soils can hold large amounts of moisture for extended periods of time. Either of these factors, or a combination of both has been found to create an increased risk of moisture intrusion under slabs in certain, common construction methods. Accordingly, soils analysis according to Chapter 18 of the CBC is necessary to identify whether proposed building sites are impacted.

C. Based upon the local climatic, topographical and geological conditions identified in Section B, the specific amendments identified in Yreka Municipal Code Sections 11-01-190 are found to be reasonable and necessary modifications to the requirements established pursuant to Sections

17958.5 and 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence failures, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.

D. California Health and Safety Code Section 17958.7 requires that building standards modifications or change be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the following table identifies the sections of the subcodes that have been amended by the City and the corresponding local climatic, geological and topographical conditions, as identified in Section B, that have necessitated the modification of the state's building standards.

Code Section	Local Condition
Building Code Chapter 1, Section 1.1.8, and California Residential Code Section 1.1.8 (YMC § 11.01.190 (windload))	1a, 2a, 2b
Building Code Chapter 1, Section 1.1.8, and California Residential Code Section 1.1.8 (YMC § 11.01.190) (snowload)	1a, 2a

SECTION 3. Yreka Municipal Code Amendment – Title 11 is hereby amended by adding new Chapter 11.01. A new Chapter 11.01 of the Yreka Municipal Code “Uniform Codes” as follows:

11.01.010 Purpose.

This chapter is enacted for the purpose of adopting rules and regulations pursuant to the State Housing Law and the Health and Safety Code, for the protection of the public health, safety and general welfare of the occupant and the public governing the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court area, sanitation, ventilation and maintenance of any building used for human habitation; provided, however, that nothing in the codes adopted in this chapter shall be construed to prevent any person from performing his own building, mechanical, plumbing or electrical work when performed with the permits in compliance with this chapter.

11.01.020 Definitions.

Whenever any of the following names or terms are used in this chapter or in any of the codes adopted by reference by this chapter, unless the context directs otherwise, such names or terms so used shall have the meaning ascribed thereto by this section:

A. ~~“Board of Appeals”~~ housing advisory and appeals board” and any other reference to the appellate body, mean the Board of Appeals for the City of Yreka made up of five (5) Building Official members who are Building Officials and/or Building Inspectors and/or Construction Industry personnel who are located within the jurisdictions of Siskiyou and Shasta counties, appointed on a case by case basis. Building Officials are well versed in the technical and administrative provisions of construction codes.

B. The "Accessibility Appeals Board" shall mean the Board of Appeals for the City of Yreka plus an additional two members having demonstrated experience dealing with accessibility standards and their applications, appointed on a case by case basis.

C. All decisions by the Board of Appeals and by the Accessibility Appeals Board shall be submitted in writing to the City Council for final review. All actions found by the City Council to be based on incomplete or inadequate analysis shall be referred back to the appropriate board for further deliberations.

D. "Building official," "plumbing official," "chief," "electrical inspector," "fire code official," "administrative authority" and similar references to a chief administrative position mean the Chief Building Official of the city of Yreka; provided, however, that:

1. Where such terms are used in connection with those duties imposed by statute or ordinance upon the county health officer the terms shall include the county health officer;

2. For the purpose of implementing the Uniform Building Code (Dangerous Building), Volume IV, Uniform Code for the Abatement of Dangerous Buildings the term "authorized representative" of the "building official" shall refer to and include the director of environmental health and such personnel of the Siskiyou County department of environmental health as he may designate.

E. "Building department," "electrical department," "plumbing department," "department of fire prevention", "office of administrative authority" or "housing department" means the building department of the city.

F. "City clerk" means the ex officio clerk of the city council.

G. "City council" or "mayor" means the governing elected officials of the city of Yreka.

H. "Fire chief" means the chief of the fire department of the city wherein a particular building is or is to be located, or, for any area not within the city limits, the same shall mean the county fire warden designated by the board of supervisors.

I. "Safety assessment" is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

11.01.030 Uniform codes adopted.

Subject to the modifications and amendments contained in this chapter, the following primary and secondary codes are adopted and incorporated into the codes of the city by reference and as having the same legal effect as if their respective contents were set forth in this chapter and which may be amended and/or corrected from time to time:

A. The 2010 California Building Code (CBC) which references the International Building Code 2009 Edition together with Appendices I, I, & J, as published by the International Code Council, Inc, and state amendments.

B. The Uniform Housing Code, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the housing code of the city.

C. The 2010 California Plumbing Code which references the Uniform Plumbing Code, 2009 Edition, together with the appendices thereto, and state amendments as published by the International Association of Plumbing and Mechanical Officials is adopted by reference as the plumbing code of the city.

