

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON AUGUST 17, 2017

On the 17th day of August 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 August 4 through August 17, 2017
- b. Approval of Minutes of the Special Meeting held July 20, and the regular meeting held August 3, 2017.
- c. Approve a Budget Revision for 2017-18 for the Siskiyou Unified Major Investigations Team (SUMIT).

Councilmember Kegg requested item 1a be pulled for discussion, Finance Director Rhetta Hogan clarified various payments.

Councilmember Bicego requested item 1b be pulled for discussion, requesting that the minutes of the special meeting held July 20 be corrected to include his attendance at the meeting.

Councilmember Baird requested item 1c be pulled for discussion, requesting clarification on the time allotted for the Yreka Police Department Officer assigned to SUMIT.

Following Council discussion, Councilmember Kegg moved to approve the payments as submitted, the minutes of the Special Meeting held 7-20-17 as corrected to include the attendance of Councilmember Bicego, Minutes of the regular meeting held August 3, 2017 as submitted and the Budget Revision for 2017-18 for the Siskiyou Unified Major Investigations Team 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 # 2017-31 authorizing the City to accept Federal-Aid Funds, execute funding agreements, and designating representatives to sign related documents for the Fairlane and Three Bridges Preventive Maintenance Projects.

Public Works Director Matt Bray reported that the City has been awarded a total of \$676,280 of federal funds (88.53% of total costs) to complete repairs on four bridges in the community under two projects known as the Fairlane and Three Bridges Preventive Maintenance projects. Council

authorized the City Manager to enter into consultant agreements with Morrison Structures for the Fairlane Bridge project in September 2015. At that time, full funding for the additional bridges was not yet approved. Caltrans and FHWA have since allocated the additional funds needed to complete both projects.

In order to accept these funds and to be reimbursed by Caltrans for project expenditures, Caltrans has requested that the City Council adopt a Resolution authorizing the City Manager or a designee to execute Master Agreements, updates, and specific project delivery amendments known as Program Supplement Agreements for the current and future phases of work on the projects.

Following Council discussion, Councilmember Shaskey moved to adopt Resolution No. 2017-31 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.

Direct staff regarding the selection of Track for MS4 Trash Order Compliance.

City Manager Baker and Public Works Director Bray reported that in June of this year, staff advised the City Council that the City is subject to new requirements imposed by the State Water Resources Control Board for the reduction of trash. A new provision in the Phase II Small Separate Municipal Storm Sewer Systems Permit, known as the MS4, establishes a statewide mandate to prohibit trash discharges to surface waters of the State. The water quality objective established by the Trash provisions serves as a water quality standard federally mandated under the Clean Water Act and Federal regulations.

The trash amendment requirements is in addition to all other obligations of the MS4 permit, which include education, outreach, and public involvement, illicit discharge detection and elimination, maintenance and operations “Good Housekeeping”, construction site runoff control and post-construction stormwater management, and receiving water monitoring if ordered by the Regional Board.

On or before September 1, 2017, the City must determine how it wants to work towards compliance with these requirements so that it can be incorporated into the next MS4 permit. Each MS4 permit covers a 5-year time period and the permit is expected to be renewed in 2018.

If the City selects Track 2, an Implementation Plan must be prepared by December 2018 for approval by the Regional Water Board. The MS4 permit renewal formally triggers the beginning of a 10-year implementation period.

IMPLEMENTATION SUMMARY OF EACH TRACK

There are **two methods** of achieving compliance, **Track 1** and **Track 2**. Neither of the options are included in the current budget.

Track 1: Install, operate, and maintain Full Capture Systems for the storm drain network that capture runoff from the Priority Land Uses in their jurisdiction. Staff refers to this as the “infrastructure approach”. It provides trash capture treatment on a more regional basis.

Track 2: Install, operate, and maintain any combination of neighborhood infrastructure (i.e. inlet protection screens), community education, maintenance activities (i.e. street sweeping), and regulatory controls (i.e. product bans) within the jurisdiction of the MS4 permittee which achieves Full Capture System Equivalency. Staff refers to a “combination approach” to describe this option.

COST PROJECTIONS

The City’s resources are already very thin and these requirements impose significant new costs. The cost summary below represents a “worst case” scenario, given our current information.

TRACK 1	Estimated Cost	TRACK 2	Estimated Cost
MS4 Program Costs	Approx. \$30,000/yr	MS4 Program Costs	Approx. \$30,000/yr
Annual Maintenance	Approx. \$6,000/yr	Trash Education and Outreach	\$1,000/yr
Monitoring and Reporting	Approx. \$500/yr	Maintenance Crew (3 person crew)	\$261,000/yr
		Vacuum Truck Purchase	Approx. \$400,000
		Annual Equipment Fuel & Maintenance	\$50,000/yr
		Regulatory Control Development & Enforcement	\$5000 + \$1000/yr
Capital Infrastructure (15-22 locations)	Approx. \$7.5M	Capital Infrastructure	Approx \$ 3M
10 year Total	Approx. \$7.6 M	10 year Total	Approx. \$6.5 M
Total Annual Costs	Approx. \$36,000	Total Annual Costs	Approx. \$345,000

Staff anticipates substantial refinement (downwards) of the above Track 1 estimates, which are based on preliminary mapping and our experience installing two trash separators in 2010. Though we can’t estimate how much these costs can be reduced at this time, with consultant assistance staff will refine these numbers over the next year by:

1. Closely examining potential locations of anticipated trash capture devices with the expectation of reducing the total number needed.
 - a. Completing a field assessment of trash generation rates, identifying equivalent areas or proving that Priority Land Uses are not generating trash.
 - b. Removing from our jurisdictional map the outfalls that solely serve private property or Caltrans.

