

YREKA CITY COUNCIL
AGENDA
September 20, 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 meeting held September 6, 2012.
 - b. Approval of Warrants issued from September 7, 2012 through September 20, 2012.
 - c. Approval of Treasurer's Report and budget to actual for the Month of June 2012.
 - d. Approval of Treasurer's Quarterly Report dated June 2012.
 - e. Discussion of AT&T Notify System, and authorize the City Manager and all other proper officers and officials of the City to execute such other agreements, documents, and certificates, and to perform such other acts and deeds, as may be necessary or convenient to implement the AT & T Notify System.
2. Discussion/Possible Action – Adopt Resolution No. 2990 approving requests associated with special event known as the Chris Lopez Classic to be held at Upper and Lower Greenhorn Park on June 15, 2013.
3. Discussion/Possible Action - Introduce Ordinance No. 830 amending Section 11.23.050 (c) of the Yreka Municipal Code relating to Developer Impact fees for Fire Sprinkler Systems in single family residences.
4. Miner Street Farmers Market - Discussion/Possible Action – Adopt Resolution No.2991 amending dates of the Special Event known as the Miner Street Market to end September 28, 2012; and authorizing City Manager to approve street closure for alternate location and dates.
5. Discussion/Possible Action – Authorize the City Manager to engage the services of a Commercial Appraiser for City owned property located at 307 North Street and appropriate cost from Crandall Fund.

6. Information: Water Rights – City of Yreka - Department of Water Resources Permits.

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 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. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel No. 062-011-200
Third Party Negotiator: County of Siskiyou
City Negotiators: City Manager and City Attorney
Under Negotiation: Possible purchase including price, terms of payment, or both.

3. 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.

4. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel No. 062-161-240
Third Party Negotiator: Pine Mountain Realty LLC
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 SEPTEMBER 6, 2012

On the 6th day of September 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: Robert Bicego, Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – None.

Presentations:

- Steve Amaral in recognition of his retirement from city service – Rob Taylor, Water Manager.
- Fall Creek Water System Improvements – Project of the Year Award from the American Public Works Association (APWA), Sacramento Chapter – Steve Neill, Director of Public Works.

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 August 16, 2012.
- b. Approval of Warrants issued from August 16, 2012 through September 6, 2012.

Following Council discussion, Council Member Mercier moved to approve the items on the consent calendar as submitted.

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

Mayor Simmen thereupon declared the motion carried.

PUBLIC HEARING – Ordinance Amending Section 11.23.050 of the Yreka Municipal Code relating to Developer Impact Fees for Fire Sprinkler Systems in Single Family Residences.

City Attorney Mary Frances McHugh reported that the purpose of this public hearing is to obtain public comment on the proposed Ordinance so that any suggestions made by the public can be evaluated. Ordinance 830 is designed to implement the 2010 California Building Code which requires private fire protection in new single family residential construction. Staff has identified changes which should be made in Chapter 11.23 of the Yreka Municipal Code to reflect the new law requiring fire sprinklers.

This being the time and date scheduled for the public hearing, Mayor Simmen opened the public hearing to the audience. There being no statements or comments received from the audience, Mayor Simmen closed the public hearing.

Adopt Resolution No. 2989 authorizing the City Manager to award a construction contract, execute related documents, and add a portion of construction funds to the 2012/13 budget from the water and sewer enterprise funds for the Oregon Street Overlay, 2012.

Director of Public Works, Steve Neill reported the Engineer's estimate for the construction was \$541,196 and that two bids were received, the low bid was submitted by Sunrise Excavating of Redding in the amount of \$512,987.30.

Director of Public Works Neill further reported that the construction of the overlay, and related costs, will be paid with \$315,000 of State Transportation Improvement Program (STIP) funds. Water line improvements are in the estimated amount of \$67,000 and sewer line improvements are in the estimated amount of \$149,000, this Resolution to award this project directs the Finance Department to appropriate these amounts from the water and sewer enterprise funds.

In conclusion, Director of Public Works Neill reported the total estimated cost of \$567,000 includes the construction contract, contingencies, inspection, testing, surveying, staff time for administration, and other ancillary costs, and that it is staff's recommendation that the Council adopt Resolution No. 2989 authorizing the City Manager to award the construction contract to Sunrise Excavating in the amount of \$512,987.30 and appropriating a portion of the construction funds to the 2012/2013 budget from the water and sewer enterprise funds.

Following Council discussion, Council Member Bicego moved to adopt Resolution No. 2989 as submitted awarding the construction contract to Sunrise Excavating in the amount of \$512,987.30 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Discussion Karuk Indian Gaming:

- Acknowledge receipt of draft proposed Memorandum of Understanding.
- Confirm committee appointment of Council Members Rory McNeil & John Mercier.
- Direct staff to develop recommendations and report back to Council.

Dora Bernal, Tribal Council Member of the Karuk Tribe addressed the Council to answer questions they have regarding the proposed casino.

Following Council discussion, Mayor Simmen moved to acknowledge receipt of the draft proposed Memorandum of Understanding and to confirm negotiating committee appointment of Council Members McNeil & Mercier.

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

Mayor Simmen thereupon declared the motion carried.

Following Council discussion, Council Member Foster moved to direct staff to analyze proposed Memorandum of Understanding, develop recommendations, and report back to Council.

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

Mayor Simmen thereupon declared the motion carried.

Investigate the requirements and procedural steps necessary for the development of ten acres of City land; known as APN 013-100-140. These steps would include environmental permits and clearance, annexation, zoning, grading plan, infrastructure design and associated implementation costs. – Mayor Simmen.

Following Council discussion, Council Member Foster moved to investigate the requirements and procedural steps necessary and to report back to Council with a cost estimate.

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

Mayor Simmen thereupon declared the motion carried.

Approval of all Warrants payable to Siskiyou County Economic Development Council from August 17, 2012 through September 6, 2012.

Council Member Mercier announced his recusal stating that he has a conflict of interest with the warrants listed by reason of his employment relationship with Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member Foster moved to approve the warrants payable to Siskiyou County Economic Development Council as submitted.

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

Mayor Simmen thereupon declared the motion carried. Council Member Mercier thereupon returned to his seat at the Council table.

CLOSED SESSION:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 Agency negotiators: Steven Baker and Mary Frances McHugh
 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. Threat to Public Services or Facilities, Government Code Section 54957(a), consultation with Chief of Police, City Manager and City Attorney.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 053-681-070

Third Party Negotiator: Cliff Brown, Philippe Lane Industrial Park
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.

4. Pending Litigation: Government Code § 54956.9(a) – Conference with Legal Counsel - City of Yreka v. Kimberlee Abbott, etc., et al., Siskiyou County Superior Court, Case No. SCCVCV 11-1001.

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

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 Agency negotiators: Steven Baker and Mary Frances McHugh
 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 the Labor Negotiators. No other reportable action was taken.

2. Threat to Public Services or Facilities, Government Code Section 54957(a), consultation with Chief of Police, City Manager and City Attorney. The Council conferred with the Chief of Police, City Manager and City Attorney. No other reportable action was taken.

3. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 053-681-070
 Third Party Negotiator: Cliff Brown, Philippe 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. No other reportable action was taken.

4. Pending Litigation: Government Code § 54956.9(a) – Conference with Legal Counsel - City of Yreka v. Kimberlee Abbott, etc., et al., Siskiyou County Superior Court, Case No. SCCVCV 11-1001. Councilmember Mercier declared a conflict based upon a financial interest with one of the parties to the litigation, recused and left the room. The Council conferred with the City Attorney. 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 9-20-2012

 Elizabeth E. Casson, City Clerk

Accounts Payable

Void Check Proof List

User: lysandra
 Printed: 09/12/2012 - 1:02PM

Account Number Amount Invoice No Inv Date Description Reference Task Type PONumber Close PO? Line Item

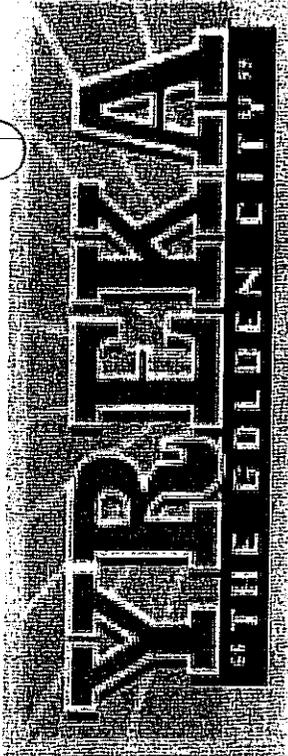
Vendor: 1664 TREY GIRDNER
 Check No: 99110 Check Date: 09/07/2012
 01-210-0000-108-000 104.17 09/07/12 09/05/2012 MUTUAL AID - OAK FIRE

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Vendor Total: 104.17

Report Total: 104.17

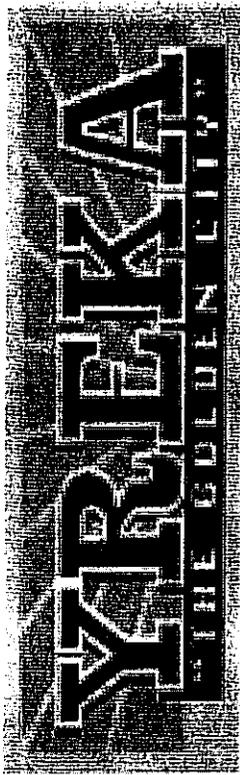
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Accounts Payable

Computer Check Proof List by Vendor

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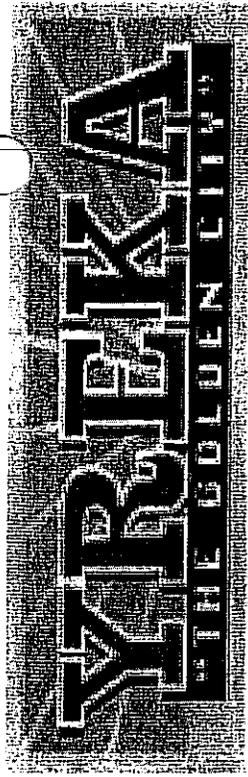


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Check Total:		4,055.00			
Total for Check Run:		4,055.00			
Total of Number of Checks:		1			

Accounts Payable

Computer Check Proof List by Vendor

User: lysandra
 Printed: 09/13/2012 - 11:58AM
 Batch: 00608.09.2012



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LMED710687	INV LMED710687	43.37	09/21/2012	01-200-0000-526-000	Check Sequence: 1
	Check Total:	43.37			
Vendor: 1080	ARAMARK UNIFORM SERVICES INC				ACH Enabled: False
7637001 8/12	ACCT 7637001 8/12	129.04	09/21/2012	01-350-0000-510-000	Check Sequence: 2
	Check Total:	129.04			
Vendor: 1591	AT&T				ACH Enabled: False
9117828 8/12	ACCT 530 911-7828 615 4 8/12	199.56	09/21/2012	01-200-0000-517-000	Check Sequence: 3
	Check Total:	199.56			
Vendor: 6021	BASIC LABORATORY INC				ACH Enabled: False
1207535	INV 1207535	699.00	09/21/2012	80-560-0000-416-001	Check Sequence: 4
1207809	INV 1207809	121.00	09/21/2012	80-560-0000-416-001	
1208036	INV 1208036	121.00	09/21/2012	80-560-0000-416-001	
	Check Total:	941.00			
Vendor: 1034	RAY BOUTIN				ACH Enabled: False
TRNG 10/1-5	TRNG 10/1-5 SANTA ROSA	1,104.00	09/21/2012	01-200-6506-513-004	Check Sequence: 5
	Check Total:	1,104.00			
Vendor: 1937	BRADY & VINDING				ACH Enabled: False
721	INV 721	525.00	09/21/2012	01-040-0000-525-004	Check Sequence: 6
726	INV 726	75.00	09/21/2012	01-040-0000-525-000	
726	INV 726	175.00	09/21/2012	60-610-3215-515-000	
	Check Total:	775.00			

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	Check Total:	65.00			
Vendor: 1068 20928 20928 20928	CL POPE CO INV 20928 GLOVES INV 20928 GLOVES INV 20928 GLOVES	22.37 12.76 22.36	09/21/2012 09/21/2012 09/21/2012	Check Sequence: 8 80-550-0000-416-000 20-313-0000-450-000 70-500-0000-416-000	ACH Enabled: False
	Check Total:	57.49			
Vendor: 1070 265	CLAYTON TIRE CENTER INV 265	729.09	09/21/2012	Check Sequence: 9 01-350-0000-520-200	ACH Enabled: False
	Check Total:	729.09			
Vendor: 1077 56600	COMPUTER LOGISTICS CORPORATION INV 56600	549.59	09/21/2012	Check Sequence: 10 01-200-0000-517-000	ACH Enabled: False
	Check Total:	549.59			
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Vendor: 1116 1804044	DRY CREEK LANDFILL INC INV 1804044 SLUDGE DISPOSAL	2,738.88	09/21/2012	Check Sequence: 12 80-560-0000-420-006	ACH Enabled: False
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Vendor: 1424 09/21/12	EC FIOCK & SONS BIOSOLIDS LEASE	2,076.35	09/21/2012	Check Sequence: 13 80-560-0000-421-001	ACH Enabled: False
	Check Total:	2,076.35			
Vendor: 3445 80983175 8/12 80983175 8/12 80983175 8/12 80983175 8/12 80983175 8/12 80983175 8/12 80983175 8/12 80983175 8/12	FIRST BANKCARD 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12 4418229280983175 8/12	35.90 108.64 370.00 220.00 300.00 55.75 77.19	09/21/2012 09/21/2012 09/21/2012 09/21/2012 09/21/2012 09/21/2012 09/21/2012 09/21/2012	Check Sequence: 14 80-550-0000-416-000 01-040-0000-516-000 01-060-0000-513-000 01-060-0000-513-000 01-060-0000-513-000 01-030-0000-515-000 01-030-0000-515-000	ACH Enabled: False
	Check Total:	2,076.35			

Vendor: 1137
 5909
 6709
 7262
 7324
 7327
 7336
 7347

GERARD PELLETTIER TRANSFER (PW)
 INV 5909 ACCT 165
 INV 6709 ACCT 165
 INV 7262 ACCT 165
 INV 7324 ACCT 165
 INV 7327 ACCT 165
 INV 7336 ACCT 165
 INV 7347 ACCT 165

Check Total: 1,167.48

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ACH Enabled: False

Vendor: 2099
 09/21/12

WILLIAM GIRDNER
 MUTUAL AID - OAK FIRE

Check Total: 1,786.95

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ACH Enabled: False

Vendor: 1803
 51802

INDUSTRIAL ELECTRIC MOTORS
 INV 51802

Check Total: 104.17

Check Sequence: 17
 80-560-0000-420-003

ACH Enabled: False

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JIM WILSON MOTORS
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 INV 31418
 INV 31545

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LANCE KILLINGSWORTH
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Check Total: 139.47

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ACH Enabled: False

Vendor: 1430
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KNIFE RIVER MATERIALS
 INV 305556 HOT MIX

Check Total: 270.15

Check Sequence: 20
 20-310-0000-420-521

ACH Enabled: False

Vendor: 1526
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MAGIC RAIN CAR WASH
 INV 1216

Check Total: 292.12

Check Sequence: 21
 01-200-0000-520-001

ACH Enabled: False

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673018	INV 673018 ROOF EDGE	16.50	09/21/2012	01-080-0000-521-000	
674403	INV 674403 REBAR YPD PARKING LOT	38.18	09/21/2012	01-200-0000-521-000	
674708	INV 674708 FENCE POSTS, ROLLERS & TR	18.05	09/21/2012	01-400-0000-416-000	
674776	INV 674776 GROUT, TROWEL & MORTAR	21.15	09/21/2012	80-560-0000-420-003	
	Check Total:	93.88			
Vendor: 2077	MERCHANTS CREDIT BUREAU			Check Sequence: 24	ACH Enabled: False
917903	INV 917903	275.00	09/21/2012	01-200-0000-525-000	
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Vendor: 1215	MUNNELL & SHERILL			Check Sequence: 25	ACH Enabled: False
22465	INV 22465 GREASE	7.45	09/21/2012	01-350-0000-520-150	
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Vendor: 1589	NATIONAL METER & AUTOMATION INC			Check Sequence: 26	ACH Enabled: False
S1040420.002	INV S1040420.002 METER PARTS	7,074.21	09/21/2012	71-500-0000-450-001	
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Vendor: 15025	OHLJUND'S OFFICE SUPPLY			Check Sequence: 27	ACH Enabled: False
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185905	INV 185905 COPIES	25.64	09/21/2012	01-300-0000-515-000	
185905	INV 185905 COPIES	26.62	09/21/2012	01-060-0000-515-000	
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Invoice Number	Description	Amount	Payment Date	Acct Number	Reference
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185978	INV 185978	1,400.00	09/21/2012	01-210-0000-516-002	
Check Total:		1,745.53			
Vendor: 1240	ORIENTAL TRADING COMPANY INC			Check Sequence: 28	ACH Enabled: False
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20078	INV 20078	1,645.34	09/21/2012	71-500-3020-625-009	
20078	INV 20078	2,909.45	09/21/2012	71-500-3020-625-010	
20078	INV 20078	4,941.30	09/21/2012	71-510-3020-620-007	
20078	INV 20078	7,506.39	09/21/2012	71-510-3020-620-008	
20078	INV 20078	3,843.24	09/21/2012	71-510-3020-625-009	
20078	INV 20078	2,073.15	09/21/2012	71-510-3020-625-010	
20168	INV 20168	425.00	09/21/2012	70-300-0000-525-000	
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56810027 8/12	62665681-002 7 8/12	302.59	09/21/2012	01-400-0000-518-001	
56810035 8/12	62665681-003 5 8/12	30,841.61	09/21/2012	70-510-0000-518-001	
56810043 8/12	62665681-004 3 8/12	23.58	09/21/2012	01-090-0000-518-001	
56810050 8/12	62665681-005 0 8/12	64.09	09/21/2012	01-370-0000-518-001	
56810068 8/12	62665681-006 8 8/12	640.92	09/21/2012	70-510-0000-518-001	
56810076 8/12	62665681-007 6 8/12	5,935.75	09/21/2012	20-312-0000-418-001	
56810100 8/12	62665681-010 0 8/12	388.98	09/21/2012	70-510-0000-518-001	
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56810233 8/12	62665681-023 3 8/12	764.57	09/21/2012	01-350-0000-518-001	
56810258 8/12	62665681-025 8 8/12	8,754.53	09/21/2012	80-560-0000-518-001	
56810274 8/12	62665681-027 4 8/12	1,221.82	09/21/2012	01-200-0000-518-001	
56810274 8/12	62665681-027 4 8/12	253.57	09/21/2012	01-200-0000-518-001	
56810324 8/12	62665681-032 4 8/12	545.13	09/21/2012	01-470-0000-518-001	
56810332 8/12	62665681-033 2 8/12	1,076.26	09/21/2012	01-480-0000-518-001	
56810340 8/12	62665681-034 0 8/12	54.88	09/21/2012	80-560-0000-518-001	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
56810415 8/12	62665681-041 5 8/12	1,024.67	09/21/2012	01-020-0000-518-001	
56810506 8/12	62665681-050 6 8/12	150.29	09/21/2012	80-550-0000-518-001	
56810514 8/12	62665681-051 4 8/12	32.91	09/21/2012	20-312-0000-418-001	
56810605 8/12	62665681-060 5 8/12	91.49	09/21/2012	04-610-1016-518-001	
56810654 8/12	62665681-065 4 8/12	153.36	09/21/2012	01-400-0000-518-001	
	Check Total:	53,704.39			
Vendor: 1463	R & B COMPANY			Check Sequence: 31	ACH Enabled: False
S1310496.003	INV S1310496.003 COUPLINGS FOR METER	339.53	09/21/2012	71-500-0000-450-001	
	Check Total:	339.53			
Vendor: 1875	SANTA ROSA JUNIOR COLLEGE			Check Sequence: 32	ACH Enabled: False
TRNG 10/1-5	TRNG 10/1-5 BOUTIN	251.00	09/21/2012	01-200-6506-513-004	
	Check Total:	251.00			
Vendor: 1283	SC ECONOMIC DEVELOPMENT COUNCIL			Check Sequence: 33	ACH Enabled: False
YEPA-27	INV YEPA-27	3,749.67	09/21/2012	60-610-3215-526-000	
YEPA-28	INV YEPA-28	3,759.65	09/21/2012	60-610-3215-526-000	
	Check Total:	7,509.32			
Vendor: 1304	SHASTA VALLEY CHAINSAW.			Check Sequence: 34	ACH Enabled: False
9784	INV 9784 SHARPEN	9.00	09/21/2012	01-400-0000-416-000	
9878	INV 9878 SPOOL LINE	13.93	09/21/2012	01-400-0000-416-000	
9880	INV 9880 TRIMMER & GROMMETS	10.30	09/21/2012	01-400-0000-416-000	
9883	INV 9883 GAS CAP, SPRING, SPOOL & LINE	37.30	09/21/2012	01-400-0000-416-000	
	Check Total:	70.53			
Vendor: 19100	SISKIYOU DAILY NEWS			Check Sequence: 35	ACH Enabled: False
6149	NEWS #6149	99.25	09/21/2012	01-060-0000-519-000	
6175	NEWS #6175	64.50	09/21/2012	01-060-0000-519-000	
	Check Total:	163.75			
Vendor: 19102	SISKIYOU DISTRIBUTING			Check Sequence: 36	ACH Enabled: False
309971	INV 309971	222.11	09/21/2012	01-400-0000-416-002	
	Check Total:	222.11			
Vendor: 1333	STEINHOFF HEAVY EQUIPMENT & REPAIR			Check Sequence: 37	ACH Enabled: False
019648	INV 019648	192.99	09/21/2012	01-350-0000-520-000	