D. The 2010 California Electric Code which references the National Electrical Code, 2008 Edition, as published by the National Fire Protection Association and state amendments is adopted by reference as the electrical code of the city.

E. The 2010 California Mechanical Code which references the Uniform Mechanical Code, 2009 Edition, together with the appendices thereto, as published by the International Association of Plumbing and Mechanical Officials, and state amendments, is adopted by reference as the mechanical code of the city.

F. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the dangerous buildings code of the city, with Section 205 amended as follows:

Section 205.1. In order to provide for final interpretation of provisions of this code and to hear appeals provided for hereunder, there is hereby established a Board of Appeals as defined in City Code Section 11.01.020. The Building Official shall be an ex officio member of and shall act as secretary to said Board. The Board shall adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the appellant, with a copy to the Building Official. Appeals to the board shall be processed in accordance with the provisions contained in Section 501 of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official, who shall make them freely accessible to the public.

G. The Uniform Sign Code, 1997 Edition, as published by the International Council of Building Officials, is adopted by reference as the sign code for the city with the following exception: Section 303 item 3 is deleted.

H. The California Referenced Standards Code, 2010 Edition, together with appendices thereto, as published by the International Code Council, with state amendments, is adopted by reference as the building standards of the city.

I. The 2010 California Fire Code which references the International Fire Code, 2009 Edition as published by the International Code Council, including appendices, with state amendments, is adopted by reference as the fire code of the city.

J. The Uniform Administrative Code, 1997 edition, as published by the International Conference of Building Officials, is adopted by reference as the administrative code of the city.

K. The 2010 California Building Standards Administrative Code, as published by the California Building Standards Commission, is adopted by reference as the building standards administrative code of the city.

L. The 2010 California Residential Code with Appendices (CRC), incorporating the 2009 edition of the International Residential Code, as published by the International Code Council, is adopted by reference as the residential code of the city.

M. The 2010 California Green Building Standards Code, as published by the California Building Standards Commission, is adopted by reference as the green building standards code of the city.

N. The California Energy Code, 2010 Edition published by the International Code Council, is adopted by reference as the energy code of the city.

O. The California Historical Building Code, 2010 Edition published by the California Building Standards Commission, is adopted by reference as the historical building code of the city.

P. The California Existing Building Code, 2010 Edition published by the California Building Standards Commission, is adopted by reference as the existing building code of the city.

11.01.035. All construction, alteration, moving demolition, repair and use of any building or structure within the city shall be made in conformance with the state code and any rules and regulations promulgated pursuant thereto and as they are amended from time to time, together with the amendments of such appendices as are specifically identified in this ordinance as adopted by the City of Yreka.

11.01.040 Copies of adopted codes.

The city clerk shall maintain at least one copy of each primary code adopted by reference, and each secondary code pertaining thereto, at the office of the city clerk for public inspection while this Ordinance is in force.

11.01.050 Utility connections.

It is unlawful for any person, including utility companies, to connect electric power lines or liquefied petroleum gas or natural gas sources permanently to any building or structure for which a permit is required by this chapter until the final inspection has been made and the approval signed by the building inspector. This section shall not prohibit the erection and use of temporary power poles approved by the power company during the course of construction, when approved by the building official.

11.01.060 Encroachment or grading.

No building permit shall be issued for which an encroachment or grading permit is required, unless and until the requirements prerequisite to the encroachment or grading permit have been met.

11.01.070 Conformance of construction to law.

No building permit shall be issued unless and until the building official is satisfied that the construction authorized by the permit will not violate any existing law or ordinance.

11.01.075 Construction work hours.

It shall be the responsibility of anyone engaging in construction or demolition work to restrict the hours of work activity on the site as follows.

A. No construction equipment shall be operated nor any outdoor construction or repair work shall be permitted within five hundred feet from any occupied residence except during the hours of seven a.m. to seven p.m., Monday through Saturday, and eight a.m. to five p.m., on Sunday. Interior work which would not create noise or disturbance noticeable to a reasonable person of normal sensitivity in the surrounding neighborhood shall not be subject to these restrictions.

B. A request for an exception to the permitted construction hours and days may be granted by the chief building inspector for emergency work, to offset project delays due to inclement weather, for twenty-four-hour construction projects, or other similar occurrences.

C. City projects determined by the director of public works to be emergencies shall be exempt from these provisions.

11.04.080 Violations and penalties.

A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter.

B. Any person, firm, corporation or other entity which violates any of the provisions of this chapter including any of the codes adopted by reference, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction shall be guilty of an infraction unless otherwise provided in this code.

