

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON MAY 4, 2017

On the 4th day of May 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, Joan Smith Freeman, Duane Kegg, and Norman Shaskey Absent - None.

Mayor presented proclamations in honor of:

- May 2017 Startup Weekend Event – May 19, 20 & 21, 2017.
- Public Service Recognition Week May 7 – 13, 2017

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 April 21, 2017 through May 4, 2017.
- b. Approval of Minutes of the meeting held April 20, 2017.
- c. Acceptance of Treasurer's Report and Budget to Actual for the months of February and March 2017.

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

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

Mayor Freeman thereupon declared the motion carried.

Beacon of Hope Request for Waiver of fees.

City Manager Steve Baker reported that the Council received a letter from the Beacon of Hope Gospel Mission requesting a waiver of building and development impact fees for their proposed shelter at 480 South Foothill Drive. Based on the Plans submitted, the total building and development impact fees for this project is \$10,127.

The City does not generally have a policy for waiving building permit fees and development impact fees. Since the initiation of the development impact fees in 2008, there have been several different methods for handling development impact fees. For example, the YMCA requested that the City consider waiving impact fees. The City agreed to defer the fees with a decision on waiver to be done in the future; however, the YMCA eventually paid the fees. The Nazarene Church requested that the fees be spread out over 5 years (which, with interest, is permitted in the original ordinance establishing the fees) and the church has now paid those fees with interest. The City also tried to stimulate the local economy by waiving DIF for up to five single family houses in 2015-2016 (this effort was only partially successful, with two houses constructed under the program).

The Beacon of Hope is requesting the waiver of fees based on its mission serving homeless people. While the number of homeless have increased here and in other cities and the Beacon of Hope's goals may be laudable, it is not clear that the operation of a shelter in Yreka would decrease or increase demands on public services. Other cities have indicated that the establishment of a shelter actually increases city calls for services and creates resource issues.

John Krueger, President of the Beacon of Hope Gospel Rescue Mission, addressed the Council to answer any questions regarding the proposed homeless shelter.

Following Council discussion, Councilmember Shaskey moved to discount the fees by \$5,000.

Councilmember Kegg seconded the motion, and upon roll call, the following voted YEA: Freeman, Kegg, and Shaskey. Nays: Baird. Councilmember Baird stated that she would prefer a payment plan arrangement or more time to explore the option of utilizing CDBG funds.

Mayor Freeman thereupon declared the motion carried.

Adopt Resolution approving requests associated with the Special Event of the Jefferson Mountain Bike Association known as the Humbug Hurry-Up to be held June 24, 2017.

Bill Robberson addressed the Council to answer any questions regarding the event.

Following Council discussion, Councilmember Shaskey moved to adopt Resolution No. 2017-12 as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Adopt Resolution authorizing a Use Agreement with Yreka Splash for the Operation of Ringe Pool for Fiscal Year 2017-18 with a contribution of \$32,500.

City Manager Baker reported that Ringe Pool is currently operated by Yreka Splash, a volunteer organization and their operations are supported, in part, by a contribution from the City in the amount of \$32,500. Yreka Splash has submitted a request to continue the support for operation of the pool in the amount of \$32,500. This year's request indicates that Splash intends to continue with the same programming as was offered last year.

City staff has been discussing with representatives of Splash the pool's need for long-term repairs, however no major maintenance items have been identified this year. While all of the pool partners are supportive, a long-term strategy for capital investment and management is still elusive.

Splash has been a great resource for the community and has kept the pool open for the last nine years. Staff is recommending providing the funding that Splash needs to operate the pool for the eight week season for 2017.

Buzzy McCluskey, Yreka Splash President, addressed the Council to answer any questions regarding the operation of Ringe Pool.

Following Council discussion, Councilmember Baird moved to adopt Resolution No. 2017-13 as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Authorize a Consultant Services Agreement with Mark Schmitt to provide Construction Project Management Services for the Yreka Police Station Remodel.

Public Works Administrative Assistant Jeannette Hook reported that the City has considered various options to insure that project oversight continues effectively on various projects without disruption. The most expedient and cost effective way to meet urgent needs for the Police Station remodel is to contract with Mr. Schmitt to manage this important project on behalf of the City.

