



**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF YREKA HELD IN SAID CITY ON JUNE 15, 2021**

On the 15th day of June 2021, the City Council of the City of Yreka met in regular session, and upon roll call, the following were present: Deborah Baird, Joan Smith Freeman, Duane Kegg, and Corey Middleton. Absent: Paul McCoy.

Rain Rock Casino General Manager Mike Rose, Karuk Tribal Self-Governance Director Darrell Aubrey, and Karuk Tribal Councilman Joshua Saxon made a presentation to the Council at this time regarding a major expansion for the casino. They announced that they intend to expand the casino space for slot machines and table games. Additionally, the Rain Rock Casino intends to build a 43,000 sq. ft. hotel with 80 rooms, 12 cottages, an events center, a 15,000 sq. ft. garden area with a pool, hot tubs, and waterfalls. They expect to hire an additional 50 to 60 people.

Casino staff will return to the Council later this year with architectural drawings to give the community a better idea of what the expansion will look like.

Mayor Duane Kegg suggested moving item #9, the discussion of fireworks, to item #1, which was approved with the unanimous consent of the Council.

The order of the items on these minutes has not been changed, in order to maintain consistency with the published agenda.

1. Discussion/Possible Action - Consent Calendar:

Mayor Kegg 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:

The City Manager recommended approval of the following consent calendar items:

- a. Approval/ratification of payments issued from May 24, 2021, through June 6, 2021.
- b. Approval of Minutes of the meeting held June 1, 2021.
- c. Continuation of Urgency Ordinance #855
- d. Treasurer's Report on Cash and Budget to Actuals – April 2021
- e. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Following Council discussion, Councilmember Freeman moved to approve.

Councilmember Middleton seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, McCoy, Middleton, and Kegg.

Mayor Kegg thereupon declared the motion carried.

2. Discussion/Possible Action: Appointment of Mark Kendall to the YFD

Fire Chief Jerry Lemos recommended Mark J. Kendall to the Council, for appointment to the Yreka Volunteer Fire Department.

Following Council discussion, Mayor Kegg moved to approve.

Councilmember Freeman seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

3. Information Item – Environmental Restoration Strategy Authority.

Bob Rice and Anthony Intiso made a presentation to the Council at this time.

Following Council discussion, there was no motion by Councilmembers at this time.

4. Discussion/Possible Action – Zoning Code Amendment, Mobile Vendors:

Adopt Ordinance #862 amending Section 16.46.080 of Chapter 16.46 of Title 16 of the Yreka Municipal Code entitled "Sales from Vehicles, Trailers, or Mobile Units on Private or on Public Property".

Deputy Planning Director Liz Casson presented information on this item to the Council.

City Staff has been working with the Planning Commission to amend Yreka Municipal Code (YMC) Section 16.46.080 entitled Sales from Vehicles, Trailers, or Mobile Units on private or on public property.

This proposed amendment will align the Yreka Municipal Code with our current practice, which significantly increases the time allowed by a "daily vendor" from 2 hours to 8 hours within a 24-hour period.

Following Council discussion, Councilmember Freeman moved to approve as presented.

Councilmember Middleton seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

5. Discussion/Possible Action – Zoning Code Amendment, Fence Heights:

Adopt Ordinance #863 amending Section 16.46.050 of Chapter 16.46 of Title 16 of the Yreka Municipal Code relating to Fencing, Walls, Hedges and Screen Planting and finding that this Ordinance is exempt from CEQA.

Deputy Planning Director Liz Casson presented information on this item to the Council.

City Staff has been working with the Planning Commission to amend Yreka Municipal Code (YMC) Section 16.46.050 entitled "Fencing, walls, hedges and screen planting".

The proposed amendment allows the Planning Commission authority to grant approval by way of a Conditional Use Permit to:

- a. Reconstruct non-conforming fences that are damaged or destroyed to an extent of less than 30%,
- b. Approve fences within the front yard setback in the M-1 Light Industrial Zone up to six feet (6').
- c. Approve increase in fence heights on corner lots contingent upon the approval of the Director of Public Works and the Chief of Police that no safety hazard is created by the greater height. The conditions of approval would be specific to the site location and visibility zones.

Following Council discussion, Councilmember Baird moved to approve as presented.

Mayor Kegg seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

6. Discussion/Possible Action – UWMP Hearing and Resolution

Conduct a Public Hearing to Accept Public Input and Consider Adopting a Resolution Approving the 2020 Urban Water Management Plan:

Municipal Project Manager Arthur Boyd and Grant Maxwell, Senior Engineer with PACE Engineering, Inc. presented information on this item to the Council.

It is requested that the City Council conduct a public hearing as required by the California Water Code for the purpose of obtaining input regarding:

1. a method, pursuant to California Water Code for determining the City's urban water use target in 2020,
2. its plan for achieving the water conservation provisions of its Draft Update, and
3. the economic impacts of its implementation plan for achieving the 2020 urban water use target.