019699	INV 019699	44.66	09/21/2012	01-350-0000-520-000	
019826	INV 019826	30.82	09/21/2012	01-350-0000-520-000	
019836	INV 019836	30.12	09/21/2012	01-350-0000-520-000	
020113	INV 020113	97.22	09/21/2012	01-350-0000-520-000	
Check Total:		395.81			
Vendor: 1842	T & S CONSTRUCTION CO INC				ACH Enabled: False
PAYMENT #20	FALL CREEK PAYMENT #20	41,254.73	09/21/2012	71-500-3020-625-008	Check Sequence: 38
PAYMENT #20	FALL CREEK PAYMENT #20	99,011.35	09/21/2012	71-500-3020-625-007	
PAYMENT #20	FALL CREEK PAYMENT #20	94,005.78	09/21/2012	71-510-3020-620-008	
PAYMENT #20	FALL CREEK PAYMENT #20	61,882.10	09/21/2012	71-510-3020-620-007	
PAYMENT #20	FALL CREEK PAYMENT #20	36,436.18	09/21/2012	71-500-3020-625-010	
PAYMENT #20	FALL CREEK PAYMENT #20	20,605.36	09/21/2012	71-500-3020-625-009	
PAYMENT #20	FALL CREEK PAYMENT #20	25,962.98	09/21/2012	71-510-3020-625-010	
PAYMENT #20	FALL CREEK PAYMENT #20	48,130.52	09/21/2012	71-510-3020-625-009	
Check Total:		427,289.00			

Vendor: 1351	UNITED RENTALS NORTHWEST				ACH Enabled: False
104186061-003	INV 104186061-003 ROLLER RENTAL	21.72	09/21/2012	70-500-0000-416-000	Check Sequence: 39
105038142-001	INV 105038142-001 PAINT	39.89	09/21/2012	70-500-0000-416-000	
105038142-001	INV 105038142-001 PAINT	39.90	09/21/2012	80-550-0000-416-000	
Check Total:		101.51			
Vendor: 4185	VERIZON WIRELESS				ACH Enabled: False
1111726505	INV 1111726505	275.85	09/21/2012	01-200-0000-517-000	Check Sequence: 40
Check Total:		275.85			
Vendor: 2040	VEST MAN				ACH Enabled: False
2896	INV 2896 VEST (3)	866.55	09/21/2012	01-200-0000-510-000	Check Sequence: 41
Check Total:		866.55			

Vendor: 23008	WAL-MART COMMUNITY				ACH Enabled: False
001584	INV 001584	28.92	09/21/2012	01-200-0000-416-000	Check Sequence: 42
001584	INV 001584	41.51	09/21/2012	24-200-0000-416-003	
Check Total:		70.43			
Vendor: 1994	WATER GROUP - WATER LAW & ADVOCAC				ACH Enabled: False
1110	INV 1110	510.00	09/21/2012	70-510-0000-525-002	Check Sequence: 43

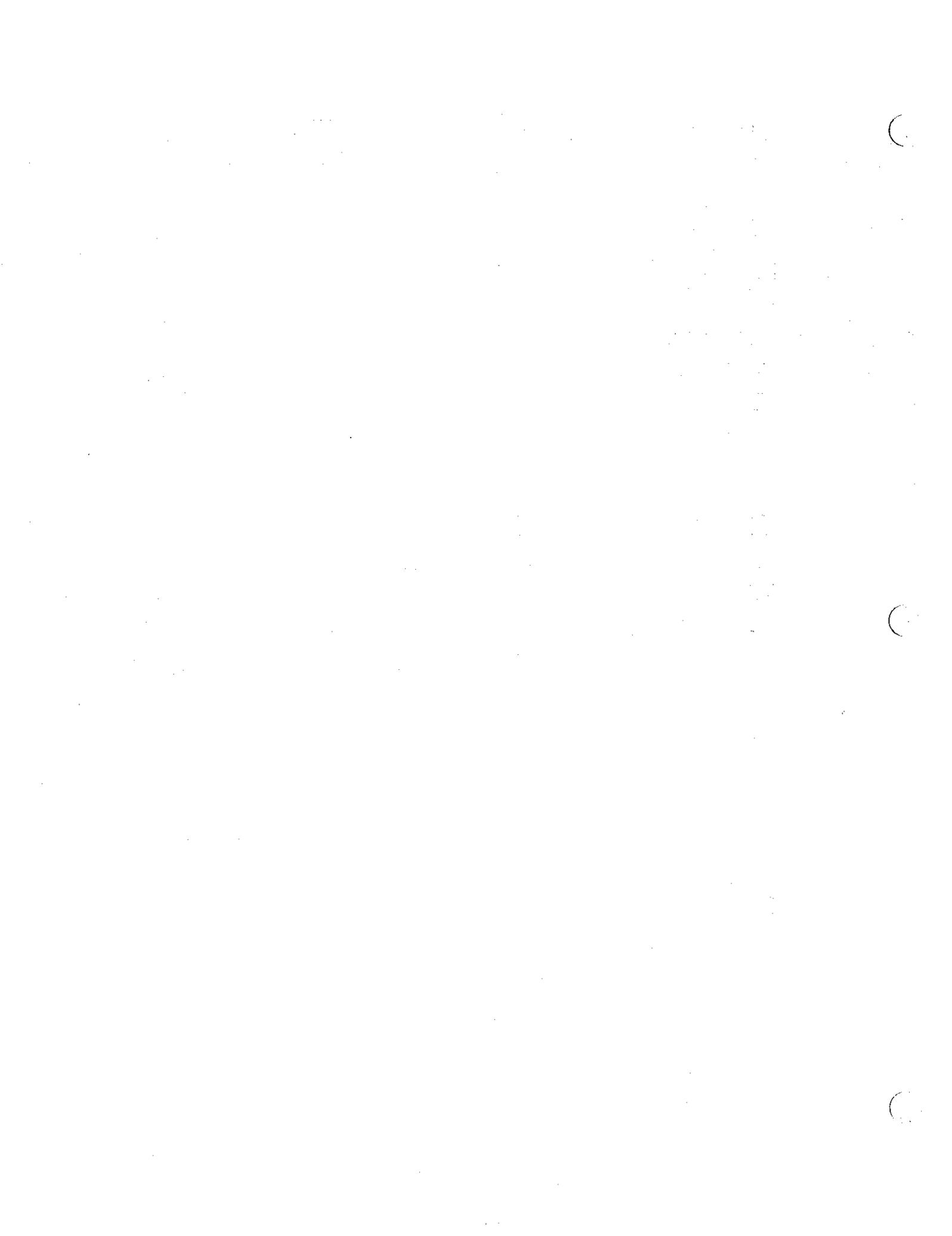
Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	510.00			
Vendor: 25005	YREKA AUTO PARTS				ACH Enabled: False
1395 8/12	ACCT 1395 8/12	92.65	09/21/2012	Check Sequence: 44 01-350-0000-520-000	
1415 7/12	ACCT 1415 7/12	3.21	09/21/2012	01-400-0000-416-000	
	Check Total:	95.86			
Vendor: 2082	YREKA COMPUTER				ACH Enabled: False
1196	INV 1196	68.24	09/21/2012	Check Sequence: 45 01-200-0000-517-000	
	Check Total:	68.24			
Vendor: 25040	YREKA HARDWARE				ACH Enabled: False
100486	INV 100486	6.93	09/21/2012	Check Sequence: 46 80-360-0000-420-003	
	Check Total:	6.93			
Vendor: 1378	YREKA PAINT & DECORATING				ACH Enabled: False
51836	INV 51836	64.35	09/21/2012	Check Sequence: 47 01-080-0000-521-000	
	Check Total:	64.35			
Vendor: 25120	YREKA TRANSFER				ACH Enabled: False
024631 8/12	ACCT 024631 8/12	93.00	09/21/2012	Check Sequence: 48 01-200-0000-518-004	
	Check Total:	93.00			
	Total for Check Run:	552,061.24			
	Total of Number of Checks:	48			

CITY OF YREKA
TREASURER'S REPORT TO THE CITY COUNCIL
Jun-2012

Type	Fund	Fund Description	Previous Balance	Receipts / Debits	Disbursements / Credits	Prior Period Adj.	Cash Balance by Fund	
General-Unrestricted	01	General Operating	\$ 2,410,319.77	\$ 364,851.58	\$ 848,710.89	\$ -	\$ 1,926,460.46	
General-Designated	01	Comm Art	2,772.56	-	-	-	2,772.56	
General-Designated	01	Fire Museum	4,952.35	-	-	-	4,952.35	
General-Designated	01	Planning Deposits	23,702.25	-	23,702.25	-	0.00	
General-Designated	01	Sidewalk in Lieu	35,378.46	425.00	-	-	35,803.46	
General-Designated	01	Parkland Trust	-	-	-	-	0.00	
General-Designated	01	Police Asset Forfeit	6,281.97	142.81	-	-	6,424.78	
General-Designated	01	Parking Fees	63,011.04	-	-	-	63,011.04	
General-Designated	01	Campbell Tract Redemption	48,020.34	-	-	-	48,020.34	
General-Designated	01	Baker Tract/Lucas	6,233.43	-	6,233.43	-	0.00	
General-Designated	02	Gifts Donations	3,710.10	-	-	-	3,710.10	
General-Designated	02	K-9 Unit	16,269.69	-	-	-	16,269.69	
General-Designated	02	YPD Donated - Hitson	8,048.00	-	-	-	8,048.00	
General-Designated	02	YPD Donated - Travellers	3,864.72	-	-	-	3,864.72	
General-Designated	02	YPD Donated - Teen Fund	453.08	-	-	-	453.08	
General-Designated	02	Greenhorn Park Redevelopment	-	-	-	-	0.00	
General-Designated	03	YVFD Volunter Fund	84,252.20	741.48	-	-	84,993.68	
General-Restricted	04	Crandell Cash	1,965,717.59	1,388.25	3,375.09	-	1,963,730.75	
General-Restricted	04	Morgan Stanely SmithBarney-Crandall	-	-	-	-	0.00	
General-Designated	08	Grant Projects Reserve	1,366,214.25	116,835.30	275,254.38	-	1,207,795.17	
General-Designated	08	PERS Pension Liability Reserve	(559,678.57)	14,188.19	-	-	(545,490.38)	
General-Designated	09	Reserves for Cap. Outlay	513,188.91	409,055.13	53,518.49	-	86,625.55	General - All
General-Designated	10	Capital Outlay	66,416.18	123,118.49	189,534.67	-	(0.00)	\$ 5,699,545.35
Spec. Rev. -Streets	20	Gas Tax 2106	31,885.84	49,178.54	70,549.57	-	10,514.81	
Spec. Rev. -Streets	20	Traffic Conjestion Relief	-	-	-	-	0.00	
Spec. Rev. -Streets	21	Local Transportation	583,945.38	-	144,015.85	-	439,929.53	Streets
Spec. Rev. -Streets	24	Fines - Traffic Safety	22,179.13	4,582.70	26,761.83	-	0.00	\$ 450,444.34
Special Revenue	30	Fire Assessment Spec. Rev	382,513.85	17,709.33	11,803.94	-	388,419.24	
Special Revenue	31	Landfill Access Fee - Debt Service	(110,778.28)	111,515.99	737.71	-	0.00	Special Revenues
Special Revenue	32	Developer Impact Fees	377,000.54	-	-	-	377,000.54	\$ 765,419.78
Special Grants	60	Spec Grants Capital Outlay	(280,708.66)	337,154.35	56,445.69	-	-	Special Grants
Special Grants	65	Community Development Grants	97,425.06	6,219.80	11,392.02	-	92,252.84	\$ 92,252.84
Water Enterprise	70	Water Operating	465,563.86	189,724.36	370,352.67	-	284,935.55	
Water Enterprise	71	Water Capital Projects	509,312.83	635,985.93	646,940.12	-	498,358.64	
Water Enterprise	72	Water Debt Servicing	(46,392.69)	244,481.14	98,088.45	-	100,000.00	
Water Enterprise	72	USDA COPS 2010	-	-	-	-	-	Water Enterprise
Water Enterprise	74	Water Reserves	3,702,231.76	58,649.26	-	-	3,760,881.02	\$ 4,644,175.21
Sewer Enterprise	80	Sewer Operating	97,141.68	207,862.35	232,136.70	-	72,867.33	
Sewer Enterprise	81	Sewer Capital Outlay	389,248.62	-	5,472.16	-	383,776.46	
Sewer Enterprise	82	Sewer Debt Servicing	24,902.00	-	-	-	24,902.00	
Sewer Enterprise	82	USDA COPS 2003	100,000.00	-	-	-	100,000.00	Enterprise-Sewer
Sewer Enterprise	84	Sewer Reserves	1,663,696.65	47,978.57	-	-	1,711,675.22	\$ 2,293,221.01
Agency	90	Agency - Cash	65,489.28	608,980.95	578,556.69	-	95,913.54	Agency- Payroll
								\$ 95,913.54
		COLUMN TOTALS	\$14,143,785.17	\$ 3,550,769.50	\$ 3,653,582.60	\$ -	\$14,040,972.07	\$ 14,040,972.07
		BANK RECAPITULATION	PER BANK	Market Value			PER LEDGER	
		L.A.I.F. 0.358%	13,676,662.66	13,676,662.66				
		Petty Cash Drawers	500.00					
		YVFD Petty Cash	100.00					
		TriCounties YVFD DDA	60,453.24					
		TriCounties YVFD CD 0.250% due 2/21/13	24,512.44	24,512.44				
		Scott Valley Bank - Primary DDA	986,815.45					
		TOTAL PER BANK	14,749,043.79			Cash Total	14,040,972.07	
		ADJUSTMENTS						
		Write-off Small Difference	-			Petty Cash	-	
		Less Outstanding Checks SVB	(708,120.27)					
		Less Outstanding Checks TCB	(72.00)					
		SVB DDA Fees 6/30 GL 7/1	-					
		SVB DDA Interest 6/30 GL 7/1	(51.36)					
		UB ACH GL 6/30 SVB 7/1	409.50					
		BRMS SVB 7/1 G/L 6/30	(237.60)					
		Write-off Small Difference	0.01					
		TOTAL PER LEDGER	14,040,972.07				14,040,972.07	