Mr. Schmitt, retired in December of 2012, as the City's Building Official. Mr. Schmitt has intimate knowledge of the California building codes and prior construction in the City (and this building in particular). Mr. Schmitt has been responsible for construction management with both public and private entities for more than 20 years, including overseeing large local construction projects such as the County yard, Transit Center, and a truck barn facility. The compensation rate is \$50.00 per hour for approximately 800 hours during the duration of construction. The estimated cost of Mr. Schmitt as the Construction Project Manager/Building Project Coordinator is \$45,000 with expenses.

Following Council discussion, Councilmember Kegg moved authorized the City Manager to execute a Consultant Services Agreement with Mark Schmitt to provide construction project management services for the Yreka Police Station Remodel.

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

Mayor Freeman thereupon declared the motion carried.

Adopt a Resolution approving Professional Services Agreement in the amount of \$100,173 with ECORP Consulting Inc., for regulatory permitting tasks for the Flood Hazard Reduction Grant.

Public Works Administrative Assistant Hook reported that in 2014, the City Council authorized the Department of Public Works to execute consultant agreements for the planning and design work associated with the Flood Hazard Reduction (FHR) project. The City of Yreka was awarded \$5 million to complete a comprehensive watershed planning process, and to implement floodway restoration at several sections of Yreka Creek, including the US Forest Service Maintenance Facility on South Main Street.

The City's FHR project is at a key transition in the environmental process. As you know, we recently completed the CEQA Environmental Impact Report. We are close to completing the NEPA Environmental Assessment. The next environmental task is to prepare regulatory permit applications and provide environmental support services for construction.

The environmental services for this project were contracted to Pacific Municipal Consultants (PMC), a firm that was purchased in 2014 by Michael Baker International (MBI). The primary individuals assigned to our project were subsequently employed by MBI and thus the City retained access to the personnel most familiar with the project. These key staff members have now left MBI and moved to other firms.

Staff has been working to evaluate whether MBI continues to have suitable capacity and expertise to complete the contracted tasks in a manner acceptable to the City. The costs and home-office location of each consultant is similar. Environmental Services are one of the special classifications of Professional Services which "need not be competitively bid, but contracts must be awarded on the basis of demonstrated competence". (Govt Code 4526)

With this action, staff intends to terminate the MBI contract, and redirect the remaining budget to a contract with ECORP. One of the assigned staff from MBI has moved to ECORP, they have an experienced permitting team available, and they have provided a proposal to work on this project. ECORP has previously worked on projects in Siskiyou, they are experienced with very comparable projects, and using ECORP for this work retains key personnel who are already familiar with the City, the project documents, and the existing project team of staff, professionals and partners. With the departure of key personnel from MBI, staff feels that the City's project is best served by moving the remaining tasks to a different consultant firm. The Agreement with ECORP Consulting is not to exceed \$100,173 to be reimbursed to the City by the Flood Hazard Reduction grant. These costs are comparable to the budget remaining for MBI.

Following Council discussion, Councilmember Shaskey moved to adopt Resolution No. 2017-14 as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Authorize Hiring of a fifth Dispatcher for the Police Department.

Lieutenant Dave Gamache addressed the Council stating that currently we have 4 full time dispatchers, 1 part time employee, one Sheriff's Dept. employee filling in and our Records/Evidence clerk covers dispatch as a last resort.

Lieutenant Gamache further stated that two issues affect the employee retention problem. The first is the fact that it takes a minimum of 4 full time employees and one part time employee to cover dispatch 24/7. If even one full time employee calls in sick, goes to training or takes vacation, then the part time employee will either fully or partially cover their shift(s), along with overtime hours worked by the remaining full time employees. The bigger issue with this is when two full time employees are out at the same time, such as one retirement and one injury. The second contributing factor is the use of part time employees. The younger part time employees are usually looking for 40 hrs./wk. These employees are normally given 30 hrs./wk. during the first three months of training and are then subject to call out hours depending on the full time employees request for time off. If there is insufficient hours for the part time employee, they seek full time employment with other agencies. Some retired part time employees are looking for an occasional shift to supplement their retirement; however, the department uses them for weeks and months at a time when needed, depending on the requests for time off from the full time employees or vacancies. This causes a retired part time employee to re-evaluate the number of hours they are willing to work without affecting their retirement income (960 hrs.) or lifestyle.