Any city or county within which a water supplier delivers water is to be notified at least 60 days prior to the hearing to be conducted. On April 14, 2021, the Department of Public Works sent the required notifications to the Karuk Tribe and various departments of the County of Siskiyou. Copies of the Draft Plan have been made available for public review at City Hall and written comments are/were required to be submitted by 5 pm on June 15, 2021, so that the Council may consider them during the public hearing.

The Urban Water Management Plan (UWMP) serves as the basis for the City to effectively assess, plan, and manage its water resources to meet existing and future water needs of the community. This update addresses the changes required by the California Water Code. Specifically, the City is required to report on its demand management measures, its efforts to reduce demand, and the progress it has made towards meeting its water usage targets for 2020.

The City met its per capita interim target reduction for the 2020 report and is currently meeting target reductions for 2020 indicating that the methods of outreach have been successful.

Much of this update focused on ensuring that cities in California consider current circumstances and the best available data and planning tools available in order to address water needs throughout the state.

Councilmember Baird found a typo on in the second paragraph of Resolution #2021-26, which follows: “*Current requirements are that urban water suppliers prepare water conservation plans that will produce a 10% per capita water savings by 2020 and a 20% per capita water savings by 2020 compared to a historic baseline.*” This sentence should have read “*Current requirements are that urban water suppliers prepare water conservation plans that will produce a 10% per capita water savings by 2015 and a 20% per capita water savings by 2020 compared to a historic baseline.*” (Emphasis added for clarity.)

Following Council discussion, Councilmember Baird moved to approve the resolution, provided that the typo was corrected.

Mayor Kegg seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

7. Discussion/Possible Action – Expenditures of Funds Prior to Adoption of the Budget:

Adopt a Resolution Authorizing the Expenditure of Funds Prior to the Adoption of the Fiscal Years Ending June 30, 22 Annual Budget

Finance and Administrative Services Director Rhetta Hogan presented information to the Council regarding this item.

The City's annual budget process is expected to continue into the new fiscal year beginning July 1, 2021. Staff will be making a one-year budget recommendation with a second-year projection. A second full budget will be prepared for fiscal year ending June 30, 2023, postponing the usual biannual budget process, due to organizational transitions and the impacts from a large volume of capital projects current being realized by the city.

City has met with department heads and conducted its first workshop:

- (1) Staff has brought to City Council proposals to address some of the capital improvements deficit issues, that included the HV AC for the Community Theater,
- (2) Staff has brought together several resolutions authorizing the restructure of expected vacancies and planned staffing levels (planned retirements, normal attrition, and advance hire policy for vacant positions).
- (3) Staff is currently following guidance from Cal Cities, Michael Coleman, on eligible expenditures for the American Rescue Plan Act (ARP A), for planned budget augmentation.

(4) Staff has addressed immediate funding for expenditures relating to cross-over year expenditure projects of construction paving, parking lot rehabilitation, and the YMCA summer swim programs.

(5) Staff has set up a special property nuisance abatement fund to commence property cleanup.

(6) Staff expects to meet with the Finance Committee in late June or early July to discuss the draft budget documents.

It is expected that adoption of the City's annual budget will be scheduled for an action item in July or early August of 2021. This resolution is for that interim period, as the City will have expenses related to on-going services, programs and projects.

Following Council discussion, Councilmember Freeman moved to approve.

Councilmember Middleton seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

8. Discussion/Possible Action – Cal OES Strike Teams

Adopt Resolution Approving the Compensation Rates for Members of the Yreka Volunteer Fire Department While on Strike Teams with the State of California Governor's Office of Emergency Services.

Fire Chief Jerry Lemos presented information on this item to the Council.

The Yreka Fire Department has historically participated in Wildfires in the State of California via Strike Teams formed within the County. These fires have taken the firefighters away from their normal duty station in the City of Yreka and have compensated them utilizing established rates under agreements with the State of California, approved by the fire department's governing body (City Council). It is necessary to update the resolution to accurately reflect current pay rates and conditions.

Following Council discussion, Councilmember Middleton moved to approve.

Councilmember Freeman seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

9. Discussion/Possible Action – Fireworks

Discussion of Safety and Hazards of Fireworks and Consideration of Limiting Sales/Use.

Fire Chief Jerry Lemos presented information on this item to the Council.

The purpose of this agenda item was to discuss the safety and hazards of fireworks and to consider limiting the sales or use of fireworks within the city limits.

In discussions with fire officials at both local and state levels, the common belief is that the prohibition of safe and sane fireworks will only punish those who follow the law anyway and illegal use of fireworks will continue. In addition, for those that are denied that right to celebrate with fireworks at home may purchase illegal fireworks and venture out to the outskirts of town where there are fewer eyes to see them, which means potential for more fire starts over a wider area. Yreka Fire has experienced very few fires that were attributed to fireworks over that last several years.