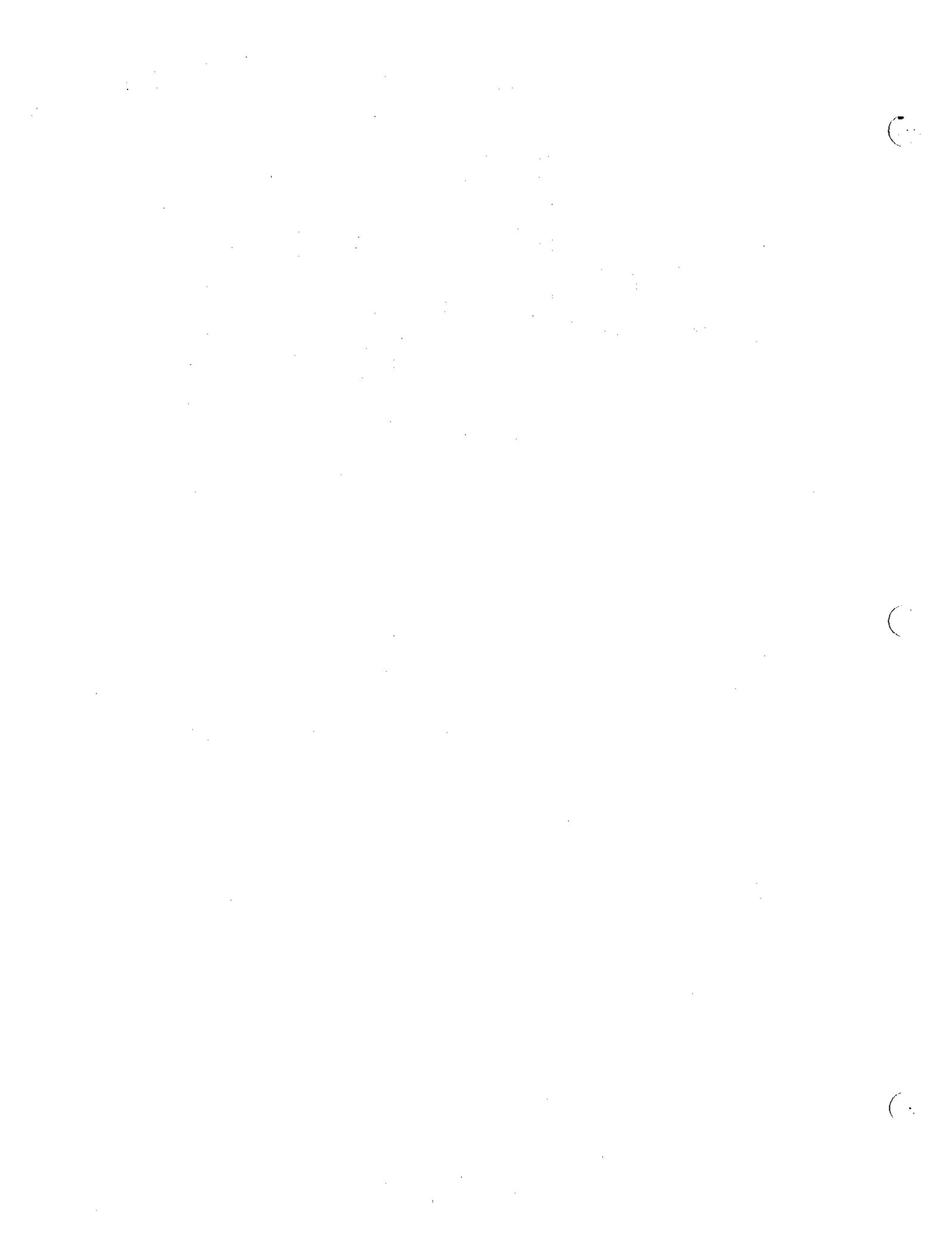
Rhetta Hogan, City Treasurer

David Simmen, City Mayor



**2011-2012 Operating Budget of Revenue and Expenditures
with Preliminary Actuals through
June 30, 2012**

Fund	REVENUE		EXPENSE		Excess of Rev over Exp - Surplus/ (Deficit)		Based on Operating Budget		Current Cash Balances
	Year to Date		Year to Date		Year to Date		Year to Date		
	Adopted	Operating Budget	Adopted	Operating Budget	Operating Budget	Net Actual Year to Date	Estimated Beginning Capital	Operating Budget Net Increase / (Decrease)	
Major Gp Investment in LAIF									
00									
01	4,812,016.55	4,884,564.20	5,014,100.26	4,925,357.47	4,768,944.78	245,155.48	2,460,009.70	(41,693.27)	2,418,316.43
General Operating Fund	4,812,016.55	4,884,564.20	5,014,100.26	4,925,357.47	4,768,944.78	245,155.48	2,460,009.70	(41,693.27)	2,418,316.43
02	(16,762.35)	590.00	1,027.77	3,200.00	2,979.39	(1,951.59)	34,297.18	(2,610.00)	31,687.18
Gifts Donations	(16,762.35)	590.00	1,027.77	3,200.00	2,979.39	(1,951.59)	34,297.18	(2,610.00)	31,687.18
03	17,500.00	19,500.00	21,059.49	29,500.00	18,354.44	2,715.05	82,278.63	(8,000.00)	74,278.63
YVFD Volunteer Fund	17,500.00	19,500.00	21,059.49	29,500.00	18,354.44	2,715.05	82,278.63	(8,000.00)	74,278.63
04	30,000.00	30,000.00	28,956.86	35,000.00	37,882.27	(5,892.41)	1,971,892.06	(5,800.00)	1,966,092.06
Transit - Crandell-Stewart	30,000.00	30,000.00	28,956.86	35,000.00	37,882.27	(5,892.41)	1,971,892.06	(5,800.00)	1,966,092.06
08	(344,654.20)	(344,654.20)	(332,897.41)	(225,639.43)	(223,280.67)	(109,606.61)	1,015,765.55	(119,014.77)	896,770.78
General Fund Reserves	(344,654.20)	(344,654.20)	(332,897.41)	(225,639.43)	(223,280.67)	(109,606.61)	1,015,765.55	(119,014.77)	896,770.78
09	345,500.00	345,500.00	668,654.13	6,000.00	11,000.00	339,500.00	657,564.13	339,500.00	604,079.91
Reserves for Cap. Outlay	345,500.00	345,500.00	668,654.13	6,000.00	11,000.00	339,500.00	657,564.13	339,500.00	604,079.91
10	250,000.00	164,109.00	152,422.87	154,109.00	152,422.87				
Capital Outlay	250,000.00	164,109.00	152,422.87	154,109.00	152,422.87				
General Fund - Restricted or Designated	(52,916.55)	214,044.60	539,153.71	9,969.57	(641.69)	539,795.37	3,368,923.33	204,075.23	3,572,998.56
20	475,910.00	5,985,709.00	5,653,253.97	4,939,327.04	4,769,303.12	162,381.95	784,950.85	5,828,833.03	6,991,214.99
Total General Funds	475,910.00	5,985,709.00	5,653,253.97	4,939,327.04	4,769,303.12	162,381.95	784,950.85	5,828,833.03	6,991,214.99
21	479,292.13	295,832.13	269,663.64	479,032.13	269,663.64	200.00		200.00	200.00
Gas Tax & Traffic Cong.	479,292.13	295,832.13	269,663.64	479,032.13	269,663.64	200.00		200.00	200.00
24	83,107.25	83,107.25	67,245.18	83,107.25	67,245.18	(140,727.39)	562,289.60	(174,534.55)	407,755.05
Fines - Traffic Safety	83,107.25	83,107.25	67,245.18	83,107.25	67,245.18	(140,727.39)	562,289.60	(174,534.55)	407,755.05
Road, Street & Transit - Restricted	764,339.38	543,459.38	500,889.28	1,028,102.93	717,793.93	841,315.67	592,289.60	(174,334.55)	407,955.05
30	220,500.00	220,500.00	229,750.31	339,152.10	264,152.10	101,776.77	301,854.51	(43,652.10)	258,202.41
Fire Assessment Spec. Rev	220,500.00	220,500.00	229,750.31	339,152.10	264,152.10	101,776.77	301,854.51	(43,652.10)	258,202.41
31	215,500.00	215,500.00	216,325.05	181,020.73	181,136.97	34,479.27	35,188.08	34,479.27	(71,434.39)
Landfill Access Fee - Debt Service	215,500.00	215,500.00	216,325.05	181,020.73	181,136.97	34,479.27	35,188.08	34,479.27	(71,434.39)
32	39,500.00	39,500.00	42,057.02			42,057.02	39,650.00	39,650.00	71,317.27
Developer Impact Fees	39,500.00	39,500.00	42,057.02			42,057.02	39,650.00	39,650.00	71,317.27
Special Revenue - Restricted	475,650.00	475,650.00	488,132.38	520,172.83	445,172.83	179,021.87	227,608.12	30,477.17	258,085.29
60	475,650.00	475,650.00	488,132.38	520,172.83	445,172.83	179,021.87	227,608.12	30,477.17	258,085.29
Total Special Revenue	475,650.00	475,650.00	488,132.38	520,172.83	445,172.83	179,021.87	227,608.12	30,477.17	258,085.29
65	(125,500.00)	142,000.00	(33,139.39)	100,000.00	130,000.00	(165,428.43)	862,426.96	12,000.00	874,426.96
Community Development Grants	(125,500.00)	142,000.00	(33,139.39)	100,000.00	130,000.00	(165,428.43)	862,426.96	12,000.00	874,426.96
Special Grants - Capital Projects	2,556,500.00	1,122,703.00	751,240.53	2,782,000.00	1,109,703.00	(335,020.04)	857,082.34	17,000.00	874,082.34
70	2,556,500.00	1,122,703.00	751,240.53	2,782,000.00	1,109,703.00	(335,020.04)	857,082.34	17,000.00	874,082.34
Special Grants - Operating & Capital Projects	2,556,500.00	1,122,703.00	751,240.53	2,782,000.00	1,109,703.00	(335,020.04)	857,082.34	17,000.00	874,082.34
71	1,440,095.34	1,440,095.34	1,828,819.40	1,440,095.34	1,466,495.34	584,476.41	(19,780.00)	(26,400.00)	(46,180.00)
Water Operating	1,440,095.34	1,440,095.34	1,828,819.40	1,440,095.34	1,466,495.34	584,476.41	(19,780.00)	(26,400.00)	(46,180.00)
72	20,000.00	20,000.00	157,320.72	20,000.00	20,000.00	102,794.43	(2,794.43)	(2,794.43)	(2,794.43)
Water Debt Servicing	20,000.00	20,000.00	157,320.72	20,000.00	20,000.00	102,794.43	(2,794.43)	(2,794.43)	(2,794.43)
74	421,154.60	1,026,154.60	566,163.34			566,163.34	3,194,697.68	1,026,154.60	4,220,852.28
Water Reserves	421,154.60	1,026,154.60	566,163.34			566,163.34	3,194,697.68	1,026,154.60	4,220,852.28
Water Enterprise	7,528,775.80	7,528,775.80	9,723,535.72	7,107,621.30	6,551,911.30	1,759,845.36	3,166,604.70	976,864.60	4,143,469.30
80	1,378,795.57	1,378,795.57	1,593,355.36	1,378,795.57	1,378,795.57	283,165.22	(15,406.00)	-	(15,406.00)
Sewer Operating	1,378,795.57	1,378,795.57	1,593,355.36	1,378,795.57	1,378,795.57	283,165.22	(15,406.00)	-	(15,406.00)
81	433,000.00	125,000.00	151,856.82	127,037.00	125,000.00	(115,488.83)	751,605.73	-	751,605.73
Sewer Capital Outlay	433,000.00	125,000.00	151,856.82	127,037.00	125,000.00	(115,488.83)	751,605.73	-	751,605.73
82	127,037.00	127,037.00	151,856.82	127,037.00	127,037.00	95,469.04	74,003.85	-	74,003.85
Sewer Debt Servicing	127,037.00	127,037.00	151,856.82	127,037.00	127,037.00	95,469.04	74,003.85	-	74,003.85
84	281,167.43	589,167.43	577,205.56			589,167.43	1,134,469.69	589,167.43	1,723,637.09
Sewer Reserves	281,167.43	589,167.43	577,205.56			589,167.43	1,134,469.69	589,167.43	1,723,637.09
Sewer Enterprise Fund	2,220,090.00	2,220,000.00	2,322,419.74	1,938,832.57	1,630,832.57	850,352.99	1,944,673.24	569,167.43	2,533,840.67
80	9,748,775.90	9,749,779.90	12,046,955.46	9,046,453.87	8,188,743.97	3,609,999.35	6,111,777.94	1,566,032.03	6,677,309.97
Total Enterprise Funds	9,748,775.90	9,749,779.90	12,046,955.46	9,046,453.87	8,188,743.97	3,609,999.35	6,111,777.94	1,566,032.03	6,677,309.97
Agency Trust - Cash									
Agency Funds									
Total Agency Funds									
All Funds Combined	18,304,365.28	16,989,297.29	19,319,170.62	16,987,740.67	16,220,846.98	3,098,233.64	12,607,091.03	1,601,566.61	14,209,647.64



CITY OF YREKA
TREASURER'S QUARTERLY INVESTMENT REPORT

30-Jun-12

<u>Settlement Date</u>	<u>Investment</u>	<u>Account Number</u>	<u>Par. Amount</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Market Value %</u>
Government Bonds								
	None							
Certificates of Deposit								
	None							
Cash and Equivalents								
6/30/2012	CASH / COUPON & MATURITY PAYMENTS (cash in transit)	875-03646-17 500	\$0.00	\$0.00	\$0.00	0.000	NONE	N/A
6/30/2012	LOCAL AGENCY INVESTMENT FUND ***	98-47-996	\$13,676,662.66	\$13,676,662.66	\$13,676,662.66	0.0358	NONE	100.00%
6/30/2012	SCOTT VALLEY BANK-CHECKING	0001015102	\$986,815.45	\$986,815.45	\$986,815.45	0.1500	NONE	100.00%
6/30/2012	TRI-COUNTIES BANK (YVFD)	176010540	\$60,453.24	\$60,453.24	\$60,453.24	0.0500	NONE	100.00%
2/21/2012	TRI-COUNTIES BANK (YVFD) CD	170063666	\$24,512.44	\$24,512.44	\$24,512.44	0.2500	2/21/2013	100.00%
6/30/2012	PETTY CASH ON HAND - CITY DEPARTMENTS		\$500.00	\$500.00	\$500.00		NONE	100.00%
6/30/2012	PETTY CASH ON HAND - YVFD		\$100.00	\$100.00	\$100.00		NONE	100.00%
TOTAL CASH AND INVESTMENTS					\$14,749,043.79	\$14,749,043.79		

*** See supplemental data on LAIF investment maturity, investment portfolio mix and yield

The instruments of investments used this quarter are in direct relationship with the City's investment policy. It is the opinion of the Treasurer that the next six (6) months expenditures can be met.


 Sheila Rhetta Higgin, Treasurer

Approved by motion of the Yreka City Council at its meeting held September 20, 2012.

 David Simmen, Mayor



Bill Lockyer, State Treasurer

Inside the State Treasurer's Office

Local Agency Investment Fund (LAIF)



PMIA Performance Report

Date	Daily Yield	Quarter to Date Yield	Average Maturity (in days)
7/12/2012	0.36	0.36	271
7/13/2012	0.36	0.36	272
7/14/2012	0.36	0.36	272
7/15/2012	0.36	0.36	272
7/16/2012	0.36	0.36	264
7/17/2012	0.36	0.36	263
7/18/2012	0.36	0.36	265
7/19/2012	0.36	0.36	265
7/20/2012	0.36	0.36	267
7/21/2012	0.36	0.36	267
7/22/2012	0.36	0.36	267
7/23/2012	0.36	0.36	261
7/24/2012	0.36	0.36	260
7/25/2012	0.36	0.36	259

*Daily yield does not reflect capital gains or losses

LAIF Performance Report

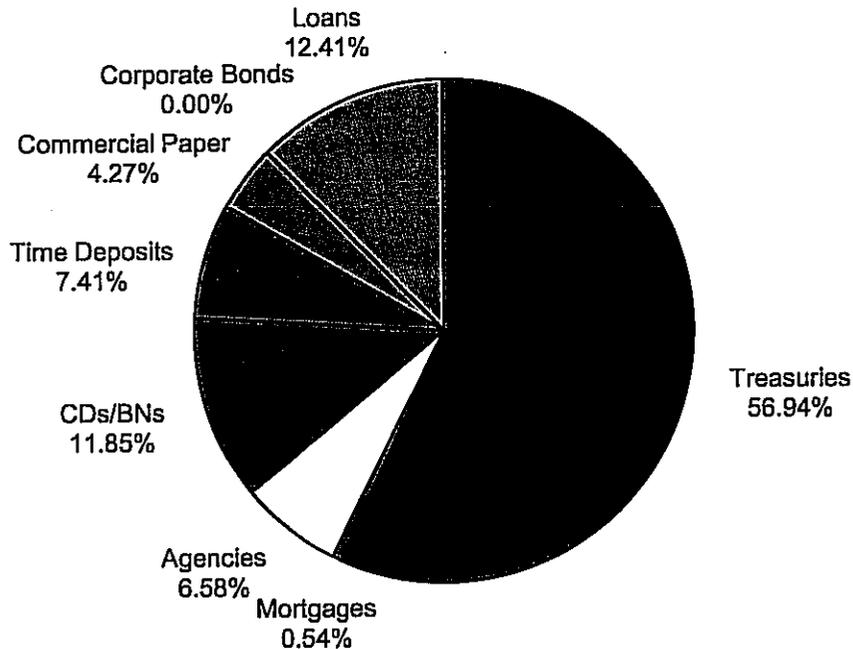
Quarter ending 06/30/2012

Apportionment Rate: 0.36%
 Earnings Ratio: .00000976192855700
 Fair Value Factor: 1.001219643
 Daily: 0.36%
 Quarter To Date: 0.36%
 Average Life: 268

PMIA Average Monthly Effective Yields

JUNE 2012 0.358%
 MAY 2012 0.363%
 APR 2012 0.367%

Pooled Money Investment Account Portfolio Composition \$60.5 Billion 06/30/12





CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Rhetta Hogan, Finance Director 
Ben Matts, Project Assistant 
AGENDA TITLE: Discussion of AT&T Notify System, and authorize the City Manager and all other proper officers and officials of the City to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to implement the AT&T Notify System.
MEETING DATE: September 20, 2012

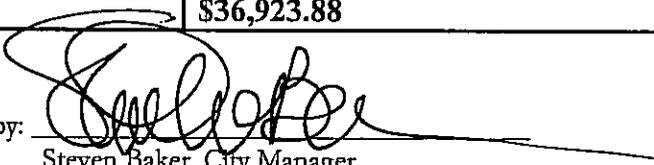
Discussion:

Staff has been working with AT&T to identify a system that would call our utility customers regarding late notices and water shut offs for delinquent payments. The main purpose of a call system like this would be to aid utility customers in avoiding penalties by allowing them to make payments or payment arrangements before the penalties are applied. Further, the system could be utilized to notify customers in mass of outages, shut-offs and other utility related emergencies. The system would not call those who have signed up for the "do not call" services.

While penalty fees are effective in minimizing the number of delinquent accounts, they can disproportionately affect lower income utility customers. This notification system, combined with future improvements such as online bill pay and credit/debit cards payments, will give utility customers, especially lower income customers, the information and flexibility they might need to avoid additional charges.

The City's penalties, \$25 late fee, and \$50 shut off fee, are needed to cover the cost of the additional notifications, shut offs and workout collections. The fee revenues from penalties are not core revenue for the enterprise funds.

Fund	Fee Revenue FY 2011-2012
Fire Tax	\$ 1,212.38
Landfill Access Fee	\$ 765.77
Water	\$27,607.94
Sewer	\$ 7,337.79
Total:	\$36,923.88

Approved by: 
Steven Baker, City Manager

Staff evaluated the product and has been quoted for these services as part of the CalNet2 Telcom (DGS) procurement. This is consistent with the regular Telcom (hard lines and cell phones) pricing received off the City's existing CalNet 2 Contract. After the product demonstration, staff found the system easy to use, intuitive and could be implemented quickly. The whole product is web based with secure logins.

Additional product features, which we are not looking to utilize right away, would be to email or SMS (text message) notifications to customers. Staff would not use these features without express written approval, as it could constitute unauthorized use of personal email and phone accounts.

Once the City has the ability to take credit/debit cards and e-checks, the phone system could link into an IVR (Interactive Voice Response) system where the utility customer could make a payment over the phone.

Fiscal Impact:

There would be a one-time installation fee of \$575 and a monthly subscription fee of \$235.75. Both fees would be covered by current utility fees and penalty revenues.

There is also a likely loss in revenue from penalties, but there would be a corresponding decrease in staff time focused on delinquent utility customers.

Recommendation and Requested Action:

Discussion of AT&T Notify System, and authorize the City Manager and all other proper officers and officials of the City to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to implement the AT&T Notify System.



Contact Center Professional Services

**Notify Statement of Work
CACofYNOT07102012
For**

**State of California
The City of Yreka**

**V1.2
July 11, 2012**

1 Description of Work

AT&T is providing Notify service to the City of Yreka via the CALNET 2 contract. This service is an outbound interactive voice response (IVR) notification service that delivers simultaneous notifications by voice, email, SMS or fax to Recipients.

