

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON NOVEMBER 16, 2017

On the 16TH day of November 2017, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Deborah Baird, Robert Bicego, Joan Smith Freeman, Duane Kegg, and Norman Shaskey
Absent - None.

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

- a. Approval/ratification of payments issued from November 3, through November 16, 2017.
- b. Approval of Minutes of the meeting held November 2, 2017.
- c. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Councilmember Bicego requested that item 1b – “approval of Minutes” be pulled from the Consent calendar.

Following Council discussion, Councilmember Shaskey moved to approve items 1 a & c on the consent calendar as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Approval of Minutes of the meeting held November 2, 2017.

Councilmember Bicego stated he asked that the minutes be pulled from the consent calendar because he was not at the meeting, and would need to abstain.

Following Council discussion, Councilmember Kegg moved to approve the November 2, 2017 minutes as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Presentation: Other Post-employment Benefits “OPEB”: Presentation to Council from CalPERS California Employers’ Retiree Benefit Trust Program, Customer Outreach and Support Manager, Mr. Matt Goss.

Direction to staff to prepare an agreement with the California Public Employees' Retirement System (CalPERS) to join the California Employers' Retiree Benefit Trust Program (CERBT); and that Council give direction to staff to prepare a resolution delegating authority to request disbursements from the Trust; and authorize the execution of necessary documents with CalPERS to fund and maintain participation in the Trust.

Following council discussion, Councilmember Shaskey moved to direct staff to prepare an agreement with the California Public Employees' Retirement System (CalPERS) to join the California Employers' Retiree Benefit Trust Program (CERBT) using the mid-range option #2; and to prepare a resolution delegating authority to request disbursements from the Trust; and authorize the execution of necessary documents with CalPERS to fund and maintain participation in the Trust.

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

Mayor Freeman thereupon declared the motion carried.

Introduction – Ordinance enacting Chapter 9.60 entitled “Alcoholic Beverages – Drinking and Open Containers in Public” and finding the adoption of this Ordinance to be exempt from CEQA.

Following Council discussion, it was the consensus of the Council to direct the City Attorney to amend the Ordinance adding reference to a restriction to open containers within 10' of the playground area.

Approve the Transportation Claim for the 2017-2018 Local Transportation Fund and authorize the Mayor to sign the Claim on behalf of the City.

Director of Public Works Matt Bray reported that local transportation funds are distributed to cities and counties in California because of the Transportation Development act that was passed in the late 1970's to subsidize public transit. The County received 0.25 cents of each 8.25 cents of state sales tax collected from the County. The major use of the funds is for public transit. However, counties with a population of less than 200,000 are allocated a portion of the funds for streets and roads after the County transit needs are met and a public hearing on unmet needs is held. Siskiyou County distributes any remaining funds to the County and the cities in Siskiyou County based on population.

The Local Transportation Commission staff has estimated that the allocation of streets revenue for the City of Yreka is \$256,735.00 in the 2017/2018 fiscal year. The County estimated that it will use \$196,426 of the City's allocation for public transit this year, leaving \$60,309.00 for the City's claim. The actual amount the City will receive may vary, because it is based on actual receipts from the State of California.

Following Council discussion, Councilmember Bicego moved to approve the Transportation Claim for the 2017/2018 fiscal year, and authorized the Mayor to execute same.

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

Mayor Freeman thereupon declared the motion carried.

Authorize execution of Amendment to Agreement for City Attorney Services regarding travel reimbursement.

City Manager Steve Baker reported that the original agreement with the City Attorney 5 years ago provided for travel compensation only after the first two trips to Yreka. Nearly all of the work with the City Attorney is handled by email and telephone, however, the City has found it useful to have the City Attorney to be present in Yreka on a more regular basis, both for Council meetings, Council subcommittee meetings and staff work sessions.

The city normally compensates all of its contractors for travel time. This is because when they are traveling they are unable to perform work for other clients and are therefore losing income potential. Mr. Henion normally charges his clients \$250/hour to \$450/hour depending on the type and complexity of the services he is rendering. His request for compensation at the rate of \$75/hour for travel time coupled with his greatly reduced hourly rate that he charges the city for non-travel time seems very reasonable to staff. Assuming 6 hours of travel time, the cost per meeting would be \$450 per meeting

Following Council discussion, Councilmember Bicego moved to approve the amendment to the Agreement for City Attorney Services.

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

Mayor Freeman thereupon declared the motion carried.

Appointment of a Representative and Alternate to the Siskiyou County Regional Solid Waste Joint Powers Authority.

City Manager Baker reported that in 1997, the County and nine Cities in the County formed the Siskiyou Regional Solid Waste Joint Powers Authority. This organization has not met in a number of years (Councilmember Rory McNeil was the last appointed representative).

We have been advised by the County that there may be a need for a meeting in the future and almost none of the members are current. They are requesting that we appoint a member and alternate. The JPA documents require the member (and presumably the alternate) to be a member of City Council.

It is not clear when the next meeting of the JPA might be, but it makes sense to make the appointments in advance.

Following Council discussion, Councilmember Bicego moved to appoint Deborah Baird as the City's representative on the Siskiyou County Regional Solid Waste Joint Powers Authority, and Norman Shaskey as the alternate.

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

Mayor Freeman thereupon declared the motion carried.

CLOSED SESSION:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
 - Property: City Owned Property APN#: 053-631-010 & 053-770-040.
 - Third Party Negotiator: Yreka Golf Club LLC
 - City Negotiators: City Manager and Director of Public Works
 - Under Negotiation: Possible purchase of Easement including price, terms of payment, or both.

2. Conference with Legal Counsel - Anticipated Litigation
 Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed, as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported the City Council adjourned to closed session at 8:03 p.m., all council members being present. Closed sessions were conducted on the following matters:

1. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8
 Property APN: 053-631-010 & 053-770-040.
 City Negotiators: City Manager Baker and Director of Public Works Matt Bray.
 Third Party Negotiator: Yreka Golf Club LLC
 Under consideration: Price and terms of payment.
 Action taken: The City Council discussed this matter and no reportable actions were taken.

2. Conference With Legal Counsel – Anticipated Litigation – Consideration of initiation of litigation pursuant to paragraph (4) Subdivision (d) of Section 54956.9 of the Government Code: (One Matter)
 Action taken: The City Council discussed this matter and no reportable actions were taken.

Mayor Smith-Freeman reconvened the City Council meeting to open session with all City Council members present and members of the public were invited to return to the council chambers. The City Manager orally reported that, other than the City Council discussing each of the closed session items, no reportable action was taken.

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

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion December 7, 2017

Elizabeth E. Casson, City Clerk