As for enforcement side of this issue, laws regarding illegal fireworks have been on the books for years. Each Fourth of July, local law enforcement is bombarded with 911 calls for illegal fireworks. By the time an officer is able to reach the area, the perpetrators are gone and so is the evidence, the next call comes in and the cycle continues. The Yreka Fire Chief does not have full police powers or ability to cite individuals who are breaking the law. We rely on YPD and CalFIRE law enforcement, if available.

Chief Lemos and several citizens suggested continuing to allow the sale of “safe and sane” fireworks with an emphasis on public safety education and enforcement of dangerous/illegal fireworks.

Following Council discussion, there was no motion by Councilmembers at this time.

10. Discussion/Possible Action – Signatory Authority Transfer:

Adopt a Resolution to Designate Check Signing Authority to the City Treasurer and City Clerk.

Finance and Administrative Services Director Rhetta Hogan presented information to the Council regarding this item.

Historically the City of Yreka has utilized dual signatures on checks, generally employing the signature authority of the City Manager and City Treasurer. To facilitate transition of administration, staff is recommending delegation of that authority to the City Clerk and City Treasurer, positions currently held by Arthur Boyd and Rhetta Hogan.

The dual signature authority is a best practice, and of importance for internal controls. Disbursement approval and or ratification process by the City Council at its regular meetings remains unchanged.

Following Council discussion, Mayor Kegg moved to approve.

Councilmember Freeman seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

11. Discussion/Possible Action – Sound System

Discuss Exploration of the Purchase and Installation of a New Sound System for The City Council Chamber

Municipal Project Manager Arthur Boyd and Finance and Administrative Services Director Rhetta Hogan presented information on this item to the Council.

Councilmember have received complaints about the sound system in the City Council Chambers, particularly during the zoom meetings (or the hybrid zoom/in-person meetings). This agenda item was to discuss exploring the purchase and installation of a new sound system for the City Council Chambers. Two informal quotes were presented from Network One and 22nd Avenue.

Following Council discussion, there was no motion by Councilmembers at this time.

12. Discussion/Possible Action – Interim City Manager

Authorization for the Mayor to Enter into a Retired Annuitant Employment Agreement for Interim City Manager with Randy L Johnsen

Finance and Administrative Services Director Rhetta Hogan presented information to the Council regarding this item.

The recruiting process for a new city manager is expected to take 4 months or longer. Beginning in July and extending through the recruitment period, an Interim City Manager is needed.

City Council has interviewed Randy L. Johnsen who has significant experience both as a City Manager as well as serving as Interim City Manager for a number of cities. An agreement has been developed with Mr. Johnsen to provide Interim City Manager services on an hourly basis, without benefits, in accordance with CalPERS rules for retired annuitants.

The starting date for Mr. Johnsen is July 6, 2021. The contract provides for \$2,700 per week during the term of employment.

Following Council discussion, Councilmember Freeman moved to approve.

Councilmember Freeman seconded the motion, and upon roll call, the following voted AYE: Baird, Freeman, Middleton, and Kegg. Absent: McCoy.

Mayor Kegg thereupon declared the motion carried.

City Manager/Staff Reports:

City Manager and Staff made brief announcements or reports at this time.

- Status Report: CA-HCD SB2 Grant and Local Early Action Planning (LEAP) Grant. City Manager Steve Baker presented information to the Council regarding this item.
- Greenhorn Bridge Director of Public Works Matt Bray presented information to the Council regarding this item.

- Liquor Licenses

Chief of Police Mark Gilman presented information to the Council regarding this item.

Dollar General applied for a liquor license, but the City would be over their limit of 7 issued licenses. Resolution #2289, passed 9/2/99 designated the Chief of Police to make determinations for the issuance of liquor licenses.

Following Council discussion, the Council unanimously approved authorization for the Chief to issue a liquor license to Dollar General.

Council Statements and Requests:

Councilmembers reported on various community events and meetings attended.

CLOSED SESSION:

The City Council recessed to Closed Session to discuss the following item(s):

1. 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).

2. Public Employment (§ 54957)

Public Employee Recruitment, Pursuant to Government Code Section 54957(b)
Position affected: City Manager.

3. Public Employment (§ 54957)

Public Employee Recruitment, Pursuant to Government Code Section 54957(b)
Position affected: Police Chief.

RETURN TO OPEN SESSION:

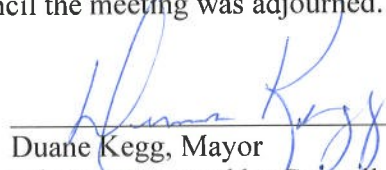
Upon return to open session, City Manager Baker reported that no action was taken by the City Council in Closed Session, as required by the Ralph M. Brown Act. (Government Code Section 54950 et. seq.)

ADJOURNMENT.

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

Attest:


Arthur Boyd, City Clerk


Duane Kegg, Mayor
Minutes approved by Council,
Motion July 6, 2021