AT&T/CenturyLink will provide an online portal that enables the City of Yreka to build, deploy and manage message creation and scheduling. The portal will also enable the City of Yreka to access the online platform for campaign monitoring and reporting. This project does not include any custom development provided by AT&T/CenturyLink. All costs for Notify are on the CALNET 2, MSA 2, no additional pricing applies to this opportunity.

2 Notify Service Information

1. **General; Definitions.** Capitalized terms not defined herein are defined in the Subcontract and any technical terms used herein will be defined as commonly understood in the industry.

"Application Incident" means a single support issue directly related to the programming or maintenance of a custom application developed by QCC or its vendor, and the reasonable effort needed to resolve it.

"The City of Yreka Content" means information or content that the City of Yreka submits for use in the portal or a custom application of the Service.

"The City of Yreka Content License" means a worldwide, non-exclusive, fully paid-up license to use, copy, and host the City of Yreka Content only as reasonably necessary to provide the Service for the City of Yreka.

"Emergency Notifications" means notifications that are (a) used to raise awareness about or respond to emergency events (e.g., extreme weather alerts, shootings, kidnappings, natural disasters, fires, and AMBER Alerts™); (b) delivered at a time when the emergency event has the potential for bodily harm, property damage, or other risk of loss; and (c) time sensitive.

"Export Laws" means all relevant export laws and regulations of the United States.

"Messages" means the City of Yreka Content and AT&T/CenturyLink Content transmitted via voice, either by the City of Yreka or by AT&T/CenturyLink as a technology conduit and as directed by the City of Yreka.

"Planned Outage" means planned system upgrades and routine maintenance.

"AT&T/CenturyLink Content" means Newly-Developed Materials and Pre-Existing AT&T/CenturyLink Materials.

"Recipients" means any person or entity to which the City of Yreka delivers Messages.

"SMS" means Short Message Service.

"SOW" means a statement of work.

2. Service.

2.1 **Description.** Service is an outbound interactive voice response (IVR) notification service that delivers simultaneous notifications by voice, email, SMS or fax to Recipients. AT&T/CenturyLink will provide an online portal that enables the City of Yreka to build, deploy

and manage message creation and scheduling. The portal will also enable the City of Yreka to access the online platform for campaign monitoring and reporting.

2.2 Emergency Notifications. AT&T/CenturyLink does not support the use of the Service for Emergency Notifications or for emergency services. Any such use of the Service is at The City of Yreka's own risk, and AT&T/CenturyLink will not be liable for any such use of the Service.

2.3 Planned Outages. Planned Outages are performed at off-peak times, typically between 10:00 pm Saturday and 4:00 am Sunday (Eastern Standard Time). During Planned Outages, the City of Yreka will be able to send Messages and such Messages will be retained and processed once system maintenance is complete.

2.4 The City of Yreka Obligations.

2.4.1 Capacity Planning. The City of Yreka will be responsible for making a commercially reasonable effort to inform AT&T/CenturyLink 45 days in advance of upcoming the City of Yreka applications that exceed 5,000 notifications per day.

2.4.2 The City of Yreka Responsibility for Messages and Accounts. The City of Yreka is solely responsible for all the City of Yreka Content and the content, accuracy, timing and purpose of all Messages. The City of Yreka may use the Service to transmit Messages to the Recipients. The City of Yreka is responsible for maintaining the confidentiality of its accounts and owner numbers and necessary codes, passwords and personal identification numbers used in conjunction with the Service and for all uses of the Service in association with the City of Yreka's accounts whether or not authorized by the City of Yreka. The City of Yreka acknowledges that AT&T/CenturyLink does not control or monitor the City of Yreka Content, or guarantee the accuracy, integrity, security or quality of the City of Yreka Content.

2.4.3 The City of Yreka Warranty Regarding Messages and Recipients. The City of Yreka warrants that:

(a) The City of Yreka will review all anticipated Messages and the information to be used in those messages;

(b) The City of Yreka has the legal right to use all The City of Yreka Content and transmit all Messages to the Recipients in the manner and format in which they will be transmitted, including, without limitation, that: (i) any number displayed as the City of Yreka's caller ID number is a valid the City of Yreka number; (ii) The City of Yreka has express consent from any intended Recipient to use the Recipient's contact information to transmit the Service to that Recipient and to provide that contact and other information to AT&T/CenturyLink or its vendor as necessary to provide the Service; (iii) The City of Yreka will have in place a clear and simple mechanism that is identified in any Message to a Recipient to opt-out from receiving further Messages; and (iv) the Recipient has been informed and consents that its telecommunications or Internet service provider may assess charges associated with the Recipient's receipt of any Messages;

(c) The City of Yreka is responsible for all Messages and AT&T/CenturyLink is merely acting at the City of Yreka's direction as a technology conduit for the transmission of the Messages. AT&T/CenturyLink makes no representation or warranty that any Message will be routed or completed without error or interruption or loss. Where AT&T/CenturyLink or its vendor provides any assigned telephone or facsimile numbers for processing opt-out requests, The City of Yreka acknowledges that such numbers and any associated automated functions are provided merely as an administrative convenience and that the processing of such opt-out request is solely the City of Yreka's responsibility. AT&T/CenturyLink and its vendor expressly disclaim all responsibility for and authority over, the receipt and processing of any opt-out requests;

(d) The City of Yreka grants AT&T/CenturyLink the right to use the City of Yreka Content solely to provide the Service for such time as AT&T/CenturyLink does in fact provide the Service to the City of Yreka. Use of the City of Yreka Content by AT&T/CenturyLink or its vendor and transmission of Messages (including the City of Yreka's campaigns and programs, the content, timing and purpose of all Messages, and the creation of the City of Yreka's notification lists) will not violate the rights of any third party or any law, rule or regulation and will otherwise comply with federal, state and local laws, ordinances, administrative rules, regulations, and orders; and

(e) The City of Yreka will not transmit or allow to be transmitted any Messages that: (i) The City of Yreka does not have a right to make available under any law or under contractual or fiduciary relationship; (ii) are false, inaccurate, misleading, unlawful, harmful, threatening, abusive, harassing, tortuous, defamatory, vulgar, obscene, libelous, invasive of another's privacy, hateful, racially, ethnically, or otherwise objectionable, or harmful to minors in any way; (iii) infringe any patent, trademark, trade secret, copyright, or other proprietary rights or rights of publicity or privacy of any party; (iv) use or otherwise constitute any unsolicited or unauthorized advertising, promotional materials, "junk mail", "spam", or any other forms of solicitation; or (v) interfere with or disrupt the Service or servers or network operator networks.

2.4.4 Compliance with Laws.

(a) **General.** The City of Yreka will comply with all applicable requirements of federal, state and local laws, ordinances, administrative rules, regulations, and orders applicable to its use of the Service and transmission of Messages to Recipients (including e.g., obtaining any required consents from the Recipients as contemplated in the City of Yreka Warranty Section above). The City of Yreka's obligation will include, but is not limited to, compliance with: the federal Telephone Consumer Privacy Act (TCPA, 47 USC Section 227) and implementing Federal Communications Rules (47 CFR 64.1200); the federal CAN-SPAM Act (15 USC Section 7701 et seq.); the FCC's implementing rules (47 CFR Section 64.3100, with respect to communications to wireless devices, 47 CFR 64.3100); and the Federal Trade Commission's (FTC) implementing rules (16 CFR Section 316.3, with respect to communications to computers) as well as comparable state laws, rules, and regulations.

(b) **Use of Recording Devices.** Use of recording devices or taping any use of the Service by the City of Yreka may subject the City of Yreka to laws or regulations and the City of Yreka is solely responsible for and obligated to provide any required notification to those being recorded or taped.

(c) **Export Administration.** The City of Yreka agrees to comply fully with Export Laws to assure that no information, design, specification, instruction, software, data, or other material furnished by AT&T/CenturyLink nor any direct product thereof, is: (a) exported, directly or indirectly, in violation of Export Laws; or (b) intended to be used for any purposes prohibited by the Export Laws, including, without limitation, nuclear, chemical, or biological weapons proliferation. The City of Yreka further acknowledges that the Service and any related software are or may be an "encryption item" subject to controls under the Export Administration Regulations promulgated by the U.S. Department of Commerce.

2.4.5 PHI AT&T/CenturyLink does not require or intend to access the City of Yreka data in its performance hereunder, including but not limited to any confidential health related information of the City of Yreka's clients, which may include group health plans, that constitutes Protected Health Information ("PHI"), as defined in 45 C.F.R. §160.103 under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA Rules"). Any exposure to PHI will be random, infrequent and incidental to AT&T/CenturyLink's provision of Service and is not meant for the purpose of accessing, managing the PHI or creating or manipulating the PHI. Such exposure is allowable under 45 CFR 164.502(a)(1)(iii). As such, if the City of Yreka is a Covered Entity or Health Care Provider under the HIPAA Rules or supports the health care industry, AT&T/CenturyLink and the City of Yreka agree that AT&T/CenturyLink is not a "Business Associate" or "Covered Entity" under the HIPAA Rules for the purposes of this SOW.

2.4.6 Investigation of Compliance with The City of Yreka's Obligations. Upon request, the City of Yreka will provide reasonable proof of compliance with the provisions set forth in this the City of Yreka Obligations Section and AT&T/CenturyLink need not provide Service where AT&T/CenturyLink reasonably believes that the City of Yreka has not complied. The City of Yreka shall be responsible for any and all claims, liability, penalty, fines, costs, expenses, and damages including reasonable attorneys' fees arising out of, connected with or resulting from AT&T/CenturyLink following the City of Yreka's instructions in sending the messages or any breach of the City of Yreka's representations, warranties or obligations in this the City of Yreka Obligations Section. AT&T/CenturyLink may use reasonable means, and employ reasonable methods to investigate and otherwise satisfy itself of the lawful and proper use of Service at any time, and the City of Yreka will cooperate with AT&T/CenturyLink in connection with its investigation.

3 Pricing Summary

Department of Mental Health The City of Yreka Pricing for CALNET 2 IVR NOTIFY July 11, 2012							
CALNET 2							
Item	Identifier	Qty	Unit	Price per Month	Installation	Total Monthly	Total Installation
Platform Connectivity							
Subscription Fee	Q14428	1	Per customer account	\$ 235.75	\$ -	\$ 235.75	\$ -
Installation Fee	Q14443	1	Per customer account	\$ -	\$ 575.00	\$ -	\$ 575.00
Voice Message Delivery	Q14445	0	Per Minute of Use	\$ 0.09	\$ -	\$ -	\$ -
Fax Delivery	Q14472	0	Per Page	\$ 0.15	\$ -	\$ -	\$ -
Bridging	Q14446	0	Per Minute of Use	\$ 0.09	\$ -	\$ -	\$ -
Email delivery	Q14470	0	Per Message	\$ 0.09	\$ -	\$ -	\$ -
SMS Delivery	Q14471	0	Per Message	\$ 0.08	\$ -	\$ -	\$ -
TOTALS						\$ 235.75	\$ 575.00

Notify message delivery is usage-based and since traffic volumes are unknown at this time, we are unable to estimate total monthly price. Actual usage will be invoiced.

4 Authorization To Proceed

Upon execution by the parties, AT&T is authorized by the City of Yreka to proceed with work under this SOW. The City of Yreka shall sign and fax this SOW and ATO (if required) to Denice Curtin at (209) 744-1255.

City of Yreka

AT&T

Signature

Signature

Print Name

Print Name

Print Title

Print Title

Date

Date

Rhetta Hogan

From: LEVI, MARTIN S [ml2685@att.com]
Sent: Friday, September 07, 2012 10:02 AM
To: Rhetta Hogan; VARELA, ADRIANA
Subject: RE: ATT Proposal dated 7/27/2012

Hello Rhetta--- Thank you for your work on this!
We have also done quite a bit of work reviewing the calnet contract and its early termination agreements...
We think we can do an 'adjust to satisfy' if you cancel due to satisfaction issue....would 30 days suffice?

-----Original Message-----

From: Rhetta Hogan [mailto:rhetta@ci.yreka.ca.us]
Sent: Thursday, September 06, 2012 5:01 PM
To: VARELA, ADRIANA; LEVI, MARTIN S
Subject: ATT Proposal dated 7/27/2012

Hi Martin and Adriana-

We are presenting our staff report to the City Council on Sept. 20, 2012 requesting authority to execute the necessary documents for the call system. Have you heard back on the contract cancellation question that was being researched?

Thanks, Rhetta

Shella Rhetta Hogan
Finance Director
City of Yreka
701 Fourth Street
Yreka, CA 96097
530-841-2386

-----Original Message-----

From: VARELA, ADRIANA [mailto:AV9892@att.com]
Sent: Friday, July 27, 2012 1:36 PM
To: LEVI, MARTIN S; Rhetta Hogan
Subject: Proposal



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Adopt Resolution No. 2990 approving requests associated with Special Event known as the Chris Lopez Classic.
Meeting date: September 20, 2012

Discussion:

Stacey Willison, has submitted the attached request for the use of Upper & Lower Greenhorn Park and adjacent trails for the Chris Lopez Classic to be held June 15, 2013.

Fiscal Impact: Unknown. We do ask the event sponsor to clean the areas after the event, however, the Public Works crew typically has to provide additional clean up after the event. The amount of time spent by public works on this additional clean up varies. Historically, all school events have been exempt from any fees and/or deposits relating to use of City Parks.

Recommendation and Requested Action:

City staff has reviewed the request and recommends that the Council adopt Resolution No. 2990 approving the request for the event and setting terms and conditions for same.

Approved by: _____

A handwritten signature in black ink, appearing to read "Steve Baker", written over a horizontal line.

Steven Baker, City Manager

RESOLUTION NO. 2990

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH SPECIAL EVENT KNOWN AS
THE CHRIS LOPEZ CLASSIC TO BE HELD AT
UPPER & LOWER GREENHORN PARK ON JUNE 15, 2013**

WHEREAS, the city, a municipal corporation, is the owner of certain lands within the City of Yreka which are operated by the City as public municipal facilities, and,

WHEREAS, Stacey S. Willison, hereinafter referred to as "event sponsor" desires to sponsor the Chris Lopez Classic on June 15, 2013, from 7:30 am to 3 p.m. to be held at Upper & Lower Greenhorn Park, which is City property; and,

WHEREAS, event sponsor desires the use of Upper & Lower Greenhorn Park and adjacent trails for the event, and,

WHEREAS, the following provisions of the Yreka Municipal Code [YMC] are implicated by this event:

Vehicle controls- YMC Chapter 10.73
Sound Amplifying Devices-YMC Chapter 9.28
Temporary Signs-YMC Section 13.16.020(d)
Business License- YMC Section 5.04.

WHEREAS, pursuant to YMC Section 9.50.120, in order to promote the safety, comfort and convenience of persons using any park or recreation area, the City Council may from time to time by resolution adopt rules and regulations not inconsistent with the provisions of Chapter 9.50 of the Yreka Municipal Code, and make the same applicable generally or to a particular park or recreation area or portion thereof. Such rules and regulations may include regulating the speed of vehicles, establishing campsites, parking areas and areas where parking or driving of vehicles is prohibited, areas where certain games or activities are prohibited, and such other rules and regulations as in the opinion of the council are necessary for the safety, comfort and convenience of persons using such park or recreation area; and,

WHEREAS, this event will not include the installation of any structures; and,

WHEREAS, there do not appear to be any restraints or use permits required for this activity under the zoning ordinance, as this is not a "use" as contemplated by the zoning law; and,

WHEREAS, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action 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; and

WHEREAS, the City Council has determined it would be in the best interests of the City to approve and authorize the action outlined in this Resolution on the terms and conditions set forth hereafter;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YREKA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Council hereby orders:

a) Event sponsor is granted the use of Upper & Lower Greenhorn Park, Kiosk cabin at Upper Greenhorn Park and adjacent trail areas depicted on the map provided by the event sponsor, on June 15, 2013, from 7:30 am to 3 p.m., subject to the terms and conditions as set forth hereafter. Event sponsor shall sign an Encroachment Agreement to that effect prior to any use.

b) The event sponsor shall clean up the event areas of Upper & Lower Greenhorn Park including trails used, kiosk, and parking lot after the event, and shall comply with such other and further direction as may be given by the Public Works Maintenance Manager or his designee in connection with the event, as provided in the Encroachment Agreement.

c) Permission is granted for food and beverage vendors if approved in writing by event sponsor to obtain daily business licenses to sell in a recreation area for this event. All vendors, including non-profit organizations, are required to obtain a City of Yreka Daily Business License for this specific event. Non-profit organization/service groups may be eligible for a "fee waiver". Event sponsor will be responsible and hold harmless the City for acts of the vendors.

All Vendors must submit proof of non-profit status or copy of a letter from a non-profit organization acknowledging vendor's pledge to donate a percentage (1-100%) of the proceeds to the non-profit organization.

d) The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 and a certificate naming the City of Yreka as additional insured specific to the event dates and location shall be provided by the event sponsor in the amount set by the City's liability insurer.

e) All special requests such as connection to power source and or placement of vendors must be coordinated with and at the discretion of the Public Works Maintenance Manager, or his designee.

f) At the direction of the Public Works Maintenance Manager, event sponsor shall provide additional trash receptacles as may be needed for the event.

g) The event is subject to the terms and conditions of the Encroachment Agreement regarding the event and the event sponsor shall comply with all other City of Yreka ordinances; and, the event sponsor shall comply with such further conditions and requirements as may be set by the City Manager, the Chief of Police, the Director of Public Works, the Public Works Maintenance Manager or his designee.

Section 3. It is further resolved, if any section, subsection, part, clause, sentence or phrase of this Resolution 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 Resolution, 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 4. The City Manager, Director of Public Works, Chief of Police, and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 6. This resolution shall take effect immediately upon its passage.

Passed and adopted this 20th day of September 2012, by the following vote:

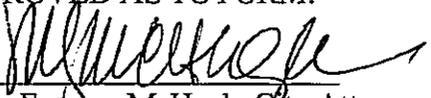
AYES:

NAYS:

ABSENT:

David Simmen,
Mayor

APPROVED AS TO FORM:



Mary Frances McHugh, City Attorney

Attest: _____
Elizabeth E. Casson, City Clerk

August 28, 2012

City of Yreka

Attn: Yreka City Council

701 Fourth Street

Yreka, CA 96097

Honorable Yreka City Council Members,

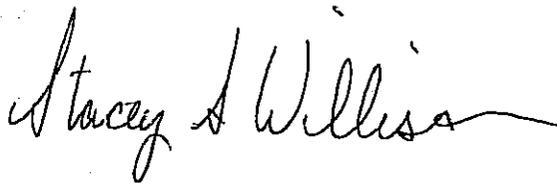
We are planning another Chris Lopez Classic (CLC) for June 15, 2013 at Upper Greenhorn Park. This last CLC was as much of a success as the original with 177 entries! For this next CLC, we would like to expand the race by adding a half marathon, implementing one loop on the current Humbug Hurry Up course.