C. Any person, firm, corporation or other entity which is guilty of an infraction under this chapter shall be punished by:

1. A fine not exceeding one hundred dollars for the first violation;

2. A fine not exceeding five hundred dollars for a second or subsequent conviction within one year.

Any failure to correct the condition for which the infraction is imposed within a period of seven days after the issuance of a citation, and for each seven day period thereafter may be treated as a separate and additional violation subject to the same penalties set forth herein.

In addition to the penalties set forth above, any violation beyond the third conviction within a one-year period or any willful violation of this section which creates an immediate threat to the health, safety or welfare of the members of the public or the occupants of any structure in violation of this section may be charged as a misdemeanor punishable as provided in Chapter 1.04.

D. In addition to the penalties set forth herein, any person, firm, corporation or other entity guilty of a violation of this chapter shall be liable for such costs, expenses and disbursements paid or incurred by the city in correction, abatement and prosecution of the violation.

11.01.090 Enforcement.

A. Pursuant to Section 836.5 of the California Penal Code, the chief building official, any deputy or assistant building official, agent or other employee of the building department of City of Yreka is authorized to enforce the provisions of this chapter and to arrest or issue citations to violators thereof.

B. The city manager shall have the power to designate by written order that particular officers and other individuals shall be authorized to enforce particular provisions of this chapter as described in subsection A of this section in addition to those persons set forth therein.

C. Nothing in this Chapter shall bar the City from using the enforcement procedures and penalties established in Title 1 of the Yreka Municipal Code.

11.01.100 Building permit-Business license required.

A. Any contractor or subcontractor who applies for permits to do work within the city limits of the city shall be denied permits if he does not possess current valid city business licenses.

B. Any permits issued in error to anyone not licensed by the city shall be revoked until such time as all fees are paid and licenses are valid.

11.01.110 Building permit-Application-Plans and specifications.

A. Applications are to be signed by the property owner or a duly licensed contractor, engineer or architect.

B. With each application for a building permit, and when required by the building official for enforcement of any provisions of this chapter, three sets of plans and specifications shall be submitted. The building official may require plans and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

11.01.120 Building permit-Professional designs required.

All structures or buildings classified in Occupancy Groups A, B, E, F, H, I, M, S and R-1 shall be designed in accordance with the Building and Professional Codes of the state of California.

11.01.130 Building permit-Term-Retention of plans.

A. The permits for Occupancy Groups A, B, F, E, H, I, M, S and R-1 will expire twelve months after issuance. The permit documents and plans or a retrievable document image of the permit documents and plans will be retained as a permanent record for the life of the structure.

B. Permits for R-3 and U occupancy groups shall be valid for two years from the date of their issuance provided that the time limits of starting work or work stoppage are met. The permit documents and plans or a retrievable document image of the permit documents and plans will be retained as a permanent record for the life of the structure.

11.01.140 Building permit-Fees.

Building permit fees shall be prescribed in Section 304 of the 1997 Uniform Administrative Code, except buildings shall be valued as determined by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

11.01.150 Fees for plan checking, inspections and/or related permits.

The city council shall establish a schedule of fees, as found in the master fee schedule, to be charged and collected for plan checking, inspection services performed, and for the issuance of

permits. A copy of these fee schedules shall be kept in the office of the city clerk and shall be available for public inspection in all city offices where permits are issued.

11.01.160 CBC Chapter 1, Section 111.1 (2010 CBC) amended and CRC Section R110.1-Certificate of occupancy Required.

Chapter 1, Section 111.1 and CRC Section R110.1 shall be amended to add:

No building or structure shall be used or occupied without a certificate of occupancy. Such a certificate shall not be issued until compliance with all city requirements has been met. Occupying or using a structure without this approval constitutes a public nuisance.

11.01.170 CBC Chapter 1, Section 111.1 amended and CRC Section R110.1 -Certificate of occupancy-Requirements.

Chapter 1, Section 111.1 and CRC Section R110.1 shall be amended to add:

A certificate of occupancy shall not be issued until all applicable city ordinances, resolutions, regulations and the conditional use permit conditions have been complied with.

11.01.180 CBC Chapter 1, Section 110.3.10 amended and CRC Section R109.2- Final inspection.

Chapter 1 Section 110.3.10 and CRC Section R109.2 shall be amended to read as follows:

Final Inspection: To be made after final grading and the building is completed and ready for occupancy. This shall mean all electrical, plumbing and mechanical complete and ready for occupancy, as well as all floor covering installed and painting completed, as well as any required exterior landscaping complete with house, sidewalks and streets cleaned.

