

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 2, 2014

On the 2nd. day of October 2014, 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.

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

- a. Approval/ratification of payments issued from September 19, 2014 thru October 2, 2014.
- b. Approval of Minutes of the meeting held September 18, 2014.
- c. Adopt Resolution finding certain city vehicles as surplus property and authorizing sale by the City Manager.

Mayor Bicego noted a correction to page 2 of the minutes and requested that the minutes be pulled from the consent agenda, as he was not present at the September 18th meeting.

Following Council discussion, Councilmember Mercier moved to approve items a & c on the consent calendar as submitted.

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

Mayor Bicego thereupon declared the motion carried.

Approval of Minutes of the meeting held September 18, 2014.

Following Council discussion, Council Foster moved to approve the Minutes as corrected.

Councilmember McNeil seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, and Simmen. Abstain – Bicego & Mercier.

Mayor Bicego thereupon declared the motion carried.

Adopt Resolution approving requests associated with special event known as the Yreka Ride on Race to be held at Upper Greenhorn Park on November 2, 2014.

Councilmember Foster reported to the Council that this event will be held the day after his event known as the Southern Oregon Cyclocross Race also at Greenhorn Park. The Ride on Race Series was established in January of 2010 and has been held yearly since then featuring ten races in a season in Shasta, Siskiyou and Tehama Counties. This season there will be 12 races for the Ride on Racers to collect points in their quest to become the series overall champion. In Siskiyou County those races will be the Biketober Fest race in McCloud on October 11, the

Southern Oregon Outlaw Race in Yreka on November 1, the Ride On Race in Yreka on November 2, and the Ride on Race in Mt Shasta on November 9th.

Following Council discussion, Council Member Foster moved to adopt the Resolution as submitted.

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

Mayor Bicego thereupon declared the motion carried.

PUBLIC HEARING – Consideration of revised Community Development Block Grant (CDBG) Program Income Reuse Plan and Housing Program Guidelines.

- Adopt Resolution approving the Community Development Block Grant (CDBG) Program Income Reuse Plan.

City Manager Baker reported that the City has been awarded over the past several decades CDBG funding from the State of California, Department of Housing and Community Development for housing programs, economic development and public improvement projects. Some of this funding has been used to make loans to qualified household and businesses for the purposes of owner housing rehabilitation and business startup and improvement loans that are repaid over time. The income that the City receives from repayment of these loans becomes program income, and is available to the City in use for qualified activities, including program income waiver. The City's Program Income Reuse Plan was most recently updated on January 17, 2013 for administering use of proceeds from this income.

On July 30, 2014, the City was notified of a policy update which requires the adoption of a new Program Income Reuse Plan, to meet the new federal regulations.

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

Resolution approving the Community Development Block Grant (CDBG) Program Income Reuse Plan.

Mayor Bicego requested that the following language be added to Section 2 at the end of the last sentence "reserving the right to the City Council to approve program acceptable expenditures."

Following Council discussion, Councilmember Simmen moved to adopt the Resolution as amended with the additional language in Section 2.

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

Mayor Bicego thereupon declared the motion carried.

PUBLIC HEARING – Consideration of establishment/modification of definitions and fees for Planning Department Services provided by the City of Yreka.

- Adopt Resolution amending Resolutions #2529 and #2967 establishing definitions and setting fees for services provided by the Yreka Planning Department.

City Manager Baker reported that in September of 2011, the City Council held a workshop focusing on relations between the City and businesses, with a particular focus on the development process. Mark Teague of Pacific Municipal Consultants (PMC), facilitated the workshop, and provided the City with a summary of the Development Services Review.

As part of the recommendations, PMC recommended that the City update its development review process and make amendments overtime amending the application process, establishing fixed fees where feasible, and establishing a link between the fees charged and conditions of approval attached to the project with the size and/or scope of the project.

In April of 2012, at the recommendation of City Staff, the Council adopted Resolution 2967, which established a fixed fee for a Use Permit (\$150.00) and a Boundary Line Adjustment (\$200.00). The advantages of fixed price fees include greater certainty for the person paying the fees and less work on the part of staff to keep tract of billable hours. This process has been well received and has worked great, as most of the Conditional Use Permits issued fit into the category we propose to describe as “Minor Conditional Use Permit”.

However, for more complex applications that require detailed review/approval by professionals such as the City Engineer, Building Official and consultants, we have found that the cost for these services are project/location specific and can vary significantly. In order to enable to Planning Department to recover the costs which are billed to the planning department for these services, staff is requesting to establish new definitions for Conditional Use Permits separating them into three categories “Minor, Moderate, & Major” and establish a “flat fee” / “deposit against actual costs” fee structure for specific permits.

In accordance with the Government Code, the attached Public Hearing Notice was published in the Siskiyou Daily News on September 22 and 29, 2014, and a public information file indicating the amount of cost, or estimated cost, required to provide the service, was made available at City Hall for public review.

If adopted at tonight’s meeting, the effective date of the Resolution will be December 2, 2014, which is 60 days from adoption as required by Government Code.

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

Resolution amending Resolutions #2529 and #2967 establishing definitions and setting fees for services provided by the Yreka Planning Department.

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

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

Mayor Bicego thereupon declared the motion carried.

Adopt Ordinance No. 839 repealing Section 6.08.230 of Chapter 6.08 entitled “Garbage Service Fees” and Section 9.48.190 of Chapter 9.48 entitled “Opium Smoking” of the Yreka Municipal Code and finding the adoption of this Ordinance is to be exempt from CEQA.

Following the reading of the title of the Ordinance and Council discussion, Councilmember McNeil moved to waive the reading of the body of the Ordinance and to adopt the Ordinance as submitted.

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

Mayor Bicego thereupon declared the motion carried.

City Treasurer’s Report: Acceptance of:

- Cash Balances Report – July 2014.
- Cash Balances Report – August 2014.
- Budget of Revenue and Expenditures with Year to Date Actuals through August 31, 2014.

Following Council discussion, Councilmember Simmen moved to accept the Treasurer’s reports as submitted.

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

Mayor Bicego thereupon declared the motion carried.

Purchase of Superior Water Rights for Fall Creek including Power Generation Facility – Councilmember Simmen.

Following Council discussion, it was the consensus of the Council to authorize the City Manager to review the specifics of the Klamath Basin Restoration Agreement (KBRA) and the Klamath Hydroelectric Settlement Agreement (KHSAs), assess PacifiCorp’s possible interest, and to report back to Council with the findings.

CLOSED SESSION:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
 - Property: APN: 061-341-140
 - Third Party Negotiator: Tonya Dowse
 - City Negotiators: Steve Baker, City Manager
 - Under Negotiation: Possible transfer, including price, terms of payment.

2. Conference with Real Property Negotiator (Government Code Section 54956.8)
 - Property: Portion of APN: 013-100-140 & portion of 013-110-130.
 - Third Party Negotiator: Fruit Growers Supply Co.
 - City Negotiators: Steve Baker, City Manager
 - Under Negotiation: Possible purchase, including price, terms of payment, or both.

3. Conference with Legal Counsel - Anticipated Litigation
 Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 2 - The names of the parties are not disclosed as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

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

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported that direction was given to its negotiators, Steve Baker, Rob Bicego and Bryan Foster as to item no. 1, and that no further reportable action was taken in closed session.

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

Attest:

 Robert Bicego, Mayor
 Minutes approved by Council
 Motion October 16, 2014

 Elizabeth E. Casson, City Clerk