The courses will be a 1 mile walk, 5K run/walk, 10K run, and a half marathon using the same courses as we did last year plus the addition of the Humbug Hurry Up course. We would like permission to allow vendors this year. We are hoping for a larger event but our humble estimate is between 150 to 200 entrants. We are also requesting the use of the kiosk cabin located at Upper Greenhorn Park for our registration and time keeping.

The funds raised will go to facilitate local running programs and to our growing scholarship awards for local graduating Seniors.

With your approval, we hope to meet and exceed the same goals as last year and to provide the community with a memorable and enjoyable experience.

Sincerely,

A handwritten signature in black ink that reads "Stacey S. Willison". The signature is written in a cursive style with a long horizontal flourish at the end.

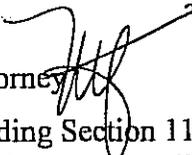
Stacey S. Willison

Chris Lopez Classic Coordinator



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council

Prepared by: Mary Frances McHugh, City Attorney 

Agenda title: Introduction of Ordinance Amending Section 11.23.050 of the Yreka Municipal Code Relating to Developer Impact Fees for Fire Sprinkler Systems in Single Family Residences

Meeting date: September 20, 2012

Recommendation and Requested Action

Introduce Draft Ordinance 830 Amending Section 11.23.050 of the Yreka Municipal Code Relating to Developer Impact Fees for Fire Sprinkler Systems in Single Family Residences.

Discussion: This ordinance is designed to implement the 2010 California Building Code which requires private fire protection in new single family residential construction. Staff has identified changes which should be made in Chapter 11.23 of the Yreka Municipal Code to reflect the new law requiring fire sprinklers and these changes are reflected in the proposed ordinance. These changes adjust the Developer Impact Fees so that the requirement to install fire sprinklers, which often includes upsizing the meter size, does not result in unanticipated increases in the fees.

A Public Hearing on these changes was held on September 6, 2012, at which time there were no public comments.

Attachments: Ordinance 830.

\\SLUICEBOX\REDIRECTED\FOLDERS\MARYFRANCES\MY DOCUMENTS\DOCUMENTS_ADVICE\ADVICEMEMO RE FIRE SPRINKLER DIFS 9 20 12.DOC

Approved by: 

Steven Baker, City Manager

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA
AMENDING SECTION 11.23.050(c) OF THE YREKA MUNICIPAL CODE, RELATING TO
DEVELOPER IMPACT FEES FOR FIRE SPRINKLER SYSTEMS
IN SINGLE FAMILY RESIDENCES**

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

SECTION 1- FINDINGS. The City Council of the City of Yreka hereby finds as follows:

Currently, the 2010 California Building Code requires private fire protection in new single family residential construction. Ideally, the customer would have a separate fire line for this service, however, instead of having a separate fire service line, the service may be provided by over-sizing the domestic meter (e.g. instead of a 3/4" meter, a 1" meter is installed). In this situation a number of cost allocation and equity issues arise related to the existing impact fee.

The City Council finds that fire sprinkler installations reduce fire risk, improve fire protection in the community and thus confer a benefit to the City of Yreka. The City Council takes this action after having reviewed and considered The National Fire Protection Association publication entitled *Integration of Residential Sprinklers with Water Supply Systems, a Survey of Twenty U.S. Communities*, published September 2009. The City Council specifically finds that this action is warranted to avoid "double charging" a customer who must install a dual service system. Based upon the recommendation made by staff in connection with evaluating a system development charge, and the fact that at the present time there is no generally accepted approach to this issue, the City Council finds it is in the best interests of the City of Yreka to make the amendments set forth in Section 2 of this ordinance, which will limit the charge for the meter size of a single family residence with an approved fire suppression system to the size needed for the household's domestic water consumption.

SECTION 2. Section 11.23.050(c) of Chapter 11.23 of the Yreka Municipal Code, Water System Fees is amended to read as follows:

(a) Fee Purposes. *No change.*

(b) Definitions. For the purposes of this section:

(1) "AWWA" means the American Water Works Association.

(2) "Household equivalent" means any premises served by a standard five-eighths-inch domestic water meter. Typically, this would include single-family residences, duplex dwelling units and small commercial businesses served by a standard five-eighths-inch meter. Household equivalents for larger meters: three-fourths inch, one inch, one and one-half inches, two inches, three inches, four inches, six inches and eight inches, have been computed using the ratio of the larger meter's AWWA rated capacity to the AWWA rated capacity of a standard five-eighths-inch meter. *Household equivalents for three-quarter-inch with approved Fire Sprinkler System and one inch with approved Fire Sprinkler System are established for the purpose of creating water and fire service (a dual service) connection for single-family residences. An approved Fire Sprinkler System is defined as one which satisfies the requirements of the currently adopted and effective California Residential Code.*

(c) Fee Schedule. *No change.*

(1) Water System Fee. Each applicant for a building or encroachment permit for premises as defined in this chapter shall pay the current fee, per household equivalent, based on the meter size, or if no meter is installed, the water service pipe size, as follows:

(A) Assessment of Household Equivalents.

Domestic Meter Size or Fire Pipe Size	Household Equivalent Ratio
5/8"	1*
3/4" single family residential home with approved Fire Sprinkler System	1
1" single family residential home with approved Fire Sprinkler System	1
3/4"	1.5
1"	2.5
1 1/2"	5
2"	8
3"	16
4"	25
6"	50
8"	80

*subject to Building Official approval.

(B) No change.

(2) No change.

(3) When a larger meter is installed (as long as it does not exceed the minimum necessary) to provide fire sprinkler protection in a single family residence, the system fee shall be based on the meter size necessary to meet the domestic demand, not the actual size of the meter installed.

(4) If a backflow prevention device is required due to the installation of a fire sprinkler system, it shall be inspected yearly by a certified backflow inspector, which shall be subject to any fee for such inspection as established by resolution of the City Council.

(5) Exemption. This section shall not apply to any existing single family residence with a 5/8" water meter service, unless that there are alterations, renovation or expansion of an existing residential building where additional dwelling units are created or there is expansion of the existing residence which is more than fifty percent of the square footage of the existing structure.

SECTION 3. 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 4. Validity. 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 5. 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 6. Effective Date. This ordinance shall be in full force and effect sixty (60) days from and after the date of its adoption.

SECTION 7. 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. In lieu of publication of the full text of the Ordinance within fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Section 26933(c)(1) of the Government Code.

SECTION 8. 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 Section 2.

Introduced at a regular meeting of the City Council held August 2, 2012, and adopted as an Ordinance of the City of Yreka at a regular meeting of the City Council held on August 16, 2012, by the following vote:

AYES:
NOES:
ABSENT:

Mayor

Attest:

Approved as to form:

By: _____
Liz Casson, City Clerk

By: _____
Mary Frances McHugh,
City Attorney



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council

Prepared by: Steve Baker, City Manager

Agenda title: Miner Street Farmers Market – Discussion/Possible Action – Adopt Resolution No 2991 amending dates of the special event known as the Miner Street Market to End September 28, 2012; and Authorizing City Manager to approve street closure for alternate location and dates.

Meeting date: September 20, 2012

Discussion: On March 15, 2012, the City Council authorized the issuance of a Special Event permit for the Miners Street Farmers Market. At the time of the approval, the City Council discussed that the market was an experiment and should be evaluated to see, among other things, if it created any problems for local businesses on Miner Street.

Over the last week, we have received a number of complaints about the impacts of the farmers market on businesses on Miner Street. Some of these complaints have been forwarded to you. On Thursday, September 13, I talked to businesses on the block where the farmers market was being held.

Between the complaints and the discussion with local businesses, it appears that while the Farmers Market has brought visitors to Miner Street, some merchants believe that the blocking of the street has created parking and access problems affecting their sales negatively, net of any increases from the market. While supportive of the market in general, these businesses have suggested that the market be moved.

The Economic Development Council and staff have talked to Horse Creek Farms (the market manager) to see if moving the market is feasible. Despite research of alternate location on Miner street, the merchants did not believe this would solve the problems with access to their businesses. Other suggestions to move the market to different locations were examined, however, the spaces were not large enough for the market configuration or relocating the market on short notice to a distant or significantly less visible location would make it unlikely that it could be found easily by potential customers.

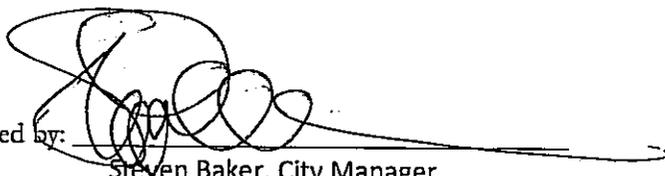
At this point, if the market cannot be successfully moved off Miner Street, staff is recommending that it be terminated for the season. The original intent was to go to the end of October. In talking with the market manager about closure, they have requested to the end of September (two markets after this date) to allow notice to their vendors.

Further, staff is recommending that if the farmers market is to return next year, that an alternate location be selected, with a stakeholders' meeting to identify issues and acceptable solutions.

Recommendation:

1. That City Council adopt Resolution No 2991 Amending the Closing Date of the Miner Street Market to September 28, 2012; and authorizing City Manager to approve amended permit application to close city streets for an alternate location.
2. Provide alternate direction to staff on the closure or relocation of the Miner Street Farmers Market.

Approved by: _____

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

Steven Baker, City Manager

RESOLUTION NO 2991

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
AMENDING RESOLUTION NO. 2962 AMENDING THE CLOSING DATE OF
THE MINER STREET MARKET TO SEPTEMBER 28, 2012;
AND AUTHORIZING CITY MANAGER TO APPROVE STREET CLOSURE FOR
ALTRNATE LOCATION AND DATES.

Whereas the City Council adopted Resolution No 2962 on March 15, 2012 approving requests associated with the special event to be held on each and every Friday afternoon from June 1, 2012 through October 26, 2012 known as the Miner Street Market – a Certified Farmers Market; and

Whereas, the Miner Street Market has affected local businesses on Miner Street, and the City has received a request to relocate the market.

NOW, THEREFORE, BE IT RESOLVED that the end date for the permit and authorized street closure for the Miner Street Market is hereby changed to September 28, 2012 at its current location.

BE IT FURTHER RESOLVED that the City Manager is authorized to approve an amended permit application to close city streets for an alternate location, provided that the applicant meets special events conditions as depicted in Resolution No. 2962.

Passed and adopted this 20th day of September 2012, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED AS TO FORM:



Mary Frances McHugh,
City Attorney

David Simmen, Mayor

Attest: _____
Elizabeth E. Casson,
City Clerk

RESOLUTION NO. 2962

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH THE SPECIAL EVENT TO BE HELD ON
EACH AND EVERY FRIDAY AFTERNOON FROM JUNE 1, 2012 THROUGH OCTOBER
26, 2012 KNOWN AS MINER STREET MARKET – A CERTIFIED FARMERS MARKET

WHEREAS, the city, a municipal corporation, is the owner of certain lands within the City of Yreka which are operated by the City as public municipal facilities, and,

WHEREAS, the Siskiyou County Economic Development Council (hereafter also referred to as "event sponsor") desires to sponsor the Miner Street Market – A Certified Farmers Market; and,

WHEREAS due to the proposed plan submitted for the event, the event sponsor has demonstrated that the following provisions of the Yreka Municipal Code [YMC] are not adversely implicated by this event:

Vehicle controls- YMC Chapter 10.73
Business license-YMC Section 5.04
Sound Amplifying Devices-YMC Chapter 9.28
Temporary Signs-YMC Section 13.16.020.D

WHEREAS, in connection with this event the event sponsor requests the closure of a portion of Miner Street from Oregon to Fourth Street from 2 p.m. to 6:30 pm on each and every Friday afternoon from June 1, 2012 through October 26, 2012; and

WHEREAS, pursuant to Government Code Section 21101(e) the City Council has authority to designate by resolution a temporary closing of a through street where the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, the City Council finds that the closing of Miner Street between Oregon and Fourth Street between the hours of 2 pm and 6:30 pm is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, a permissive business license may be granted by the City Council for an event of this nature if the applicant demonstrates good moral character and, that issuance of the license will not be detrimental to the public peace, public health or public morals of the city, which tax is subject to an exemption if the applicant demonstrates that the activity is for charitable purposes or for exhibition on historical subjects whenever the receipts from the activity are to be appropriated for any benevolent purpose within the limits of the city.

WHEREAS, the event sponsor has demonstrated to the City its eligibility under YMC 5.04.160, and that the event will not disrupt traffic within the City beyond practical solution; will not interfere with access to fire stations and fire hydrants; the location of the special event will

not cause undue hardship to adjacent businesses or residents; the event will not require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; and,

Whereas, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action 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; and

WHEREAS, the City Council has determined it would be in the best interests of the City to approve and authorize the action outlined in this Resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YREKA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Council directs as follows:

a. On each and every Friday afternoon beginning June 1 through October 26, 2012 Miner Street between Oregon and Fourth Street is ordered closed to through traffic between the hours of 2 pm and 6:30 pm subject to the terms and conditions as set forth hereafter. Event sponsor shall sign an Encroachment Agreement to that effect prior to use.

b. Permission is hereby granted for the use of the City's community event barricades in conjunction with said event contingent upon the event sponsor providing all labor necessary for the placement and removal of the barricades. Event Sponsor shall erect barricades to effectively and safely block traffic on the streets designated for closure, as directed by the Chief of Police.

c. The event sponsor is hereby issued a business license for this event and is exempt from the business license tax. *Pursuant to Yreka Municipal Code 5.04.160 (2), an exemption from the business license tax is also granted to farmers who sell exclusively their own produce.* This exemption from the tax shall not apply to other vendors at the event unless each vendor can separately demonstrate eligibility for exemption. The event sponsor may add vendors to their event and the City will work with the event sponsor to facilitate issuance of the daily business licenses for the event.

d. The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 and a certificate naming the City of Yreka as additional insured specific to the event date and location. Event sponsor will be responsible and hold harmless the City for acts of the volunteers and vendors.

e. The event sponsor is responsible to furnish, place and remove all necessary barricades, furnish, place and remove street closure signs, furnish place and remove extra

garbage cans and dispose of garbage, provide emergency access, cleanup all areas used including but not limited to the street.

f. The event sponsor shall comply with all other City of Yreka ordinances; and, the event sponsor shall comply with such further conditions and requirements as may be set by the Chief of Police and/or the Director of Public Works.

g. The event sponsor shall pay for any services required by the Public Works Department.

h. The event sponsor is responsible to personally contact each business that may be potentially affected by this street closure prior to the event.

Section 3. It is further resolved, If any section, subsection, part, clause, sentence or phrase of this Resolution 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 Resolution, 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.

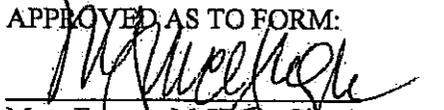
Section 4. The City Manager, the Chief of Police, Director of Public Works, and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to affect the purposes of this Resolution and the transactions herein authorized.

Section 5. The City Clerk of the City shall forward a copy of this Resolution to the event sponsor. This resolution shall take effect immediately upon its passage.

Passed and adopted this 15th day of March 2012, by the following vote:

Corrected
by Casson
AYES: ~~Bicego~~, MCNEIL, MERCIER, & SIMMENS
NAYS: ~~NONE~~ Bicego
ABSENT: FOSTER


Rory McNeil,
Mayor

APPROVED AS TO FORM:

Mary Frances McHugh, City Attorney

Attest: 
Elizabeth E. Casson, City Clerk

Adopt Resolution No. 2962 approving requests associated with the Special Event to be held on each and every Friday afternoon from June 1, 2012 through October 26, 2012 known as the Miner Street Market- A Certified Farmers Market.

Jill Harris, Program Manager, Siskiyou County Economic Development Council, sponsor of the event, addressed the Council to answer any questions regarding the proposed event.

Council Member Bicego expressed concerns with closing a portion of W. Miner Street, which is a major street, on Friday afternoon as it may have a negative effect on the existing businesses. He suggested holding the event on Saturday or any day other than Friday. Council Member Bicego also stated that 5-months is too long to commit to without knowing what impacts may arise from closing this major street on a busy Friday afternoon.

Drake Davis, owner and operator of Don's Sporting Goods on Miner Street, addressed the Council in opposition to closing a portion of Miner Street on Friday afternoons, stating that Friday afternoon is usually one of his better days and closing a portion of Miner Street on Friday afternoon will have an adverse affect on his business. In closing, he stated that he supported the event, but is not in favor of closing a portion of W. Miner Street on Friday afternoon.

Rachael Jereb addressed the Council as part of the "Market Committee" stating that they picked Friday afternoon to encourage a social event downtown that would augment the Scott Valley Bank summer concerts and the Chamber Art Walks that are currently scheduled for Friday evenings.

Joan Smith-Freeman, Executive Director of the Yreka Chamber and Steve Radford, Yreka resident both addressed the Council as proponents to the proposed event.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2962 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: McNeil, Mercier and Simmen. Nays: Bicego, stating that he is not against the event, just the closing of a portion of W. Miner Street on Friday afternoon.

Mayor McNeil thereupon declared the motion carried.



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Adopt Resolution No. 2962 approving requests associated with the Special Event to be held on each and every Friday afternoon from June 1, 2012 through October 26, 2012 known as Miner Street Market – A Certified Farmers Market.
Meeting date: March 15, 2012

Discussion:

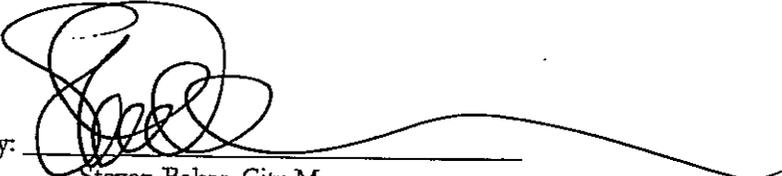
Jill Harris, Program Manager, Siskiyou County Economic Development Council has submitted an application for street closure as a sponsor for a proposed new event called "Miner Street Market – A Certified Farmers Market". The application and project description is attached for your review.

Fiscal Impact:

None. The event sponsor has assured us that the "Market" will be responsible for the set-up and removal of barricades and the clean-up of the street after the event.

Recommendation: Staff recommends Adoption of Resolution No. 2962.

Approved by: _____


Steven Baker, City Manager

City of Yreka
701 4th Street
Yreka, CA 96097

February 29, 2012

City Manager Steve Baker & the Yreka City Council:

The Siskiyou County Economic Development Council respectfully requests a Street closure for the following event:

Miner Street Market – A Certified Farmers Market

Dates: Fridays beginning June 1st through October 26th (weather permitting)

Times: Block closed to traffic from 2 pm to 6:30 pm

Block Closed: The 300 block of Miner Street from the intersection of 4th Street to the intersection at Oregon Street

Market Sponsor: Siskiyou County Economic Development Council

Market Manager: Floyd Latham & Steve Moore – Owners, Horse Creek Farm

The Market Committee has contacted both Yreka Police Department and Yreka Fire Department regarding the market. The Market will be responsible for the set-up and removal of barricades and for the clean-up of the street after the event. The Market will also be responsible for the opening and closing of the public restrooms in the Liberty Arts Plaza to be coordinated with the Chamber of Commerce. The Market will provide signage both on the street and on the barricades indicating block closure time, market time, and directions to the available public parking lots.