11.01.190 California Building Code Amendments

CBC Chapter 16 & CRC R301.2 Climatic and Geographic Design Criteria

CBC 1608 & CRC R301.2.3 Snow Loads: are hereby amended as follows:

The minimum snow load in the City limits is 40 pounds per square foot for roof snow.

CBC 1609. 3. 2 Basic wind speed: is hereby amended to add as follows: *Siskiyou County is designated to be within a special wind region. In certain areas, the basic wind speed is higher, as determined by case studies and the approval of the building official.*

The minimum Basic Wind Speed is 80 mph (b). For the area east of Butcher Hill, the minimum Basic Wind Speed is 90 mph (c). The wind speeds specified are "the Basic wind speed; m.p.h. V_{fm}".

11.01.200. **Penalties.** In addition to the penalty provision provided in Section 11.01.090 of this chapter, violations of Chapter 11.01 shall be subject to enforcement and penalties as set out in Title 1 of the Yreka Municipal Code.

SECTION 4. Penalties. The following penalty provisions are incorporated by reference into Chapter 11.01, but will not be expressly stated therein:

California Building Code Section 114.1 - Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

California Building Code Section 114.2 - Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

California Building Code Section 114.3 - Prosecution of violation. If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

California Building Code Section 114.4 - Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

California Building Standards Administrative Code 4-237.1 - Stop work order.

(a) Whenever the building official finds any construction work being performed in a manner contrary to the provisions of this code and which would compromise the structural integrity of the building, the building official is authorized to issue a stop work order.

(b) The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

(c) Any person who continues working the cited work after having been served with a stopwork order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

California Building Standards Administrative Code - 4-334.1. Stop work order.

(a) Whenever the building official finds any construction work being performed in a manner contrary to the provisions of this code and that would compromise the structural integrity of the building, the building official is authorized to issue a stop work order.

(b) The stop work order shall be in writing and shall be given to the owner of the property involved, or the owner's agent, or the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

(c) Any person who continues working on the cited work after having been served with a stop work order, except such or unsafe condition, shall be subject to penalties as prescribed by law.

California Fire Code - 109.2.1 - Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

California Fire Code - 109.2.2 - Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

California Fire Code - 109.2.3 - Prosecution of violations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

California Fire Code - 109.3 - Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars or by imprisonment not exceeding six months, or both such fine and imprisonment.

Each day that a violation continues after due notice has been served shall be deemed a separate offense. 109.3.1 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

California Residential Code – R113.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the *building official* is authorized to request the legal counsel of the *jurisdiction* to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

California Residential Code - R113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

California Residential Code - R114.2 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such

work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

California Plumbing Code Section 102.3.1 - Violations. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of this code.

California Plumbing Code Section 102.3.2 - Penalties. Any person, firm, or corporation violating any provision of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offense.

California Plumbing Code – Section 1327.12 Corrections. Notices of correction or violation shall be written by the Authority Having Jurisdiction and posted at the site of the work, mailed or delivered to the permittee or an authorized representative. Refusal or failure to comply with any such notice or order within ten (10) days of receipt thereof shall be considered a violation of this code, and shall be subject to the penalties set forth elsewhere in this code for violations.

California Mechanical Code Section 111.0 - Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, or maintain mechanical systems or equipment or cause or permit the same to be done in violation of this code.

SECTION 5. Filing with the CBSC. A copy of this Ordinance and City of Yreka Municipal Code Chapter 11.0 shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

SECTION 6. Adoption of the Chapter 11.50 relating to Safety Assessment Placards.
Title 11 of the City of Yreka Municipal Code is hereby amended by adding a new Chapter, 11.50, to read in its entirety as follows:

Chapter 11.50. Safety Assessment Placards.

Sections:

11.51 Intent

11.52 Application of Provisions

11.53 Placards

Section 11.51 Intent

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy. The chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

Section 11.52 Application of Provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the City of Yreka. The Council may extend the provisions as necessary.

Section 11.53 Placards.

A. The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

1. **INSPECTED - Lawful Occupancy Permitted** is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. **RESTRICTED USE** is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restrictions on continued occupancy.

3. **UNSAFE - Do Not Enter or Occupy** is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered.

B. This ordinance number, the name of the jurisdiction, its address, and phone number shall be permanently affixed to each placard.

C. Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the Building Official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

SECTION 7. Repeal. This ordinance repeals ordinance numbers 416, Section 1, 418, Section 1, 553, 676, Section 1, 677, 678, Section 1, Section 1, 710, 712, Section 1, 713, Section 1, 715, 717, 718, 719. This ordinance shall not have any effect upon existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed ordinance.

