

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON DECEMBER 19, 2013

On the 19<sup>th</sup> day of December 2013, 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, and David Simmen. Absent – Rory McNeil and John Mercier.

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 December 5, 2013.
- b. Approval/ratification of payments issued from December 6, 2013 through December 19, 2013.
- c. Adopt Resolution No. 3045 approving the destruction of certain City Records identified by the Finance Director.

Following Council discussion, Councilmember Bicego moved to approve the items on the consent calendar as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Approval of Yreka Volunteer Fire Department Elected Officers for the 2014-2015 term.

Following Council discussion, Councilmember Bicego moved to approve the appointment of Yreka Fire Department Officers William (BJ) Laustalot, Chief; Robert Goyneche, First Assistant Chief; and Michael Mallory as Secretary Treasurer each for 2-year terms beginning January 2014 – December 2015.

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

Mayor Simmen thereupon declared the motion carried.

Acceptance of Audited Financial Report Fiscal Year 2012-2013.

Following Council discussion, Councilmember Bicego moved to accept the Audited Financial Report for Fiscal Year 2012-2013 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

City of Yreka Community Development Block Grant (CDBG) Program:

**PUBLIC HEARING** – To discuss the accomplishments of Community Development Block Grant No. 11-PTEC-7648 and to give citizens an opportunity to make their comments known.

Jeannette Hook, Administrative Assistant, reported that the City received a Planning and Technical Assistance (PTA) Community Development Block Grant (CDBG) in 2011 to help the community develop a strategy for tourism marketing and to consider long-term funding strategies that the business community would be willing to support.

The Siskiyou County Economic Development Council (SCEDC) had a comprehensive plan developed to provide a thorough assessment of the travel and tourism industry in Yreka and to provide an evaluation of the opportunities, needs, and level of support for collaborative tourism efforts. The SCEDC will continue the groundwork resulting from this project to help interested businesses identify a suitable legal structure for a long term, collaborative funding mechanism.

Tonya Dowse, Executive Director of the Siskiyou County Economic Development Council, addressed the Council and audience to answer and questions regarding the completed report for the Strategic Tourism Marketing Plan. The SCEDC believes that the process behind creating this evaluation was far more valuable than the document reflects. Looking at the topic through the lens of boosting Yreka's overall brand awareness and visitation revenues, this plan identified goals, anticipated outcomes, and strategic funding options. The Strategic Tourism Marketing Plan aims to become a key component to the City's overall strategic vision and is designed to be reference and be built upon as challenges are overcome and progress continues in the industry.

Program regulations require that prior to grant closeout, the City Council conduct a public hearing to report on the accomplishments of the project, receive public input, and accept the final products resulting from CDBG grants.

This being the date and time set for the Public Hearing, Mayor Simmen opened the public hearing to the audience. Don Hall, Yreka resident, addressed the Council stating that this is the first time he has seen the report and requested that the acceptance of the proposed report to develop a Tourism Marketing Strategy be postponed to give the public a chance to adequately review the document.

There being no further public comments, Mayor Simmen closed the public hearing and opened discussion to the Council.

Following Council discussion, Councilmember Bicego moved to table the consideration of the Resolution accepting as complete a report to develop a Tourism Marketing Strategy to the January 16, 2014 meeting to give ample time for public review.

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

Mayor Simmen thereupon declared the motion carried.

Wastewater System Improvement Project:

Adopt Resolution No. 3042 relating to the Certificates of Participation (Wastewater System Improvement Project) and approving the forms of and authorizing the execution and delivery where applicable of a Purchase Agreement, an Installment Sale Agreement, a Trust Agreement and an Assignment Agreement in connection therewith, and authorizing certain other related actions.

Approval of Resolution No. 3043 - A Resolution of the City Council of the City of Yreka Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing Portion of the Cost of Acquiring, Constructing, Enlarging, Improving, and or Extending its Sewer and Wastewater Facility to Serve an Area Lawfully with its Jurisdiction to serve.