Miner Street Market will have a \$1 million liability insurance policy that names the City of Yreka as an additional insured.

A copy of the Merchant proposal with their approval signatures and/or comments is attached for your reference. The Market Rules and Regulations are also attached.

Please let me know if you have any questions or need any additional information.

Thank you,

Jill Harris
Program Manager
1512 S. Oregon Street
Yreka, CA 96097
530.842.1638



City of Yreka
701 4th Street
Yreka, CA 96097

February 28, 2012

Please include the following request for street closure on the March 15th City Council agenda. Floyd Latham and Steve Moore of Horse Creek Farm are proposing to start a new Farmers Market downtown. This would be in addition to the current market that is held on Wednesdays in the A-1 Auto parking lot. The market, to be named Miner Street Market will be a certified market. The Market Rules are attached for your and the Council's information.

Market Proposal:

1. Miner Street Market – Certified Farmers Market
2. Location: Block of Miner Street from 4th Street to Oregon Street
3. Dates/Times: Fridays (June through October) from 3:30 – 6 pm
4. Block Closure: 2 pm – 6:30 pm (this will allow adequate time to move parked cars off the street so that vendors can get set up)
5. Signs will be posted on street advising of closure time, alternate parking locations, Market time
6. Marketing of the Market will include newspaper, radio, facebook, SCEDC website
7. Market Managers: The Horse Creek Farm (Floyd Latham & Steve Moore)
8. Market Committee: Scott River Ranch (Craig Thompson), Rachel Jereb, Siskiyou Harvest (Siskiyou County Economic Development Council)

The above proposal was delivered to all of the merchants on the block that will be closed for the Market. A copy of their approval and comments is also attached for your reference as well.

Please let me know if you have any questions or need any additional information.

Thank you

Jill Harris
Program Manager
1512 S. Oregon Street
Yreka, CA 96097
530.842.1638
www.facebook.com/SiskiyouEDC



Miner Street Market

Proposal to Miner Street Merchants

1. Miner Street Market – Certified Farmers Market
2. Location: Block of Miner Street from 4th Street to Oregon Street
3. Dates/Times: Fridays (June through October) from 3:30 – 6 pm
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8. Market Committee: Scott River Ranch (Craig Thompson), Rachel Jereb, Siskiyou Harvest (Siskiyou County Economic Development Council)

Merchants Contacted:

1	Surroundings	XXXXXXXXXX - ✓ spoke with
2	Natural Selections	✓ Ellen Anderson
3	Bray Engineering	✓ My Bank
4	Miner Street Antiques	Sharon Verpe
5	Don's Sporting Goods	NO
6	Evolve Salon	Rachel Moran
7	Brickhouse Bakery	Craig Billingsley
8	Gold Nugget Printing	Mike Moore
9	Northland Cable	Sheila Mitten
10	Mike Wells Atty	n/a not open on Fridays
11	Strings	? parking? I don't see
12	New Traditions Dulcimers	Don Albert
13	Elks	RB - Yes - can't speak for ELKS
14	Marquesa's Designs	XXXXXXXXXX
15	Unique & Unusual	OK'd per Sheila Kuck via phone
	Farm Cool Antiques	Debbie Robinson

Miner Street Market

Rules & Regulations 2012

Market Manager – Horse Creek Farm – Floyd Latham & Steve Moore – 530.496.3393
thehorsecreekfarm@gmail.com

Market Committee – Rachel Jereb – Treasurer, Craig Thompson – Market Prepared Food Booth coordinator, Jill Harris & Jason Darrow /SCEDC – Marketing, Regulations, and EBT/SNAP

The Miner Street Market operates every Friday from 3:30 pm – 6 pm on the 300 block of Miner Street. The Miner Street Market is a certified farmers market through the Siskiyou County Department of Agriculture.

INTENT AND IMPLEMENTATION

The following Vendor Rules & Regulations are meant to govern the operation, administration and management of the Certified Farmers Market and the non-certified section of the market

The Miner Street Market operates on a direct marketing principle. The certified farmers market has been organized to benefit the vendors, consumers and neighboring businesses. It is the purpose of the farmers market to provide a convenient and inexpensive place for the vendor to sell his/her products directly to the consumer. The consumer will benefit by being able to buy truly fresh produce, handcrafts, market – prepared foods, local businesses' products and services at reasonable prices.

All products offered for sale must have the prior approval of the market management. The Market Manager will implement and enforce all Vendor Rules & Regulations pertaining to the operation of the Certified Farmers Market in a fair and equitable manner.

CALIFORNIA DEPARTMENT OF FOOD & AGRICULTURE

The regulations of the CDFA pertaining to direct marketing (Article 6.5, Group 4, Chapter 3, Title 3 of the CA administrative code) are hereby incorporated by reference to be part of these rules. Market Management's interpretation of the Agriculture Code will control all initial questions and disputes about their application. The market is subject to all pertinent local, state, and federal laws. All participating sellers are to be familiar with, and adhere to, the provisions of these rules and regulations.

ADMISSION TO THE MARKET (Applies to all sellers)

1. Complete an Application to Sell form and submit it to the manager. All applications for the Market must contain name, address, phone number and signature of the person whose name appears on their Certificate, License or Permit, as well as contact name and info for primary Market worker. The applicant shall acknowledge the applicant organization's liability for damages (including the costs for clean-up and damages to property belonging to merchants or tenants). Each Vendor must sign a Hold Harmless Agreement.

2. Sellers must maintain current Certified Producers Certificate (C.P.C.) and all other necessary certificates available & visible in their booth. (nursery, organic, public health— please refer to checklist in application packet).
3. Market Manager reserves the right to verify origin of all produce at the Market.
4. Read and agree to adhere to the Miner Street Market Rules and Regulations.
5. Obtain prior permission from the manager to sell.
6. Sell at the stall space designated by the manager.

ADMISSION OF PRODUCTS TO THE MARKET

Admission of any products to the Farmers' Market shall be at the reasoned discretion of the Market Manager. In making any determination in this regard, a manager shall consider the following:

1. Priority ranking will be given to Siskiyou County growers and producers since it is the goal of the Miner Street Market to promote and support local agriculture. Priority will also be given to certified/registered organic growers.
2. A producer's positive or negative history of compliance with state and local government agencies and Miner Street Market Vendor Rules & Regulations.
3. Vendor's history of market participation. When practical, significant weight, priority and preference shall be given to returning Vendors.
4. The competitive availability and variety of products present within the market. All efforts will be made by the Manager to prevent, if practical, monopolies and surfeits (over saturation).
5. Fresh fruits, nuts, vegetables, shell eggs, apiary products, flower and nursery stock must be listed on the producer's certificate. C.P.C can be amended with the County at any time during the season.
6. **All processed certifiable agricultural products** must have, and be accompanied by, a verifiable listing of the fresh product on the seller's Certified Producer's Certificate. Sellers must be able to show location and capability of processing, or, if processing is done by a second party, the method used to insure that the processed product returned is the original product submitted by the producer for processing. Receipts, volume date and letters verifying methodology may be requested of required. Seller must show that all processing was accomplished under safe and sanitary conditions, and, if applicable, obtain, furnish and display any and all health permits necessary.
7. **Non-Certifiable Agricultural Products (Cheese, Bread, Olive Oil, Fish)** - may be sold at the Miner Street Market.
8. Arts and crafts items may be sold at the Market with Market Manager approval.

Vendors may not display and/or advertise items they are not permitted to sell.

CERTIFICATION REQUIREMENTS

1. No peddling of products uncertified, or certified in violation of California Direct Marketing Law. Violators will be referred to the Department of Agriculture and either fined, suspended, or both.
2. Any person selling **organic products** or representing products as organic at a certified farmers'

market shall conspicuously post at the point of sale a photocopy of his or her current State of California Organic Registration and, if applicable, documentation of his or her Organic Certification. Use of the word "organic" in any way to describe or define a product is prohibited unless the product is Certified or Registered Organic.

3. A certified producer or his/her employee can sell for one other certified producer per year, provided the following criteria are met:
 - a. The products are separated and clearly labeled as to the producer (farm name & origin)
 - b. The seller's products represent the majority of products.
 - c. C.P.C. must include the name of the second farmer

NON-PROFIT ORGANIZATIONS AT THE MARKET

The Miner Street Market recognizes non-profit organizations as being an integral component of our community and will make available a stall space each week for one non-profit. This stall space will be shared on a rotational basis throughout the market season. Non-profits must be approved by the market manager. It is the goal of the market to keep an apolitical and harmonious atmosphere. Non-profits are not allowed to offer items for sale at the market without prior approval of the market manager. Non-profits shall adhere to all Market rules.

ARRIVAL AND DEPARTURE

Sellers must be in their assigned space 30 minutes prior to the market opening time. The street will be barricaded at 2 pm to allow enough time to set up the Market. Due to the agreement with the City of Yreka for street closure, sellers may not set up until the barricades are in place. Violation of this may result in expulsion from the Market. Sellers are expected to stay the duration of the market. Sellers may not begin selling prior to the official start time.

ASSIGNMENT OF STALL SPACE

Vendors will be assigned space locations and number of spaces allotted to Vendors will be at the discretion of the Market Manager with consideration to maintenance of good product mix. The Market Manager shall attempt to maintain continuity by allocating spaces to the previous users whenever possible. A standard stall space is 10 ft. x 10 ft., plus a space for a standard sized vehicle. Each space is considered real estate and must be paid for and cared for (including removal of own trash and sweeping of the space) when used according to the current Vendor Fees (see Reporting Sales below).

STALL REQUIREMENTS

1. All Vendors must display a sign, legible at 10 feet, clearly identifying their name/business name and the city or town where their production occurs.
2. All scales must bear from the county of origin, a current seal from the Department of Weights and Measures. Scales must be sealed on an annual basis.
3. All scales must face the customer.
4. All prices will be clearly posted. Collusion among sellers to raise prices or any attempt to influence a seller to increase prices is strictly prohibited.

5. All necessary certifications will be conspicuously posted.
6. No bagging or selling of product until market officially opens.
7. Sellers must maintain their stall space in a clean and sanitary condition.

ADMISSION FEES AND STALL FEES

Sellers will pay a 1st time admission fee of \$XX. Daily stall fees are \$XX.

HEALTH & SAFETY COMPLIANCE

It is a requirement of the Miner Street Market that all vendors comply with all applicable requirements of the California Uniform Retail Food Facilities Law, the California Sherman Food Drug and Cosmetic Law and the California Direct Marketing Law.

1. Samples may be distributed only in accordance with all state and local health department guidelines; it is the samplers' responsibility to be familiar with them.
2. All produce and containers of produce must be kept at least 6 inches off the ground at all times.
3. Food preparation, except trimming, is prohibited for certified growers. All trimmings must fall into a box or container, not on the ground.
4. All display table frontages must be behind the set-up line established by the Market Manager; no boxes or displays may extend into the public traffic areas.
5. Tables must be sturdy, stable and not overloaded. All shades and shelters must be secured.
6. No animals in the Market, except for service dogs.
7. No smoking is allowed in the Market.
8. Only vendors, their family/employees and the Market Manager are allowed employees to assist you with your equipment set-up or breakdown, or handle your cash receipts or products, or assist customers. Do not allow Customers or passersby to go around or behind the booth spaces or near Vendor vehicles.

VIOLATIONS & DISMISSAL PROCESS

The Dismissal Process includes a review of the situation with the Vendor and a determination by the Market Manager. The first step will be a written warning. If the infraction continues, and cause for dismissal is found, the Vendor's will then be given a two week's written notice for minor infractions or immediate dismissal for major infractions, based on what the Management determines is best for all concerned and within the confines of these Vendor Rules & Regulations and those of the other governing agencies of the Farmers' Market. Vendors are responsible for the actions of all paid or unpaid workers in their booth.



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: Steven W. Baker, City Manager
Agenda title: Authorize City Manager to Engage Services of a Commercial Appraiser for City Owned Property at 307 North Street, and appropriate cost from Crandall Fund.
Meeting date: September 20, 2012

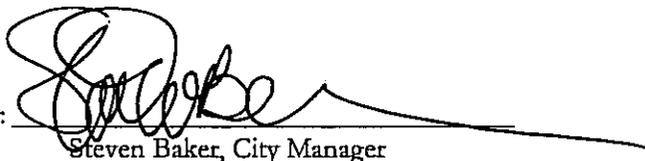
Recommendation and Requested Action

Authorize City Manager to Engage Services of a Commercial Appraiser for City Owned Property at 307 North Street, and appropriate cost therefor from Crandall Fund.

Discussion:

The City acquired 307 North Street on May 30, 2003, for the purchase price of \$263,373. Total revenue since then has been about \$173,000. The property consists of 6 one bedroom apartments. Preliminary to further action on disposition of this property, the City Council may want a formal appraisal done to inform them of a probable sale price. It is estimated that a professional appraisal could be obtained for the cost of between \$1,500 to \$1,800 and would be available within 45 days.

Approved by: _____


Steven Baker, City Manager

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CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Mary Frances McHugh, City Attorney
Agenda title: Information – Report Regarding City of Yreka Water Rights (Permits and Licenses) – State Water Resources Control Board

Water Right Permit 15379 (Application 2251) Fall Creek
Water Right Licenses 6037 and 9850 (Applications 16392 and 18186) Yreka Creek

Underflow

Meeting date: September 20, 2012

Recommendation and Requested Action: Review City Attorney's Report regarding the status of City of Yreka Water Rights.

Discussion: On Thursday and Friday, September 13, 2012, and September 14, 2012, the City received from the State Water Resources Control Board the following licenses and permits which were issued September 10, 2012:

Water Right Permit 15379 (Application 2251) Fall Creek. The term for this permit is until December 31, 2022.

Water Right Licenses 6037 and 9850 (Applications 16392 and 18186) Yreka Creek Underflow

Regarding Fall Creek, in 2022 the City will have to demonstrate that continued use under the permit is required to put the water to full beneficial use, or, will need to consider whether to seek a license which would be limited to the amount of water being used at that time. Full environmental review of permit renewal should be coordinated with the update of the City's General Plan. As a point of information, this permit term coincides with the projected timeframes set out in the Secretarial Determination Regarding the Klamath Dams. There are permit conditions that will have to be evaluated and complied with, those conditions are under staff review at this time.

The place of use of all of the water rights has been modified to include the entire City and the sphere of influence of the City as described in the General Plan adopted December 18, 2003, by Council Resolution 2457. (See Map)

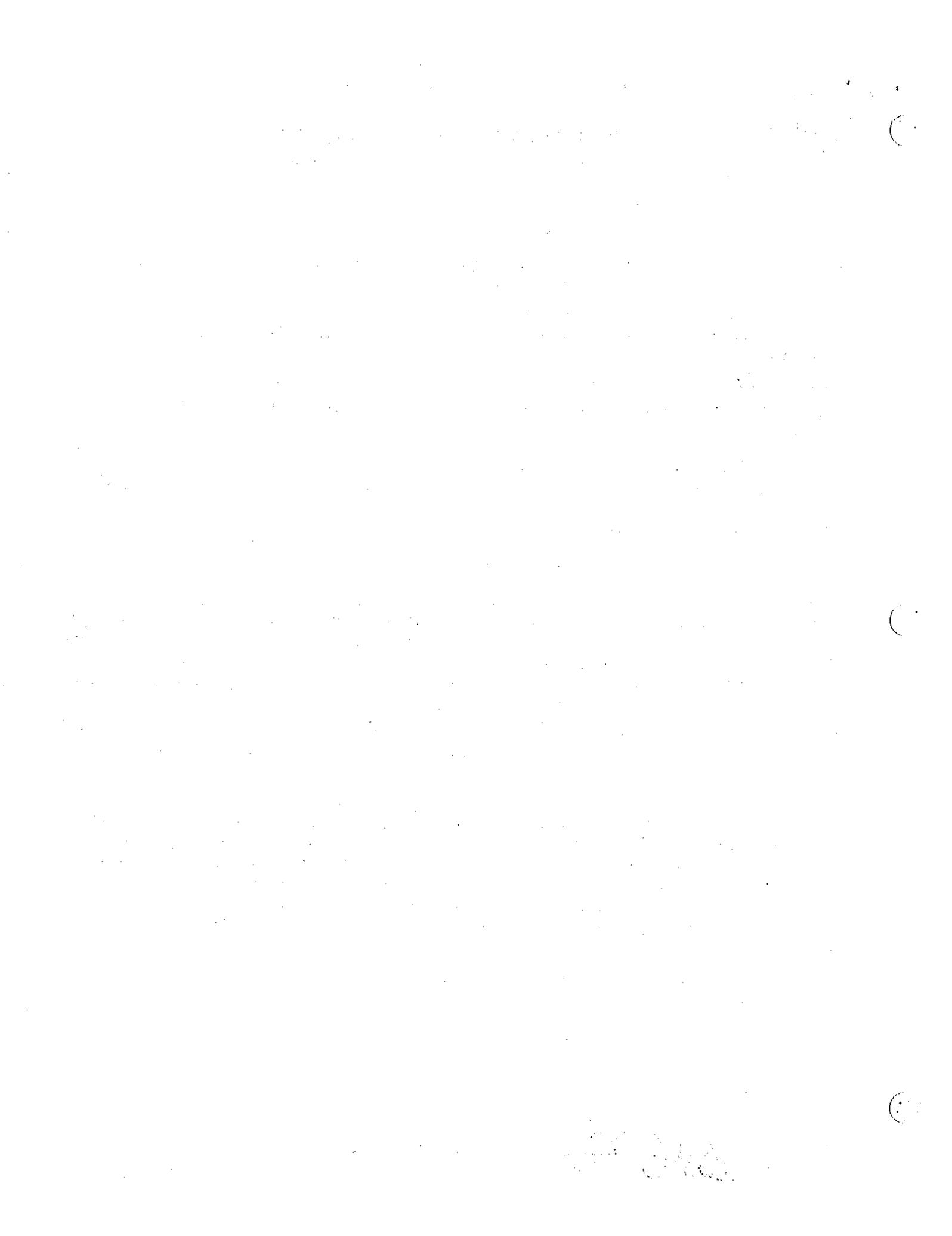
This permit renewal has required the devotion of significant City resources. Over the past 7 years, since submittal of the renewal request in December 2005, the City Attorney, City Manager Steve Baker, former City Manager Brian Meek, former Planning Director Pam Hayden, Public Works Director Steve Neill, and Water Manager Rob Taylor, all spent considerable time, including two trips to Sacramento to confer with State Water Board staff. The costs incurred for permit renewal are as summarized in the attached Cost Summary, and included the services of Jennifer Buckman of the law firm of Best, Best & Kreiger (later Somach Simmons & Dunn); and Gwyn Mohr Tully of Tully & Young, as well as the services of Mark Teague and Merle Anderson of Pacific Municipal Consultants. It will be important to plan and set aside reserves to be prepared for what will likely be higher costs upon permit renewal in 9 years.

Attachments: Fall Creek; Yreka Creek and Greenhorn Creek water rights documents; Map showing Place of Use approved; Cost Summary.