SECTION 8. Mandatory Duty Savings Clause. By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. **In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.**

SECTION 9. Severability and Validity. If any section, subsection, paragraph or sentence of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Yreka by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

SECTION 10. Effective Date. In accordance with California Government Code Section 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after adoption.

SECTION 11. Publication. In accordance with Section 36933 of the Government Code of the State of California, The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance. If the charge for publication of the ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, the City Clerk is directed to prepare, post and publish a summary of this ordinance as provided in Government Code Section 36933(c)(1) . If the charge for publication of this ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, and the City Clerk determines that it is not feasible to prepare a fair and adequate summary of the proposed or adopted ordinance or amendment, the City Clerk is directed to prepare and cause a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the city to be published at least five days prior to the City Council meeting at which this to be adopted as provided in Government Code Section 36933(c)(2).

SECTION 12. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to ~~Sections 2, 3 and 6~~

Introduced at a regular meeting of the City Council held November 1, 2012, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on November 16, 2012, by the following vote:

AYES:

NOES:

ABSENT:

David Simmen, Mayor

ATTEST:

APPROVED AS TO FORM

Liz Casson, City Clerk

Mary Frances McHugh, City Attorney

\\SLUICEBOX\REDIRECTED\FOLDERS\MARYFRANCES\MY DOCUMENTS\DOCUMENTS\BUILDING\ORDINANCES\10-24-12 DRAFT BUILDING CODE REVISION ORDINANCE NO.DOC





CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Mary Frances McHugh, City Attorney
AGENDA TITLE: Introduction of Ordinance 832 Amending Certain Sections Of The Yreka Municipal Code In Chapters 2.28 Fire Department, 6.08 Garbage, Rubbish & Waste, 8.04 Animals - General Provisions, 10.32 Vehicles & Traffic And 16.46 Zoning-Special Provisions
Meeting date: November 1, 2012

Recommendation and Requested Action:

Waive Reading And Introduce Ordinance 832 Amending Certain Sections Of The Yreka Municipal Code In Chapters 2.28 Fire Department, 6.08 Garbage, Rubbish & Waste, 8.04 Animals-General Provisions, 10.32 Vehicles & Traffic And 16.46 Zoning-Special Provisions.

Discussion:

Ordinance 832 contains amendments to a variety of chapters of the Yreka Municipal; the principal purpose being the need to bring the ordinances into alignment with existing practices or law. Staff recommends introductions of Ordinance 832. It is summarized as follows:

- Chapter 2.28 – Fire Department Advisory Board, Section 2.28.180. This revision will bring the ordinance into alignment with the Age Discrimination in Employment Act. The fiscal impact is that there may be more members of the department who become presently eligible to serve on the Advisory Board and receive the compensation which is currently set at \$1500 annually.
- Chapter 6.08 – Burn Permits for Yard Debris, Section 6.08.130. This revision will bring the ordinance into alignment with State law on burning and clarifies what is permissible to burn within the City during permitted periods. The fiscal impact is that there will be no recovery of administrative costs; there will be some increased administrative burden from current practices because the permits will be tracked administratively, which is not the case currently.
- Chapter 8.04 – Animals-General Provisions, Section 8.04.050, Disturbance by Animals. This revision is at the request of the Yreka Police Department and reflects a change in procedure which will enhance the ability of the department to respond to animal noise/odor complaints. The fiscal impact will streamline Animal Control operations.
- Chapters 10.32 and 16.46 – relating to street vendors. Sections 10.32.120 and 16.46.080 are changed to eliminate street vendors in the public right of way. Because California Vehicle Code Section 22455 pre-empts regulation of parking and standing of vehicles except where there are findings made, this action requires findings by the City Council of the public interest this serves, and those findings are set forth in Section 4 ordinance 832. There is no known fiscal effect, except that conditional use permitting would no longer occur for these uses.

Approved by:


Mary Frances McHugh, City Attorney

ORDINANCE NO. 832

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA
AMENDING CERTAIN SECTIONS OF THE YREKA MUNICIPAL CODE IN
CHAPTERS 2.28 FIRE DEPARTMENT, 6.08 GARBAGE, RUBBISH & WASTE, 8.04
ANIMALS-GENERAL PROVISIONS, 10.32 VEHICLES & TRAFFIC and 16.46
ZONING-SPECIAL PROVISIONS

BE IT ORDAINED by the City Council of the City of Yreka as follows:

SECTION 1. Chapter 2.28 AMENDED. Section 2.28.180 of Chapter 2.28 of the Yreka Municipal Code is hereby amended to read as follows:

2.28.180 - Fire department advisory board.

