

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON JULY 20, 2017

On the 20th day of July 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.

Mayor Freeman – Presented a Proclamation to Robin Richards proclaiming support for the “Siskiyou Reads” Program.

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 June 16, 2017 through July 20, 2017.
- b. Approval of Minutes of the meeting held June 15, 2017 and the Special Meeting held June 20, 2017.
- c. Acceptance of Treasurer’s Report and Budget to actuals for the month of May 2017.
- d. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Councilmember Bicego requested items 1 a & c be pulled for discussion.

Following Council discussion, Councilmember Shaskey moved to approve items 1 b & d 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/ratification of payments issued from June 16, 2017 through July 20, 2017.

Acceptance of Treasurer’s Report and Budget to actuals for the month of May 2017.

Following a budget status report from Finance Director Rhetta Hogan and Council discussion, Councilmember Bicego moved to approve the payments and Treasurer’s Reports 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 Miner Street Grant Façade Application – Applicant - Lezlie Graebel “Pearl Spa” – 333 W. Miner Street – Projecting sign and engineering for sign replacement including bracing and anchorage to the building in accordance with building code.

Applicant Lezlie Graebel addressed the Council to answer any questions regarding the grant application.

Following Council discussion, Councilmember Shaskey moved to approve the grant application in an amount not to exceed \$1,196.43.

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.

Approval of Miner Street Grant Façade Program Application – Applicant – Troy Davis – 113 W. Miner Street – Replace six (6) windows, replace entrance door, refurbish & re-paint storefront on Miner Street side and brick wall facing Main Street, refurbish wood balcony façade, and add decorative trim and artwork to be painted on brick surface by Ralph Starritt.

Following a presentation of the project by applicant Troy Davis, and Council discussion, Councilmember Shaskey moved to approve the grant application in an amount not to exceed \$18,517, contingent upon the applicant obtaining the required permits from the Department of Public Works and Caltrans prior to beginning any work.

Councilmember Baird 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 Completion of the First Discovery Park Statue.

City Manager Steve Baker reported that the Discovery Park Statue Project proposal originally consisted of statues of a miner Abraham Thompson and his mule based on the story of how gold was found in Yreka. These statues were proposed to be made by Ralph Starritt and to be placed in Discovery Park.

The project was approved in 2007 as part of the City’s sesquicentennial celebration with a price of \$5,000 per statue. The money was originally going to be obtained from fundraising and donations. Only about \$3,300 has been raised so far with a \$500 down payment to Ralph Starritt. The City has an account with the fundraising money earned totaling \$2,772. It will take an estimated amount of \$1,727 to have enough money to pay the cost of the first statue.

Given the time that has passed and the donations forwarded to the City for this purpose, moving forward on the first statue is something recommended by staff. With the funds paid and on hand,

the funding gap for the first statue is \$1,727. Staff is recommending that the gap funding be paid from the City's "undesignated donated fund", which is approximately \$3,500.

Following Council discussion, Councilmember Bicego moved to fund the completion of the first statue utilizing the funds from the City's undesignated donated fund account.

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

Mayor Freeman thereupon declared the motion carried.

Consideration of an Ordinance of the City Council of the City of Yreka enacting Chapter 9.27 entitled "Non-Medical Marijuana Cultivation Regulation and the Prohibition of Commercial Cannabis Activity, Manufacture, Testing, Dispensing, Sales, Distribution and Delivery within all Zoning Districts in the City of Yreka" and finding the adoption of this Ordinance to be exempt from CEQA.

Following the reading of the title of the Ordinance and Council discussion, Councilmember Bicego moved to table this Ordinance to the August 3, 2017 meeting and directed the City Attorney to amend the Ordinance for Council consideration, amending the "Fine and Penalty" section of the Ordinance, removing the "Per day separate offense" for the 1st. Offense, and removing the "Cubic Foot of Area" violation.

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

Mayor Freeman thereupon declared the motion carried.

An Ordinance of the City of Yreka amending title 12, by adding to title 12 by enacting Chapter 12.50 entitled "Fats, Oils and Grease Control Applicable to Food Service Establishments" and finding that the Ordinance is exempt from CEQA.

Director of Public Works Matt Bray reported his department has been working with the City Attorney for several years on the proposed Ordinance to control Fats, Oils, and Grease commonly known as the FOG Ordinance. Controlling FOG is a requirement of the City's operating permits for the Sanitary Sewer System and this ordinance outlines and defines the practice of discharging wastewater from Food Service Establishments. It prohibits the discharge of FOG into the Sewer Collection System, which reduces the possibility of Sanitary Sewer Overflows and provides security for the public health. This proposed Ordinance does not include residential properties.

The Uniform Plumbing Code requires Food Service Establishments that have the potential to produce FOG, to have grease control devices. Modern restaurants include this equipment not only to meet the codes, but also as a Best Management Practice. Cost may be incurred by the owners of some restaurants to install appropriate equipment where it does not currently exist. Discharge Permits would be issued for a period not to exceed four years, with permitting costs

set by resolution. The Permittee would be required to keep for no less than two years, records of all cleaning and maintenance performed on their grease control system. These records are to be made available to any City Inspector upon request.

The cost of cleanup, additional maintenance, and fines from the State Water Boards have historically fallen upon the City. This ordinance would allow the City to collect the costs of sanitary sewer overflow if the spill is proven to be caused by the food establishment. The proposed ordinance provides clear definitions and responsibilities for controlling FOG, holds owners of the food establishments accountable, and provides the framework necessary to ensure the health of the public, which meeting compliance with current plumbing code requirements.

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

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.