\\...DOCUMENTS\ADVICE\ADVICE\MEMO RE WATER RIGHTS PERMITS 9 20 12.DOC

Approved by:

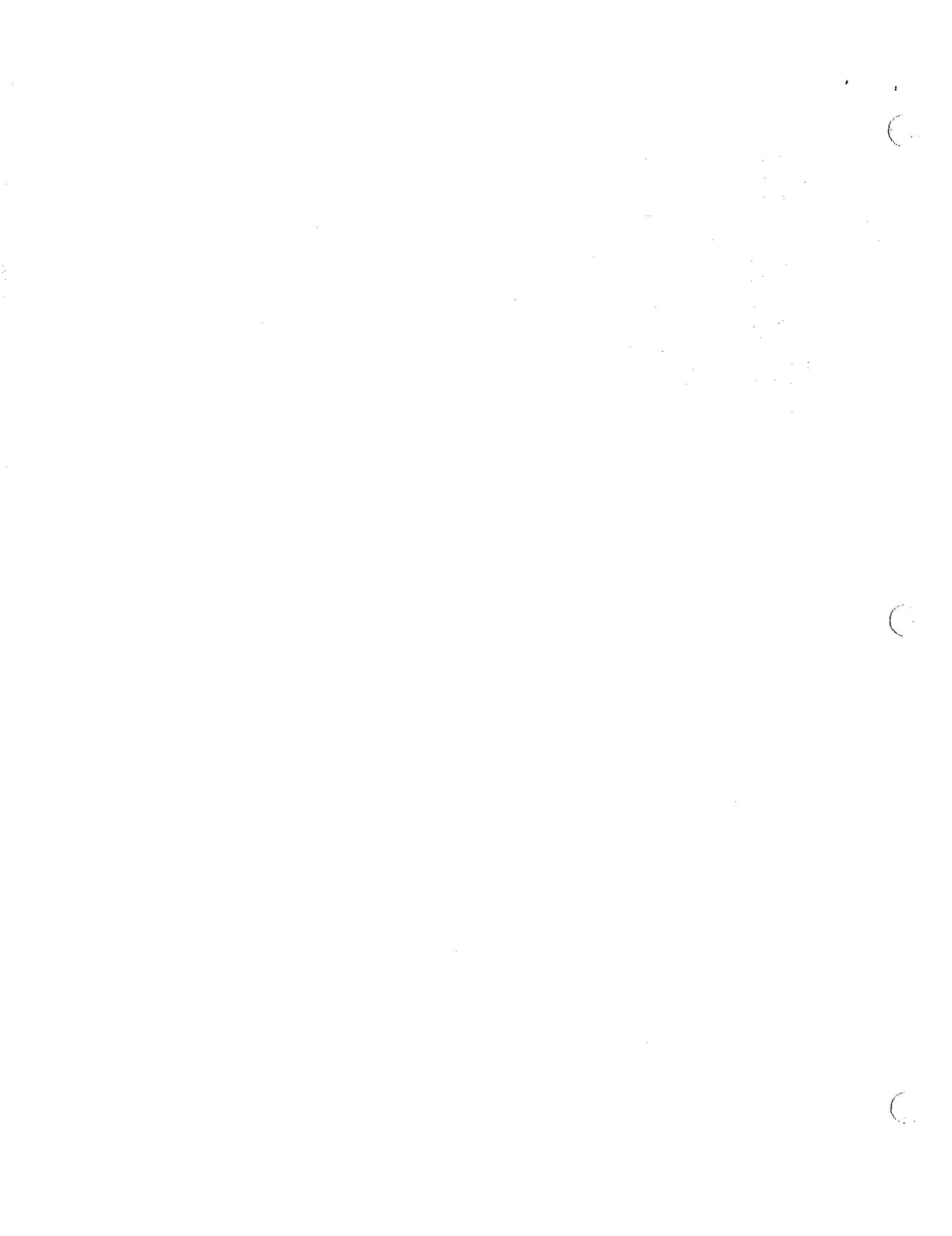

Steve Baker, City Manager



COST
SUMMARY

Water Rights

FY	Total Spent	Legal and Professional Svs.
2013	1,020.00	Tully
2012	45,175.00	Tully
2011	23,992.00	PMC, Tully
2011	37,941.00	PMC, Tully
2010	5,381.50	PMC, Somach, Tully
	10,388.75	
2009	1,000.00	PMC, Somach Simmons & Dunn
2008	9,848.06	Best, Best & Kreiger
2007	4,276.00	Best, Best & Kreiger
2006	28,339.00	Best, Best & Kreiger
2005	23,931.00	Best, Best & Kreiger
	<u>191,292.31</u>	

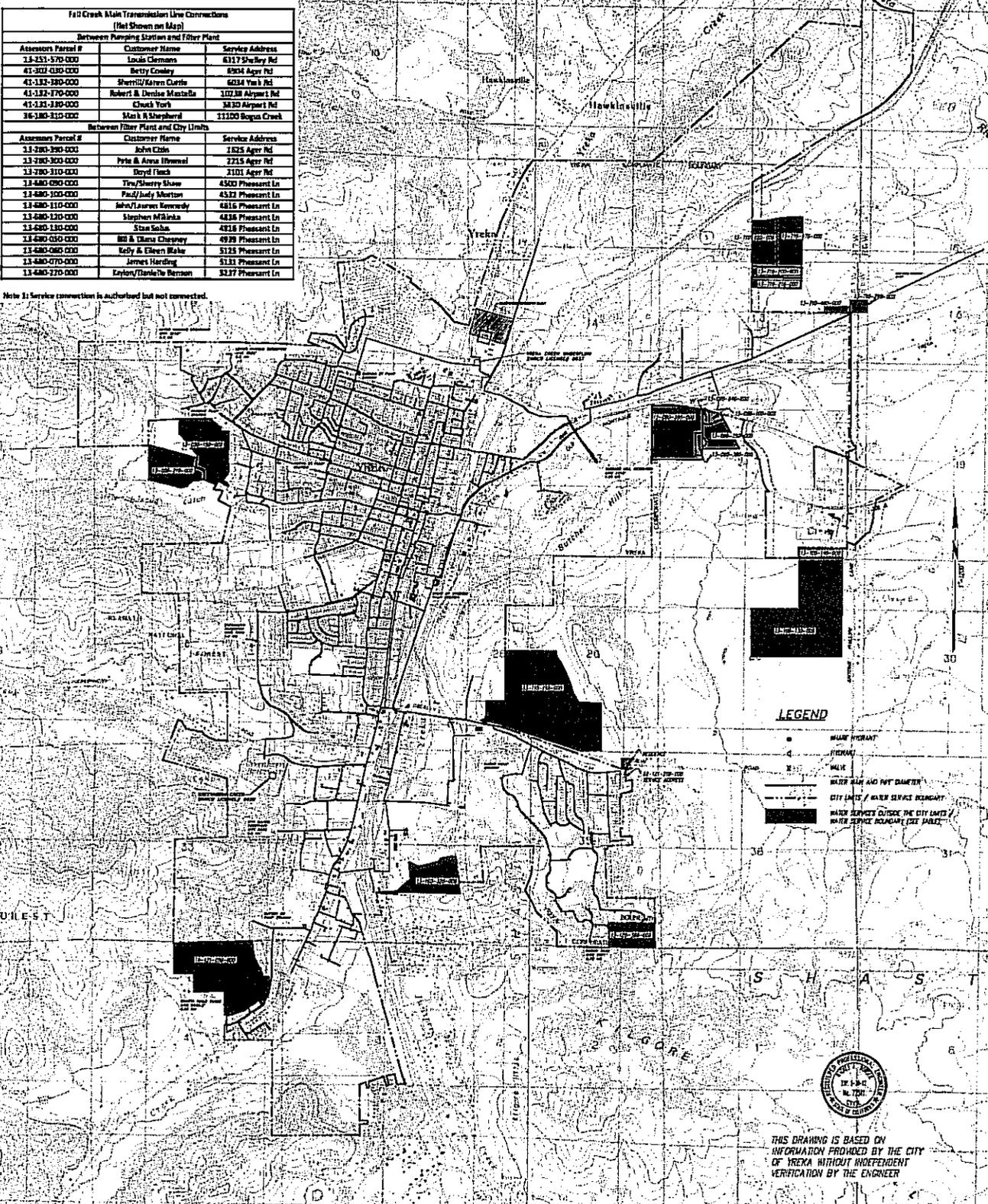


Assessor Parcel #	Customer Name	Service Address
13-050-150-000	Steve Kulpacoff	1201 W Miner St
13-090-150-000	Linda Carls	1091 N Fourth St Dr
13-090-100-000	Wayne Smith	1107 N Fourth St Dr
13-090-040-000	William & Jill Haran	1103 N Fourth St Dr
13-710-710-000	Roger Cummins	1785 Riverside Dr
13-710-700-000	Earl Cummins	1815 Riverside Dr
13-710-180-000	Richard Meyer	1810 Riverside Dr
13-710-480-000	Uinda Conrad	413 Riverside Dr
62-122-710-000	Debra Mackey	2408 Quail Ave
13-710-150-000	Tom Hill	1090 Juniper Dr
13-710-570-000	Tom Gearty	1206 Juniper Dr
13-050-710-000	Dorothy Lange	(See Note 2 below)
14-471-050-000	Judith M Anderson	3235 Taylor Ave
13-160-110-000	GJ & Jane Collins	1834 Fairlane Rd
13-110-150-000	Christy Cheyne	739 S Oberlin Rd
13-090-180-000	Robert Paulstrom	1081 N Fourth St Dr
13-090-190-000	Andy & Carole Jura	1099 N Fourth St Dr
13-110-130-000	City of Yreka	
13-120-180-000	Karak	1131 Yellowhammer St

Fall Creek Main Transmission Line Construction (Not Shown on Map)		
Between Pumping Station and Filter Plant		
Assessor Parcel #	Customer Name	Service Address
13-231-570-000	Linda Clemens	8117 Phyllis Rd
41-302-030-000	Betty Conley	6704 Agor Rd
41-132-180-000	Sherrill/Karen Curtis	6034 Yim Rd
41-132-770-000	Robert & Denise Mastala	10730 Agor Rd
41-131-180-000	Clara York	3830 Agor Rd
36-180-110-000	Mark & Shepherd	11100 Bogus Creek

Between Filter Plant and City Limits		
Assessor Parcel #	Customer Name	Service Address
13-290-390-000	John Eskin	1825 Agor Rd
13-290-300-000	Pat & Aneta Pfennel	2215 Agor Rd
13-290-310-000	Dorothy Jones	2101 Agor Rd
13-480-080-000	Tim/Sherry Shaw	4100 Phasant Ln
13-480-100-000	Paul/Lady Skutumpah	4122 Phasant Ln
13-480-110-000	John/Laura Kennedy	4816 Phasant Ln
13-480-120-000	Stephen M Rankin	4836 Phasant Ln
13-480-130-000	Stan Saha	4816 Phasant Ln
13-480-050-000	BO & Diana Chesney	4929 Phasant Ln
13-480-060-000	Kelly & Eileen Baker	5125 Phasant Ln
13-480-070-000	James Harding	5181 Phasant Ln
13-480-270-000	Kayton/Danika Benson	5177 Phasant Ln

Note: If Service connection is authorized but not connected.



LEGEND

- WATER HYDRANT
- FIRE HYDRANT
- WATER MAIN
- WATER MAIN AND PUMP DIAMETER
- CITY LIMITS / WATER SERVICE BOUNDARY
- WATER SERVICE OUTSIDE THE CITY LIMITS / WATER SERVICE BOUNDARY (SEE TABLE)



THIS DRAWING IS BASED ON INFORMATION PROVIDED BY THE CITY OF YREKA WITHOUT INDEPENDENT VERIFICATION BY THE ENGINEER



RECEIVED
SEP 14 2012
CITY OF
YREKA

State Water Resources Control Board

SEP 12 2012

In Reply Refer
To:MMatranga:A022551

City of Yreka
c/o Ms. Mary Frances McHugh
701 Fourth Street
Yreka, CA 96097

Dear Ms. McHugh:

WATER RIGHT PERMIT 15379 (APPLICATION 22551), FALL CREEK IN SISKIYOU COUNTY

Your petitions have been approved and the requested changes have been incorporated in the enclosed water right. All previous versions of the water right have been superseded by the present versions of the water right. The amended water right may be viewed at:

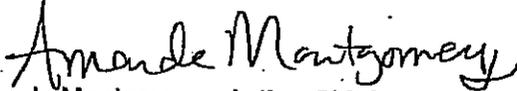
http://www.waterboards.ca.gov/water_issues/programs/ewrims/license_search.shtml

The amended water right includes conditions based on any of the following which are applicable to this project: (1) protest resolution; (2) mitigation measures based on any California Environmental Quality Act document and/or public trust evaluation prepared for the petition; (3) standard terms related to (a) continuing authority and water quality (Cal. Code Regs., tit. 23, § 780 (a), (b)), (b) threatened and endangered species, and (c) archeology; and (4) previous water rights or orders of the State Water Resources Control Board. Due to changes in format, the amended water right may have different term numbering than the original water right. Please make sure that you have reviewed the amended water right and understand your obligations.

You are required to pursue your project with diligence. Please pay careful attention to the final development date for your water right. Failure to complete project development in a timely manner may result in revocation of the unused portion of the water right if the project has been partially developed by the completion date, or revocation of the entire water right if the project has not been developed.

Mark Matranga is the staff person currently assigned to this matter, and he may be reached at (916) 327-3112 or mmatranga@waterboards.ca.gov. Written correspondences or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Mark Matranga, PO Box 2000, Sacramento, CA, 95812-2000.

Sincerely,



Amanda Montgomery, Acting Chief
Coastal Streams Unit

Enclosure

cc: (See next page.)

City of Yreka
c/o Mary Frances McHugh

SEP 12 2012

cc: City of Yreka
c/o Ms. Gwyn-Mohr Tully
Tully and Young
3600 American River Dr, Ste 260
Sacramento, CA 95864

Department of Fish and Game
Northern Region
c/o Ms. Jane Vorpapel
601 Locust St
Redding, CA 96001

Kronick, Moskovitz, Tiedemann, and Girard
c/o Mr. Thomas W. Birmingham
400 Capitol Mall, 27th Floor
Sacramento, CA 95814

ORDER WR 2012-0013-EXEC

In the Matter of Permit 15379 (Application 22551)
City of Yreka

ORDER APPROVING PETITION FOR EXTENSION OF TIME
AND CORRECTING THE PERMIT

SOURCE: Fall Creek, Unnamed Stream tributary to Fall Creek

COUNTY: Siskiyou

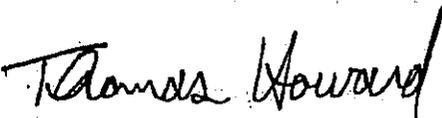
BY THE BOARD:

1. The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) issued Permit 15379 to the City of Yreka (Permittee) on May 17, 1967, pursuant to Application 22551.
2. The permit required that construction work be completed by December 1, 1970, and that the water be applied to the authorized use by December 1, 1971.
3. Permittee requested, and on June 14, 1974 the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 1, 1984.
4. Permittee requested, and on June 4, 1985 the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 1, 1994.
5. Permittee requested, and on October 31, 1996 the Division granted, an extension of time to commence or complete construction work or apply the water to full beneficial use. The time extension order required construction to be complete and that water be fully used by December 31, 2005.
6. On January 5, 2006, Permittee filed a petition for an extension of time within which to commence or complete construction work or apply water to beneficial use. The Permittee has paid all required petition fees since the petition was filed.
7. Public notice of the request for an extension of time was issued on December 7, 2007 and no protests were received.
8. The State Water Board may grant an extension of time within which to commence or complete construction work or apply water to beneficial use upon a showing of good cause. (Wat. Code, § 1398.) Permittee must show that (1) due diligence has been exercised; (2) failure to comply with previous time requirements has been occasioned by obstacles which could not be reasonably avoided; and (3) satisfactory progress will be made if an extension of time is granted. Lack of finances, occupation with other work, physical disability, and other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay.

9. Permittee has shown that due diligence has been exercised. By letter dated December 29, 2005, Permittee's Agent offers a detailed explanation as to how the City has diligently developed its diversion works and infrastructure to meet the steadily growing population of the City since Permit 15379 was first issued.
10. Permittee has shown that failure to comply with previous time requirements has been occasioned by obstacles that could not be reasonably avoided. By letter dated December 29, 2005, Permittee's Agent explains that the Permittee's "population has grown slowly since the 1990s due to a decline in the timber industry and the lack of any replacement industry to date." This lack of a robust population growth is primarily caused by economic factors outside the control of the Permittee. Nevertheless, the population has grown from 7,181 in 1990 to 7,765 in 2010, which is an 8% increase in population, and growth is projected to increase more rapidly over the next ten years.
11. Permittee has shown that satisfactory progress will be made if a time extension is granted. The current version of the Permittee's General Plan is valid through 2022. By letter dated December 29, 2005, Permittee's Agent states that, by 2022, the City's population is projected to grow to between 8,400 and 10,500. This represents an increase of between 8 and 35% over the 2010 Census population figure of 7,765.
12. Permittee has shown good cause for the time extension.
13. On August 5, 2010, the Division issued an order approving a petition for change in place of use and amending Permit 15379 (Application 22551). The Division has determined that the amended permit did not cover all the changes in District facilities. A correction to the point of diversion and a new place of use map was necessary. The corrections are incorporated in the attached amended permit.
14. On May 3, 2012, the City of Yreka adopted a Negative Declaration (SCH No. 2012032053) for the project in order to comply with CEQA. The State Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment. The State Water Board will file a Notice of Determination within five days from the issuance of this order.
15. A term has been added to require measurement of water diverted under the permit to comply with Water Code section 1605.

NOW, THEREFORE, IT IS ORDERED THAT THE STATE WATER BOARD HEREBY APPROVES THE PETITION FOR EXTENSION OF TIME. THE ATTACHED AMENDED PERMIT, WHICH INCORPORATES THE TIME EXTENSION, IS ISSUED.

STATE WATER RESOURCES CONTROL BOARD


Thomas M. Howard
Executive Director

Dated:

SEP 06 2012

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

AMENDED PERMIT FOR DIVERSION AND USE OF WATER

APPLICATION 22551

PERMIT 15379

Permittee: City of Yreka
701 Fourth Street
Yreka, CA 96097

Therefore, an amended permit on Application 22551 filed on August 12, 1966 has been approved by the State Water Board SUBJECT TO PRIOR RIGHTS and to the limitations and conditions of this amended permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source of water

Source: <u>(1) Unnamed Stream</u> <u>(2) Fall Creek</u>	Tributary to: <u>Fall Creek thence Klamath River</u> <u>Klamath River</u>
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within the County of Siskiyou.

2. Location of points of diversion

By California Coordinate System of 1983 in Zone 1	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian
(1) North 2,606,815 feet and East 6,463,303 feet	SW ¼ of NW ¼	30	48N	4W	MD
(2) North 2,606,933 feet and East 6,462,972 feet	SE ¼ of NE ¼	25	48N	5W	MD

Location of point of redirection

By California Coordinate System of 1983 in Zone 1	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian
(1) North 2,606,815 feet and East 6,463,303 feet	SW ¼ of NW ¼	30	48N	4W	MD

3. Purpose of use	4. Place of use					
	40-acre subdivision of public land survey or projection thereof	Section (Projected)*	Township	Range	Base and Meridian	Acres
Municipal, Domestic and Industrial	Within the City of Yreka service area boundary which is a gross 5,490 acres within Sections 7 and 19, T45N, R6W, MDB&M; Sections 12, 13, 14, 15, 21, 22, 23, 24, 26, 27, 28, 33, 34, and 35, T45N, R7W, MDB&M; and Sections 3 and 4, T44N, R7W, MDB&M; as shown on map dated March 2012.					