The city council is authorized to employ such persons as it deems necessary to act in the capacity of an advisory board to the board of directors and chief engineer of the Yreka volunteer fire department. Such persons shall have had at least twenty years' prior experience with the Yreka volunteer fire department and ~~attained the age of sixty years~~. No person shall be a member of the advisory board after such person shall have served ten years on such board. Nothing herein shall prevent a member of the Yreka volunteer fire department from acting in the capacity of a member of the fire department advisory board, but in no event shall a member of the fire department advisory board, not a regular member of the Yreka volunteer fire department, participate in any activities of the Yreka volunteer fire department other than in an advisory capacity.

Members of the board shall be subject to call at any time by the board of directors or chief engineer of the volunteer fire department for consultation relating to all matters pertaining to the operations of the volunteer fire department. The members of the fire department advisory board shall be paid such compensation as determined by the council.

(Ord. 460 (part), 1971). (Ord. No. 825, § 1, 6-2-2011)

SECTION 2. Chapter 6.08 AMENDED. Section 6.08.130 of Chapter 6.08 of the Yreka Municipal Code is hereby amended to read as follows:

6.08.130 - Burning ~~rubbish~~ *yard debris* —Requirements.

(a) It is unlawful for any person or persons to burn ~~rubbish~~ *yard debris* at any place within the City ~~without first obtaining a burn permit. excepting between the hours of six o'clock a.m. and nine a.m.~~ *Permissible burn hours shall be set by the Siskiyou County Air Pollution Control office for of any permissible burn day, and such rubbish- yard debris so burned between those hours shall be burned only in approved incinerators or fire safe enclosures which are shall be constructed so that sparks and burning brands of sufficient size to ignite buildings, structures, or adjoining combustible materials are not emitted. "Yard debris" is defined as and shall only consist of dried grass, leaves, twigs, brush, bush and tree trimmings. Yard debris shall not be burned in piles larger than 3' x 3' x 3' in size and the burning of yard debris shall be attended by at least one able-bodied adult person at all times. provided, however, that the rubbish may be burned at any time in properly constructed incinerators within a building and provided, also, that*

~~rubbish, grass, leaves and tree trimmings and other combustible materials may be burned in the vacant portions of lots within the city at any time upon permission therefor obtained from the city clerk, in writing upon such form as shall be prescribed by the city attorney.—Burn barrels, which are banned in the State of California, do not qualify as an acceptable incinerator.~~

(b) Application for any such permit *to burn yard debris* shall be made *at City Hall* ~~not less than forty-eight hours before~~ *prior to* the time at which the permittee desires to burn such ~~rubbish yard debris~~ and in no event shall any burning of any such ~~rubbish yard debris~~ be commenced ~~less than forty-eight hours after such application~~ *prior to obtaining a burn permit*.

(c) The Chief of the Fire Department may delay the issuance of any such permit, postpone the time provided therein for burning, or revoke any such permit at any time when, in his judgment, conditions exist which might cause the burning of such ~~rubbish yard debris~~ to be or become hazardous.

(d) *Burn Permits shall be displayed in a conspicuous area of the property viewable by Yreka Fire or Police Department personnel should they respond to a fire call. Permits are not transferable between applicants or parcels. Each person desiring to burn yard debris on their property, must obtain their own permit for each parcel upon which they desire to burn yard debris. Applicants desiring to burn plots of grass on vacant land must make arrangements with the Chief of the Fire Department of the City.*

(e) ~~(d)~~ Any expense incurred by the City in suppressing any fire resulting from the burning pursuant to any such permit or for the protection of property endangered by burning pursuant to any such permit shall be borne by the permittee. The permittee, by applying for such permit, shall be deemed to have agreed to bear all such expense, which expense shall be in accordance with the rates established by the Chief of the Fire Department of the City and approved by the City Council.

Section 6.08.2600 of Chapter 6.08 of the Yreka Municipal Code is hereby amended to read as follows:

6.08.260 - Penalty for violation.

Any person, firm or corporation violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not ~~exceeding five hundred dollars more than one thousand~~ *(\$1,000) dollars* or by imprisonment in the city jail not exceeding six months, or by both such fine and imprisonment. *Such person, firm or corporation, is guilty of a separate offense for each and every day during any portion of which violation of this title is committed or continued by such person, firm or corporation, and shall be punishable as herein provided.*

(Ord. 221 § 26, 1947).

SECTION 3. Chapter 8.04 AMENDED. Section 8.04.050 of Chapter 8.04 of the Yreka Municipal Code is hereby amended to read as follows:

8.04.050 - Disturbance by animals.