A feasible solution to this issue could be to bring the full time staffing level up to 5 full time employees. This would not only provide coverage for requested time off, it would also provide coverage for front counter traffic, excessive business and 911 calls during the day time and assist with dispatch supervisory duties. (i.e. scheduling, training, recruiting, testing and possibly backgrounding potential candidates)

The average full time dispatcher works between 1800 and 1900 hours per year. The average part time or over time hours covered is approximately 1300 hours per year. By adding a 5th. full time dispatcher, approximately 2/3 of their hours would replace the part time and overtime hours, leaving 1/3 of their time to assist with supervisory tasks. This change would alter the current scheduling model from constantly depending on part time employees to having sufficient full time staff to handle the shifts. The Department would still maintain part time employees (particularly retired dispatchers) to avoid overtime costs and to provide emergency coverage. The Department hopes to recruit full time dispatchers from other agencies. The cost of a full time dispatcher would be approximately \$67,000. Approximately \$ 20,000-22,000 would likely be saved by having less part time dispatcher hours and overtime.

Following Council discussion, Councilmember Shaskey moved to authorize the addition of a 5th full time dispatch position.

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

Mayor Freeman thereupon declared the motion carried.

Acceptance of the Audited Financial Report Fiscal Year 2015-16.

Finance Director Rhetta Hogan gave an oral presentation of the audited financial report stating that no significant audit findings were found. And that the City was not subject to the single audit act, which is required when federal expenditures exceed \$750,000.00. The City had \$281,145 in federal award expenditures in 2015-16.

Following Council discussion, Councilmember Shaskey moved to accept the Audited Financial Report as submitted.

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

Mayor Freeman thereupon declared the motion carried.

Filling Vacant City Council Seat.

City Manager Baker reported that the Council at its last meeting discussed the filling of the vacant Council seat vacated by Councilmember David Simmen. Earlier, in a special meeting, the Council heard from the applicants for the vacant seat.

During the discussion regarding consideration of the applicants, the Council requested information on the cost of a special election should the Council either decide to call a special election or not reach a majority vote on an applicant. The County Clerk has estimated the cost of a special election at approximately \$28,000, with a reduction if other cities are also placing items on the agenda (for example, if Mt. Shasta also held an election, the cost would be lowered to approximately \$20,000). This election would be on November 7, 2017. City Manager Baker also noted that there is a provision of law that allows a mail in ballot for small communities (under 100,000 population) that may also be used for the filling of a council vacancy. This election could not be on a regular election date, the estimated cost for a mail in ballot election to fill the council vacancy is \$16,000.00. If the Council wishes to make an appointment from the existing applicants, the Council may do. This meeting is the last regular meeting before the deadline (May 12) for appointment to the vacant position by the Council. After that date next week, a special election is the only option. City Manager Baker also noted that a special election would also result in additional costs such as attorney costs and staff time to prepare and process necessary documents.

Following Council discussion, Councilmember Baird moved to appoint Robert Bicego to fill the unexpired seat on the City Council.

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

Mayor Freeman thereupon declared the motion carried. Councilmember Bicego was sworn into office and took his seat at the Council table.

CLOSED SESSION:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
 - Property: Assessor Parcel No. 062-051-140
 - Third Party Negotiator: Ken Barnes
 - City Negotiators: City Manager
 - Under Negotiation: Possible purchase including price, terms of payment, or both.

2. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 - Agency negotiators: Steven Baker and Rhetta Hogan.
 - Employee Organizations: Yreka Police Officer's Association, Yreka Employees Association, Yreka Police Administration Association, Yreka Management Team Association, and the Confidential Unit.

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 – 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 out as to item no. 1 & 2, Council gave direction to its negotiators, and Item No. 3 was pulled from the agenda.

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

Attest:

 Joan Smith Freeman, Mayor
 Minutes approved by Council
 Motion May 18, 2017

 Elizabeth E. Casson, City Clerk