The place of use is shown on map filed with the State Water Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed **15 cubic feet per second** to be diverted from **January 1 to December 31** of each year. The maximum amount diverted under this permit shall not exceed **6,300 acre-feet per year**. (000005A)
6. Construction work and complete application of the water to the authorized use shall be prosecuted with reasonable diligence and completed by **December 31, 2022**. (0000009)
7. This permit shall not be construed as conferring upon the Permittee right of access to the points of diversion. (0000022)
8. Permittee shall comply with the following provisions which are derived from the agreement between permittee and the Department of Fish and Game executed on January 9, 1967 and filed with the State Water Board:
 1. Permittee shall, during the diversion period, bypass a minimum flow of 15.0 cubic feet per second or the natural flow of the stream whenever it is less than 15.0 cubic feet per second to maintain fish life. Such a flow shall be measured by a gage presently maintained by the Pacific Power and Light Company which is located downstream from the proposed point of diversion.
 2. For the protection, propagation and preservation of fish life, permittee shall not divert water in any manner that will interfere with or diminish the flow release schedule to be made below Iron Gate Dam on the Klamath River, as provided for in License 9457 (Application 17527).
 3. A velocity barrier to prevent upstream migration by fish will be constructed in conjunction with the diversion dam proposed by the permittee immediately below the Fall Creek powerhouse in conformance with functional plans to be provided by the Department of Fish and Game. For the preservation of wildlife, particularly black-tailed deer, the permittee shall construct facilities, approved by the Department of Fish and Game, at the diversion intake to prevent wildlife loss.

Inclusion in this permit of certain provisions of the referenced agreement shall not be construed as disapproval of other provisions of the agreement or as affecting the enforceability, as between the parties, of such other provisions insofar as they are not inconsistent with the terms of this permit. (0000024)
9. Permittee shall consult with the Division of Water Rights and, within one year from the date of this permit, shall submit to the State Water Board its Urban Water Management Plan as prepared and adopted in conformance with section 10610, et seq. of the California Water Code, supplemented by any additional information that may be required by the Board.

All cost-effective measures identified in the Urban Water Management Plan and any supplements thereto shall be implemented in accordance with the schedule for implementation found therein.

(0000029A)

10. If it is determined after permit issuance that the as-built conditions of the project are not correctly represented by the map(s) prepared to accompany the application, permittee shall, at his expense have the subject map(s) updated or replaced with equivalent as-built map(s). Said revision(s) or new map(s) shall be prepared by a civil engineer or land surveyor registered or licensed in the State of California and shall meet the requirements prescribed in section 715 and sections 717 through 723 of the California Code of Regulations, Title 23. Said revision(s) or map(s) shall be furnished upon request of the Deputy Director for Water Rights.

(0000030)

11. No water shall be diverted under this permit unless the flow in Fall Creek is at or above 15.0 cubic feet per second, as measured at the Gauging Station on Fall Creek.

(0140060)

12. Permittee shall install a device, satisfactory to the State Water Board, which is capable of measuring the bypass flows required by the conditions of this permit. Said measuring device shall be properly maintained.

(0060062B)

13. No water shall be diverted under this permit unless, within six months of the date of this permit, Permittee is monitoring the bypass flow required by this permit in accordance with a compliance plan, satisfactory to the Deputy Director for Water Rights. Permittee shall submit a report on bypass flow compliance activities in accordance with the schedule contained in the compliance plan.

(0000070)

14. No water shall be directly diverted under this permit unless Permittee is monitoring and reporting said diversion of water. This monitoring shall be conducted using devices and methods satisfactory to the Deputy Director for Water Rights. The devices shall be capable of monitoring of the rate and quantity of water diverted and shall be properly maintained.

Right holder shall provide the Division of Water Rights with evidence that the devices have been installed with the first annual report submitted after device installation. Right holder shall provide the Division of Water Rights with evidence that substantiates that the devices are functioning properly every five years after device installation as an enclosure to the current annual report or whenever requested by the Division of Water Rights.

Right holder shall maintain a record of all diversions under this right that includes the date, time, rate of diversion, and the amount of water diverted. The records shall be submitted with the annual report or whenever requested by the Division of Water Rights.

(000000R)

THIS PERMIT IS ALSO SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- A. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000006)
- B. Progress reports shall be submitted promptly by permittee when requested by the State Water Board until a license is issued. (0000010)
- C. Permittee shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)
- D. Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
- The continuing authority of the State Water Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.
- The continuing authority of the State Water Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest, and is necessary to preserve or restore the uses protected by the public trust. (0000012)
- E. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Board if, after notice to the permittee and an opportunity for hearing, the State Water Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the State Water Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

- F. This permit does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this permit. (0000014)
- G. Permittee shall maintain records of the amount of water diverted and used to enable the State Water Board to determine the amount of water that has been applied to beneficial use pursuant to Water Code section 1605. (0000015)
- H. No work shall commence and no water shall be diverted, stored or used under this permit until a copy of a stream or lake alteration agreement between the Department of Fish and Game and the permittee is filed with the Division of Water Rights. Compliance with the terms and conditions of the agreement is the responsibility of the permittee. If a stream or lake agreement is not necessary for this permitted project, the permittee shall provide the Division of Water Rights a copy of a waiver signed by the Department of Fish and Game. (0000063)

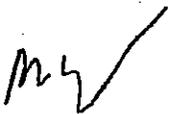
This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

STATE WATER RESOURCES CONTROL BOARD


Barbara Eyo, Deputy Director
Division of Water Rights

Dated: SEP 12 2012



The first part of the document discusses the importance of maintaining accurate records. It highlights the need for regular updates and the role of technology in streamlining the process. The text emphasizes that proper record-keeping is essential for compliance and operational efficiency.

In the second section, the author explores various methods for data collection and analysis. It compares traditional manual entry with modern digital solutions, noting the advantages of automation in reducing errors and saving time.

The third part of the document focuses on the challenges of data security. It discusses the risks of unauthorized access and the importance of implementing robust security protocols. The author suggests that organizations should invest in secure storage and access controls to protect sensitive information.

The fourth section addresses the issue of data integration. It explains how different systems can be linked together to provide a unified view of the organization's data. This integration is crucial for making informed decisions and improving overall performance.

In the fifth part, the author discusses the role of data in strategic planning. It shows how analyzing historical trends and current data can help identify opportunities and risks. The text stresses that data-driven insights are key to long-term success.

The sixth section covers the importance of data governance. It outlines the need for clear policies and procedures to ensure that data is used responsibly and ethically. The author notes that strong governance is necessary to build trust and maintain regulatory compliance.

The seventh part of the document discusses the future of data management. It predicts that artificial intelligence and machine learning will play increasingly significant roles in analyzing and managing large volumes of data.

The final section provides a conclusion and a call to action. It encourages organizations to embrace data as a strategic asset and to invest in the necessary infrastructure and talent to maximize its value.



State Water Resources Control Board

SEP 10 2012

City of Yreka
c/o Ms. Mary Frances McHugh
701 Fourth Street
Yreka, CA 96097

In Reply Refer to:
MMatranga:A016392 & A018186

Dear Ms. McHugh:

WATER RIGHT LICENSES 6037 AND 9850 (APPLICATIONS 16392 AND 18186),
YREKA CREEK IN SISKIYOU COUNTY

Your petitions have been approved and the requested changes have been incorporated in the enclosed water rights. All previous versions of the water rights have been superseded by the present versions of the water rights. The amended water rights may be viewed at:
http://www.waterboards.ca.gov/water_issues/programs/ewrims/license_search.shtml

License 6037 was originally recorded with the County Recorder's Office on June 8, 1960 in Volume 442 on Page 349, and License 9850 was originally recorded with the County Recorder's Office on December 28, 1971 in Volume 645 on Page 277.

The amended water rights include conditions based on any of the following which are applicable to this project: (1) protest resolution; (2) mitigation measures based on any California Environmental Quality Act document and/or public trust evaluation prepared for the petition; (3) standard terms related to (a) continuing authority and water quality (Cal. Code Regs., tit. 23, § 780 (a), (b)), (b) threatened and endangered species, and (c) archeology; and (4) previous water rights or orders of the State Water Resources Control Board. Due to changes in format, the amended water rights may have different term numbering than the original water rights. Please make sure that you have reviewed the amended water rights and understand your obligations.

Mark Matranga is the staff person currently assigned to this matter, and he may be reached at (916) 327-3112 or mmatranga@waterboards.ca.gov. Written correspondences or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attention Mark Matranga, PO Box 2000, Sacramento, CA 95812-2000.

Sincerely,



Amanda Montgomery, Acting Chief
Coastal Streams Unit

Enclosure

cc: See next page.

City of Yreka
c/o Ms. Mary Frances McHugh

-2-

SEP 10 2012

cc: City of Yreka
c/o Gwyn-Mohr Tully
Tully and Young
3600 American River Drive, Suite 260
Sacramento, CA 95864

Department of Fish and Game
Northern Region
c/o Jane Vorpapel
601 Locust Street
Redding, CA 96001



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

Amended License for Diversion and Use of Water

APPLICATION 16392

PERMIT 10266

LICENSE 6037

Page 1 of 4

THIS IS TO CERTIFY, That

City of Yreka
701 Fourth Street
Yreka, CA 96097

has the right to the use of the waters of Yreka Creek Underflow in Siskiyou County

tributary to Shasta River thence Klamath River

for the purposes of Municipal and Industrial uses.

The Deputy Director for Water Rights finds that: (a) the change will not operate to the injury of any lawful user of water; (b) good cause has been shown for the change; (c) the petition does not constitute the initiation of a new right; and (d) the State Water Resources Control Board (State Water Board) has made the required findings pursuant to the California Environmental Quality Act (CEQA) or the project is exempt from CEQA.

Additionally, the State Water Board has complied with its independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [139 Cal.Rptr. 346], 658 P.2d 709.)

This amended license is being issued in accordance with the redelegations of authority (Resolution No. 2007-0057). Therefore, this amended license on Application 16392 filed on May 24, 1955 has been approved by the State Water Board SUBJECT TO PRIOR RIGHTS and to the limitations and conditions herein.

Amended License 6037 supersedes the license originally issued on June 6, 1960, which was perfected in accordance with the laws of California, the Regulations of the State Water Board, or its predecessor, and the terms of Permit 10266. The priority of this right dates from May 24, 1955. Proof of maximum beneficial use of water under this license was made as of December 15, 1959 (the date of inspection).

The amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed one and sixty-eight hundredths (1.68) cubic feet per second to be diverted from January 1 to December 31 of each year. The maximum diverted under this license shall not exceed 1,214 acre-feet per year.

The equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

By California Coordinate System of 1983, Zone 1, North 2,518,083 feet and East 6,389,860 feet, being within NW¼ of NW¼ of Section 23, T45N, R7W, MDB&M.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

The City of Yreka, service area boundary which is a gross 5,490 acres within Sections 7 and 19, T45N, R6W, MDB&M; Sections 12, 13, 14, 15, 21, 22, 23, 24, 26, 27, 28, 33, 34, and 35, T45N, R7W, MDB&M; and Sections 3 and 4, T44N, R7W, MDB&M; and as shown on map dated March 2012, filed with the State Water Board.

Rights under this license are and shall be subject to existing rights determined by Shasta River Decree No. 7035, Superior Court, Siskiyou County, and such other rights as may presently exist on the stream insofar as said existing and adjudicated rights are maintained.

(0000023)

Licensee shall implement all cost-effective measures identified in the Urban Water Management Plan, supplemented by any additional information required by the State Water Board, in accordance with the schedule for implementation.

(0000029A)

If it is determined after license issuance that the as-built conditions of the project are not correctly represented by the map(s) prepared to accompany the application, the licensee shall, at his expense, have the subject map(s) updated or replaced with equivalent as-built map(s). The revision(s) or new map(s) shall be prepared by a civil engineer or land surveyor registered or licensed in the State of California and shall meet the requirements prescribed in section 715 and sections 717 through 723 of the California Code of Regulations, title 23. The revision(s) or map(s) shall be furnished upon request of the Deputy Director for Water Rights.

(0000030)

Licensee shall install and maintain a device, satisfactory to the Deputy Director for Water Rights, to measure the instantaneous rate of diversion and cumulative amount of water diverted under this license.

A record of such measurements shall be maintained by the licensee, and made available to interested parties upon reasonable request. A copy of the records shall be submitted to the State Water Board with each Report of Licensee.

(0060800)

Diversion of water under this license shall be subject to regulation by the watermaster appointed to enforce the terms of the Shasta River Decree.

(000N001)

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

Reports shall be filed promptly by the licensee on the appropriate forms which will be provided for the purpose from time to time by the State Water Board.

Licensee shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this license.

Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the State Water Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the State Water Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

The quantity of water diverted under this license is subject to modification by the State Water Board if, after notice to the licensee and an opportunity for hearing, the State Water Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the State Water Board finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

This license does not authorize any act which results in the taking of a threatened or endangered species or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2089) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take, prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the state or federal Endangered Species Acts for the project authorized under this license.

If construction or rehabilitation work is required for the diversion works covered by this license within the bed, channel, or bank of the affected water body, the licensee shall enter into a streambed or lake alteration agreement with the State Department of Fish and Game. Licensee shall submit a copy of the agreement, or waiver thereof, to the Division of Water Rights prior to commencement of work. Compliance with the terms and conditions of the agreement is the responsibility of the licensee.

This license is granted and the licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the State Water Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefore shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

STATE WATER RESOURCES CONTROL BOARD

for *Katherine Mrowka, Acting Manager*
Barbara Evoy, Deputy Director
Division of Water Rights

Dated: **SEP 10 2012**



STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

Amended License for Diversion and Use of Water

APPLICATION 18186
Page 1 of 4

PERMIT 11696

LICENSE 9850

THIS IS TO CERTIFY, That

City of Yreka
701 Fourth Street
Yreka, CA 96097

has the right to the use of the waters of Greenhorn Creek in Siskiyou County
tributary to Yreka Creek thence Shasta River thence Klamath River
for the purpose of Municipal, Industrial and Recreational uses.

The Deputy Director for Water Rights finds that: (a) the change will not operate to the injury of any lawful user of water; (b) good cause has been shown for the change; (c) the petition does not constitute the initiation of a new right; and (d) the State Water Resources Control Board (State Water Board) has made the required findings pursuant to the California Environmental Quality Act (CEQA) or the project is exempt from CEQA.

Additionally, the State Water Board has complied with its independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal.Rptr. 346], 658 P.2d 709.)

This amended license is being issued in accordance with the redelegations of authority (Resolution No. 2007-0057). Therefore, this amended license on Application 18186 filed on June 17, 1958 has been approved by the State Water Board SUBJECT TO PRIOR RIGHTS and to the limitations and conditions herein.

Amended License 9850 supersedes the license originally issued on December 22, 1971, which was perfected in accordance with the laws of California, the Regulations of the State Water Board, or its predecessor, and the terms of Permit 11696. The priority of this right dates from June 17, 1958. Proof of maximum beneficial use of water under this license was made as of June 7, 1971 (the date of inspection).

The amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed two hundred eighty-five (285) acre-feet per annum to be collected from November 1 of each year to May 1 of the succeeding year. The maximum withdrawal in any one year shall not exceed 285 acre-feet.

This license does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

The capacity of the reservoir covered by this license shall not exceed 285 acre-feet.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

By California Coordinate System of 1983, Zone 1, North 2,506,983 feet and East 6,383,810 feet, being within NE¼ of NE¼ of Section 33, T45N, R7W, MDB&M.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Municipal use within the City of Yreka service area boundary which is a gross 5,490 acres within Sections 7 and 19, T45N, R6W, MDB&M; Sections 12, 13, 14, 15, 21, 22, 23, 24, 26, 27, 28, 33, 34, and 35, T45N, R7W, MDB&M; and Sections 3 and 4, T44N, R7W, MDB&M; and Recreational use at Lower Greenhorn Reservoir within NE¼ of NE¼ of Section 33, T45N, R7W, MDB&M; as shown on map dated March 2012, filed with the State Water Board.

Rights under this license are and shall be subject to existing rights determined by Shasta River Decree No. 7035, Superior Court, Siskiyou County, and such other rights as may presently exist on the stream insofar as said existing and adjudicated rights are maintained.

(0000023)

Licensee shall implement all cost-effective measures identified in the Urban Water Management Plan, supplemented by any additional information required by the State Water Board, in accordance with the schedule for implementation.

(0000029A)

If it is determined after license issuance that the as-built conditions of the project are not correctly represented by the map(s) prepared to accompany the application, the licensee shall, at his expense, have the subject map(s) updated or replaced with equivalent as-built map(s). The revision(s) or new map(s) shall be prepared by a civil engineer or land surveyor registered or licensed in the State of California and shall meet the requirements prescribed in section 715 and sections 717 through 723 of the California Code of Regulations, title 23. The revision(s) or map(s) shall be furnished upon request of the Deputy Director for Water Rights.

(0000030)

Licensee shall maintain in the reservoir a staff gage, satisfactory to the Deputy Director for Water Rights, for the purpose of determining water levels in the reservoir. Licensee shall record the staff gage readings on or about the last day of each month. The readings shall be supplied to the State Water Board with the next Report of Licensee by the licensee.

(0070047)

Licensee shall maintain the existing outlet pipe for Greenhorn Reservoir in proper working order.

(0050800)

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

Reports shall be filed promptly by the licensee on the appropriate forms which will be provided for the purpose from time to time by the State Water Board.

Licensee shall allow representatives of the State Water Board and other parties, as may be authorized from time to time by the State Water Board, reasonable access to project works to determine compliance with the terms of this license.

Pursuant to Water Code sections 110 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the State Water Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensees without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the State Water Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the State Water Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution article X, section 2, is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

The quantity of water diverted under this license is subject to modification by the State Water Board if, after notice to the licensee and an opportunity for hearing, the State Water Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the State Water Board finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

This license does not authorize any act which results in the taking of a threatened or endangered species or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2089) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the state or federal Endangered Species Acts for the project authorized under this license.

If construction or rehabilitation work is required for the diversion works covered by this license within the bed, channel, or bank of the affected water body, the licensee shall enter into a streambed or lake alteration agreement with the State Department of Fish and Game. Licensee shall submit a copy of the agreement, or waiver thereof, to the Division of Water Rights prior to commencement of work. Compliance with the terms and conditions of the agreement is the responsibility of the licensee.

This license is granted and the licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the State Water Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article (of the Water Code) and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefore shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

STATE WATER RESOURCES CONTROL BOARD

for *Katherine Mowka, Acting Manager*
Barbara Evoy, Deputy Director
Division of Water Rights

Dated: **SEP 10 2012**