(a) It is unlawful and a public nuisance for any person owning or having custody of any animal, fowl, or bird within any residential neighborhood, or adjacent to a residential neighborhood, to cause, permit or allow any such animal, fowl, or bird to make or utter any frequent or long

continued noise which by reason of its raucous, loud or irritating nature causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.—disturbs the adjacent residential neighborhood or any considerable number of persons.

(b) It is unlawful and a public nuisance for any person owning or having custody of any animal, fowl, or bird to maintain any such animal, fowl, or bird upon any private property in the city within a residential neighborhood or adjacent to a residential neighborhood whereby said property the same is maintained in a manner so as to cause noxious odors causing discomfort or annoyance to any reasonable person of normal sensitivity residing in the area. affecting the adjacent neighborhood or any considerable number of persons.

(c) Persons desiring to complain of ~~excessive~~ disturbing noise or odor shall notify Yreka Police Department. A written warning will be issued to the owner or keeper of the animal, or to the address where the animal resides or is being kept. Any additional complaint against the same animal or address, occurring within 30 days of any other complaint shall constitute a violation. execute written complaints on forms provided by the city, which complaints shall be filed at the city hall.

(d) An additional complaint from the same person, against the same animal or address, occurring within 30 days of any other complaint shall include a log of the disturbance for seven consecutive days. The disturbance is to be confirmed by the Yreka Police Department Animal Control Officer's investigation. Any person owning or having custody of any such animal found to be in violation is guilty of an infraction. In the event of reasonable cause to believe a violation of subsections (a) or (b) of this section has been committed, a peace officer or the animal control officer of the city shall cause to be served upon the owner or custodian of any such animal, bird, or fowl a written notice of violation setting forth the alleged facts constituting said violation and such custodian or owner shall, within ten days, abate said nuisance.

(e) Every violation is punishable by:

(1) A fine not exceeding fifty dollars for the first violation;

(2) A fine not exceeding one hundred dollars for the second violation of the same section within one year;

(3) A fine not exceeding two hundred fifty dollars for each additional violation of the same section within one year. In the event any such owner or custodian does not abate said nuisance within ten days after the service of notice as provided in subsection (d) above, a written report relating to the alleged nuisance shall be submitted by the police department to the city manager. Upon review of said report and in the event there appears to be reasonable cause to believe that a nuisance exists or is maintained by the custodian or owner of such animal, bird or fowl, the city manager shall direct the city attorney to file a legal proceeding in the superior court of the county for abatement of said nuisance.

(f) Any and all costs of abatement of such nuisance, including attorneys' fees, shall constitute a special assessment against the real property upon which the animal, fowl, or bird was or is located, which 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 same procedure and sale in case of delinquency as provided for ordinary municipal taxes. Any and all laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to such special assessment. An itemized statement setting forth the cost of abatement shall be sent to the custodian or owner of any such animal, fowl, or bird and the owner of the real property upon which it was kept or maintained within thirty days from completion of the abatement. Any person dissatisfied with said assessment may appeal the same to the city council for determination of the validity of any or all of said assessment.

~~(g) Any violation of this section shall constitute an infraction.~~
(Ord. 566 § 2, 1980).

SECTION 4. Street vendors in the public right of way and on public property.

Part A. Findings: Pursuant to California Vehicle Code Section 22455, a city may, by ordinance or resolution, adopt additional requirements for the public safety regulating the type of vending and the time, place, and manner of vending from vehicles upon any street. Food vending vehicles must be operated safely to benefit the health and safety and welfare of all the residents of the City of Yreka. Regulating the location of operation of food vending vehicles also benefits the health and safety and welfare of City residents because operation of such vehicles at inappropriate hours, at inappropriate locations or in any one location for prolonged periods of time creates traffic hazards, the blockage of adjacent sidewalks to pedestrians and unwanted noise, littering and loitering at that location. The regulation of food vending vehicles in the public right of way is consistent with the City's interests in the aesthetics of the community because many of the streets in the City of Yreka are narrow, there is limited street parking available, and due to the narrowness of city roadways there is not sufficient width for safe passage of traffic around parked vehicles, and traffic congestion and the safety of pedestrians crossing the street will be controlled. The regulation of food vending vehicles on private property is also consistent with the City's interests in the aesthetics of the community and in promoting permanent development on private property. For the foregoing reasons, the City Council makes the following amendments of Chapter 10.32 and 16.46:

Part B. Chapter 10.32 AMENDED. Section 10.32.120 of Chapter 10.32 of the Yreka Municipal Code is hereby amended to read as follows:

10.32.120 - Peddlers, vendors—Parking unlawful.