Steve Baker, City Manager, noted that this is the first of several related items on the agenda tonight. This item covers the financing for the project. Rhett Hogan, Finance Director, presented an overview of the several Financing instruments for the Wastewater System Improvement Project being provided by USDA Rural Development. Rural Development has committed to provide a loan of \$5 million dollars for the improvements to be repaid by Wastewater Enterprise Funds. The project requires previously committed match funds of \$762,000, plus any additional contributions necessary to deliver the total project which is currently estimated to require an additional \$188,000. There are two resolutions provided relative to this financing, Resolution No. 3042 in the City's format and Resolution No. 3043 in the format required by US Rural Development.

Following Council discussion, Councilmember Foster moved to adopt both Resolution No. 3042 and Resolution No. 3043 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 3044 to authorize the City Manager to award a construction contract to RTA Construction in the amount of \$2,153,110 for Schedule A- Base Bid and Additive Alternative A5-Miner Street Storm Drain, a construction contract to T&S Construction, Inc. in the amount of \$ 2,365,337 for Schedule B, and to execute related documents for the Wastewater System Improvements.

Steve Neill, Director of Public Works, presented the results of the bid openings for the Wastewater System Improvement Project. Mr. Neill summarized the work and the bids received for the two parts of the project in the Treatment and Collection systems. The bids were found to be responsive, and the bidders responsible, and the engineer has recommended the City award the project to the two low bidders. Mr. Neill recommended a minor change to make the award of Schedule B for the Collection system subject to the resolution of an outstanding easement issue which is a later item on the agenda.

Council tabled acting on this item until they could hear the subsequent easement item which they determined to take out of order on the agenda.

Adopt Resolution No. 3047 accepting Deed from Peter LaFortune and Stephanie Zack for a public utility easement.

Steve Neill, Director of Public Works, presented a summary of an issue relating to an easement encroached upon when a home was constructed over the easement and the City's sewer pipe. This sewer needs to be rehabilitated and thus the easement situation needs to be resolved for the future. Mr. Neill recommends approval of Resolution subject to the receipt and execution of the documents from the property owner in substantially the same form as presented.

Following Council discussion, Councilmember Bicego moved to adopt Resolution No. 3047 with minor document revisions as may be negotiated by City staff.

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

Mayor Simmen thereupon declared the motion carried.

Reconsideration of Resolution No. 3044

Following Council discussion, Councilmember Bicego moved to adopt Resolution No. 3044 subject to satisfactory resolution of the easement issue.

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

Mr. Neill noted that the total project cost is currently estimated to be \$5,950,000 with the City's Sewer Fund being responsible for all costs beyond the \$5 million USDA Rural Development loan.

Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 3046 approving execution of Memorandum of Understanding signed by the Confidential Unit.

Following Council discussion, Councilmember Foster moved to adopt Resolution No. 3046 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Approve the MS4 Implementation Plan for submittal to the North Coast Regional Water Quality Control Board.

Steve Neill, Director of Public Works, requested approval of the plan which had previously been reviewed by the Council. He noted that the estimated costs per year are \$30,000 to \$35,000 dollars.

Following Council discussion, Councilmember Foster moved to approve the MS4 Implementation Plan for submittal to the North Coast Regional Water Quality Control Board.

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

Mayor Simmen thereupon declared the motion carried.

Approval of Treasurer's Report and Operating Budget of Revenue and Expenditures with Actual for the Month of November 2013.

Following Council discussion, Councilmember Bicego moved to approve the Treasurer's report and Operating Budget for the Month of November 2013.

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

Mayor Simmen thereupon declared the motion carried.

**CLOSED SESSION:**

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)  
Agency Negotiators: Steven Baker  
Employee Organizations: Yreka Management Team Association and Yreka City Employees Association.
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 – 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).

**RETURN TO OPEN SESSION:** Upon return to open session, City Manager Baker reported out the following: no reportable action.

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

Attest:

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David Simmen, Mayor  
Minutes approved by Council  
Motion January 16, 2014

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Elizabeth E. Casson, City Clerk