Adopt Resolution # 2017-28 authorizing the City to apply to the State of California for Active Transportation Program Augmentation funds, enter into a funding agreement, and designate representatives to sign related documents for the City of Yreka Greenhorn Road Bicycle and Pedestrian Path Gap Closure Project.

Cynthia Lynch, Public Works Grants and Projects Analyst addressed the Council to answer any questions regarding the application. Ms. Lynch reported that the City received State Transportation Improvement Program funds to reconstruct Greenhorn Road in 2007. The project included a pedestrian pathway, pavement reconstruction, curb, gutter, sidewalk, and bicycle lane stripping. However, due to the delay between programming and the actual funding allocation, the available funds were sufficient only to complete the pavement reconstruction, and the remaining improvements were deferred. With minor modifications to the plans and specifications, these deferred improvements qualified for Caltrans' Active Transportation Program funds.

This project implements a portion of the City's Bicycle Transportation Plan on Greenhorn Road between Oregon Street and the Upper Greenhorn Park entrance. It meets safety goals by completing the road and improving access to Greenhorn Park. It also completes important storm drain infrastructure to assist the City in complying with its Stormwater (MS4) responsibilities.

The project cost is estimated to be \$995,000. There is no immediate fiscal impact because the normal local match requirement of 11.47% would be funded by the State using toll credits.

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

Councilmember Baird 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 the Finance Director to amend the expenditure budget and authorize the City Manager to execute consultant Task Orders with PACE Engineering to provide engineering services for the specified Proposition 1 Water projects in the total amount of \$233,965.

Public Works Director Matt Bray reported to the Council that in March 2016, the Council authorized an application to the Drinking Water State Revolving Fund known as Proposition 1. Staff has been working with the State Water Board to fit the eight initially proposed activities into their program categories. Negotiations to accomplish this have been complicated and very lengthy. At this time, the good news is that the State agrees that we have viable project activities that they can fund. However, these discussions create both an opportunity and a challenge for the City. Staff is requesting authorization to undertake some planning work in anticipation of reimbursement from a future construction grant application.

The \$233,965 will be paid by the Water Enterprise Fund and reimbursed to the City upon receiving Proposition 1 grant funding. Staff is requesting the Council to authorize the Finance Director to amend the expenditure budget and authorize the City Manager to execute consultant task orders with PACE Engineering to provide engineering services for proposed Proposition 1 Water projects.

Following Council discussion, Councilmember Bicego moved to authorize the Finance Director to amend the expenditure budget and authorize the City Manager to execute consultant Task Orders with PACE Engineering to provide engineering services for the specified Proposition 1 Water projects in the total amount of \$233,965.

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.

Adopt Resolution #2017-29 authorizing the City Manager to execute project agreements with the US Forest Service and to use Grant funds to implement the Yreka Creek Flood Hazard Reduction Project at the US Forest Service's Yreka Service Center.

Director of Public Works Matt Bray reported that in February of 2017, the Council approved the 2016 Yreka Creek Master Plan update. Staff has been working closely with the Klamath National Forest representatives to design and implement flood hazard reduction improvements at the U.S. Forest Service's Yreka Center located at 1030 S. Main Street.

The City intends to use approximately \$2.5M of grant funds to design and construct floodway improvements at the Yreka Forest Service Center and the Forest Service is contributing their staff time for the project as in-kind support.

The proposed work includes the removal of several buildings adjacent to Yreka Creek, replacing two key structures and a local access bridge, and excavating flood prone ground to provide more floodway capacity. The excavation will also establish a rough trail to link the recently completed Oberlin site and the existing Visitor Center.

Following Council discussion, Councilmember Shaskey moved adopt the Resolution 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.

Authorize GoRail to include the City of Yreka on the joint letter to Congress and the U.S. Surface Transportation Board (STB) – Mayor Freeman.

Following Council discussion, Councilmember Shaskey moved to authorize the Mayor to execute the authority to GoRail to include the City of Yreka on the joint letters.

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.

Appoint Mayor Joan Smith Freeman as voting delegate and City Manager Steve Baker and Councilmember Shaskey as alternate voting delegates to the 2017 Annual League of California Cities Conference to be held September 13 – 15, 2017 in Sacramento.

Councilmember Shaskey stated that he would like to attend the Conference, if his schedule allows, and that he would like to be appointed as the second alternate delegate.

Following Council discussion, Councilmember Bicego moved to appoint Mayor Joan Smith Freeman as the voting delegate, and Councilmember Norman Shaskey, and City Manager Steve Baker as the alternate delegates to the 2017 Annual Conference.

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.

Wildfire Safety – Councilmember Shaskey.

Councilmember Shaskey reported that Yreka has already had several fires so far this year and that he is requesting that the City take an active approach to try and prevent a serious wildfire by working with all stakeholders such as Cal Fire, US Forest Service, Siskiyou County, Yreka Fire Safe Council and property owners and other to find additional solutions to reduce fire hazards.

Following Council discussion, it was the consensus of the Council to direct the City Manager to work with the Yreka Area Fire Safe Council to help get the word out regarding the dangerous fire conditions and to enforce existing ordinances relating to cutting of weeds and vegetation on vacant lots.

George Jennings, Betsy Shuteroff, and Peg Boland, all spoke on behalf of the Yreka Area Fire Safe Council, inviting the Council to attend their meetings held on fourth Thursday of each month at 6:30 pm. in the Klamath National Forest Service Building.

Authorize Mayor to send letter of opposition to Senate Bill 649, which would preempt local control of Telecommunication Facilities.

Following Council discussion, Councilmember Shaskey moved to authorize the Mayor to send letter of opposition to Senate Bill 649, which would preempt local control of Telecommunication Facilities.

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.

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

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion August 3, 2017

Elizabeth E. Casson, City Clerk