(a) Except as otherwise provided in this section, no person shall stand or park any vehicles, wagon or pushcart from which goods, wares, merchandise, fruits, vegetables or food stuffs are sold, displayed, solicited, offered for sale or bartered or exchanged, or any lunch wagon or eating car or vehicle, on any portion of any street within this city, except that such vehicles, wagons or pushcarts may stand or park only at the request of a bona fide purchaser for a period of time not to exceed ten minutes at any one place. The provisions of this subsection shall not apply to persons delivering such articles upon order of, or by agreement with, a customer from a store or other fixed place of business or distribution.

(b) No person shall park or stand on any street, any lunch wagon, eating cart or vehicle, or pushcart from which tamales, peanuts, popcorn, candy or other articles of food are sold or offered for sale, ~~without first obtaining a written permit to do so from the legislative body which shall designate the specific location in which such cart shall stand.~~

(c) No person shall park or stand any vehicle, or wagon used or intended to be used in the transportation of property for hire on any street while awaiting patronage for such vehicle or wagon, without first obtaining a written permit to do so from the legislative body which shall designate the specific location where such vehicle may stand.

(d) Whenever any permit is granted under the provisions of this section and a particular location to park or stand is specified therein, no person shall park or stand any vehicle, wagon, or pushcart on any location other than as designated in such permit. In the event that the holder of any such permit is convicted in any court of competent jurisdiction for violating any of the provisions of this section, such permit shall be forthwith revoked by the legislative body upon

the filing of the record of such conviction with the legislative body, and no permit shall thereafter be issued to such person until six months have elapsed from the date of such revocation.

(Ord. 302 § 131, 1956).

Part C. Chapter 16.46 AMENDED. Section 16.46.080 of Chapter 16.46 of the Yreka Municipal Code is hereby amended to read as follows:

16.46.080 - Sales from vehicles, trailers or mobile units, or on public property.

A. Sales of food, beverages and merchandise from vehicles, trailers or mobile units shall be permitted in any district without a use permit provided such business is conducted in the following manner:

1. Such vehicles, trailers or mobile units shall be parked upon private property with the consent of the property owner.

2. No such vehicle, trailer or mobile unit shall remain upon any such private property for a period in excess of two hours in any twenty-four-hour period unless a conditional use permit is first obtained in the same manner as set forth in subsection (B) of this section.

~~B. Any person desiring to conduct a business for the sale of food, beverages or merchandise from a vehicle, trailer or mobile unit on public streets or property, shall obtain a conditional use permit therefor in accordance with the provisions of Chapter 16.44 of this title. The Planning Commission may deny such application for a conditional use permit if the proposed use creates a traffic or safety problem or is detrimental to the health, safety, peace, morals, comfort, and general welfare of the city or its residents. In addition thereto, the Planning Commission may impose a condition that the applicant provides insurance in an amount recommended by the City Manager insuring the city against liability arising out of the proposed use.~~

BC. Sales on public streets or property shall not require a conditional use permit pursuant to this section at city sanctioned celebrations or promotions; provided, however, any such sales shall be conducted at such locations and in such time and manner as may be directed by the City Manager, Chief of Police or the Director of Public Works.

(Ord. 775 (part), 2004). (Ord. No. 820, § 1, 8-5-2010)

SECTION 5. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section **15061(b)(3)** that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 6. If any section, subsection, part, clause, sentence or phrase of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

SECTION 7. MANDATORY DUTY SAVINGS CLAUSE. By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an

obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 8. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 9. POSTING AND PUBLICATION. The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance. If the charge for publication of the ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, the City Clerk is directed to prepare, post and publish a summary of this ordinance as provided in Government Code Section 36933(c)(1) .

[use for posting and publication of a ¼ page ad]

If the charge for publication of this ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, and the City Clerk/Planning Director determines that it is not feasible to prepare a fair and adequate summary of the proposed or adopted ordinance or amendment, the City Clerk/Planning Director is directed to prepare and cause a display advertisement of at least one-quarter of a page in a newspaper of general circulation in the city to be published at least five days prior to the City Council meeting at which this to be adopted as provided in Government Code Section 36933(c)(2).

SECTION 10. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to Sections 1 through 5.

Introduced at a regular meeting of the City Council held November 1, 2012, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on _____ by the following vote:

AYES:

NOES:

ABSENT:

David Simmen, Mayor

ATTEST:

APPROVED AS TO FORM

Liz Casson, City Clerk

Mary Frances McHugh, City Attorney