- c. Identifying any outfalls that are shared with Caltrans (and then working with them to provide funding for trash capture).
 - d. Evaluating specific locations for installation feasibility.
2. Evaluating the feasibility and maintenance considerations of cheaper trash capture options.

POTENTIAL FUNDING

We anticipate that grants and other funding will be available to offset some of the anticipated capital costs of Track 1. It is unlikely that most activities in Track 2 will be grant- eligible. Attachment 3 provide a glimpse of potential funding and the State's estimates of the economic impact of compliance with this order.

1. A Proposition 1 grant application submitted in 2016 was not selected for funding.
 - Staff is working to refine and revise the prior application for the next call for projects, anticipated in mid-2018.
 - Staff believes that Yreka's advance work, established watershed partnerships, and prior experience will contribute favorably to an application even though this funding is likely to be highly competitive.
 - Staff has selected, and is negotiating an agreement with, an appropriate consultants who can assist the City with this application, the Trash Amendment implementation, and overall stormwater program compliance.
2. Caltrans operates two highway facilities, I5 and SR3/Main Street, which bisect the community.
 - Caltrans must also comply with the trash provisions under their own MS4 permit.
 - Caltrans facilities also intersect the City's MS4 storm drain system. Staff has already had preliminary conversations with Caltrans about establishing a cooperative effort.
 - Caltrans might be able to contribute funding, or maintenance, for trash removal projects along their facilities.
3. Enterprise Fund Utility.
 - The State Legislature is currently considering SB 231 which would redefine "sewer" to include storm sewers, thereby making stormwater a utility subject to Proposition 218.
4. Potential fee-based services.
 - Charging for the costs of providing services could provide a funding source for a small portion of the Stormwater program. Although this might not contribute directly to Trash compliance, it would contribute funding for other program costs. Potential fee-based services include: inspections of private facilities, plan review, construction site inspections, etc.
5. Development Impact and Connection Fees.
 - New construction contributes to the cost of regional infrastructure or provides new facilities to serve future needs for growth.
6. Unfunded Mandate Claim.

- Concerns regarding how to pay for trash compliance is not unique to Yreka. The City may not have the resources to test this, but may benefit from the efforts of other agencies.

Staff has spent considerable time wrestling with a recommendation for Council's consideration. There are no good options; each has pros and cons. Current indications from the Water Board staff are that agencies will be able to switch Track any time within the 10-year period, if appropriate baseline information is available.

Public Works recommends selecting Track 1 due to the certainty of compliance and because it does not require an on-going monitoring commitment. The Stormwater Consultants who assisted in the preparation of our jurisdictional map, preliminary indications are that a relatively low proportion of the City's storm drain infrastructure would need to be treated by full capture devices. Over the 10-year Implementation period, the capital costs of Track 1 may be partially offset by grants whereas the future, on-going costs of Track 2 are primarily staff costs.

The City Manager and the City Attorney lean toward Track 2 which is possibly less expensive and may provide more flexibility with respect to the City's specific circumstances (i.e. disadvantaged community, relatively low trash generation). The projected costs of Track 1 are far greater than the City's ability to absorb, however the City should complete tasks that will keep the options open. Because the implementation is more flexible, the costs associated with Track 2 are difficult to accurately quantify.

In order to keep the options open, staff plans to develop key information (Baseline Trash Condition Assessment and portions of the Implementation Plan) which is due by December 2018 if Track 2 is selected.

Fiscal Impact:

Currently, the only City funding source available to comply with this mandate is the general fund. Developing a long-term funding strategy for the Stormwater Program, and trash compliance, is imperative. Over 10 years the following costs are projected:

- Currently budgeted MS4 program costs of approximately \$30,000 per year.
- Track 1 - approximately \$7.6 Million in capital costs and \$6000 annually
- Track 2 - approximately \$6.5 Million including one-time costs of \$3.4 Million and \$315,000 per year.

Following Council discussion, Councilmember Bicego moved to direct staff to proceed with the selection of Track 1 towards compliance with these new requirements so that it can be incorporated into the next MS4 permit.

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.

Authorize the Mayor to execute a response to the Grand Jury on the new Yreka Police Department Facility.

Following Council discussion, Councilmember Bicego moved to authorize the Mayor to execute a response to recommendations 1 and 5 to the Grand Jury on the new Yreka Police Department Facility.

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 Mayor Freeman announced that the closed session has been 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 September 7, 2017

Elizabeth E. Casson, City Clerk