

Corey Middleton, Mayor
Paul McCoy, Mayor Pro tempore
Colleen Baker, Councilmember
Drake Davis, Councilmember
Duane Kegg, Councilmember



Jason Ledbetter, City Manager
Rhetta Hogan, Asst. City Manager and Clerk
Emily Aldrich, Finance Director
Matthew Bray, Public Works Director
John Elsnab, Human Resources Director
Mark Gilman, Police Chief
Andrew Jared, City Attorney
Jerry Lemos, Fire Chief
Juliana Lucchesi, Community Dev. Director

YREKA CITY COUNCIL MEETING MINUTES

October 17, 2023

Closed Session: 5:30 PM

Regular Session: 6:30 PM

Yreka City Council Chamber, 701 Fourth Street, Yreka, CA

Phone 530-841-2386, Facsimile 530-842-4836, email: cityclerk@ci.yreka.ca.us

Regular Meetings of the Yreka City Council are held the 1st and 3rd Tuesday of every month.

1. 5:30PM CALL TO ORDER:

The meeting was called to order at 5:30 PM, Councilmembers Baker, Davis, Kegg, McCoy and Middleton were present.

2. PUBLIC COMMENT ON CLOSED SESSION:

3. CLOSED SESSION:

The City Council will recess to Closed Session to discuss the below item(s). At the conclusion of the Closed Session, Open Session will reconvene and reportable action, if any, will be announced.

a. **Conference with Legal Counsel Existing Litigation (Gov. Code Sec. 54956.9(d)(1)):**

In re: Aqueous Film-Forming Foam Products Liability Litigation, MDL No. 2-18-mn-2873-RMG (USDC SC)

4. 6:30PM CALL TO ORDER REGULAR SESSION AND PLEDGE OF ALLEGIANCE:

The meeting was called to order at 6:30PM, Mayor Middleton announced there was no reportable action taken from closed session. Mayor Middleton requested that item 10.a. City of Yreka Proclamation United Against Hate be considered prior to item 9.a. Yreka Travel Center and Hotel Development Planned Unit Development Amendment during the meeting. Councilmembers consented to the change.

5. SPECIAL PRESENTATIONS AND/OR ANNOUNCEMENTS:

This time slot is for informational presentations, appointments, or awards to be presented by the City Council or to the City Council.

6. PUBLIC COMMENTS:

Public participation is welcomed and invited at all City Council meetings. This time is set aside for residents to address the City Council on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda. If your comments concern an item noted on the Regular Agenda, please address the Council when that item is open for public comment.

The City requests that persons addressing the City Council refrain from making personal, slanderous, profane, or disruptive remarks.

Councilmembers, when recognized by the Mayor, may ask clarifying questions of presenter but no action may be taken by the City Council during the public comment section of the meeting. Under the Brown

Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.

This time is set aside for residents to address the City Council on matters listed on the Consent Agenda as well as other items not included on the Agenda. If your comments concern an item listed under the Public Hearing or New Business sections of the Agenda, please address the Council when that item is open for public comment.

- Please speak into the microphone from the podium. The podium electronically adjusts up and down to accommodate speaker.
- Please state your name for the record prior to providing your comments.
- Please address the Council as a whole.
- If you have documents to present, please provide a minimum of seven (7) copies. These become a public record.
- Please limit your remarks to five (5) minutes.
- Since Council is unable to take action on issues not on the agenda, your matter may be referred to staff for follow up or be placed on a future agenda.

The public comment period is **not** intended to be a “Question and Answer” period or conversations with the Council or City staff.

Public comment was heard from Claudia East, Don East, and Lorenzo Love.

7. CONSENT AGENDA:

All matters listed under the consent agenda are considered routine and non-controversial and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion,

- a. Approval/ratification of payments issued from September 25, 2023, through October 06, 2023.
- b. Approval of Minutes of the Regular Meeting held October 3, 2023.
- c. Motion to Adopt Resolution 2023-50 of the City Council of the City of Yreka, State of California, Authorizing the Filing of a Grant Application for Community Planning and Development – Pathways to Removing Obstacles to Housing (FR-6700-N-98).
- d. Motion Authorizing Yreka’s Police Chief, Mark Gilman to enter into a multijurisdictional Memorandum of Understanding recognizing the city’s participation in the North State Major Investigation Team (NSMIT)

Recommended City Council Action: Motion to Adopt the Consent Agenda of the City Council of the City of Yreka as presented.

Motion to Adopt the Consent Agenda of the City Council of the City of Yreka as presented.

MOTIONED: Councilmember Kegg

SECONDED: Councilmember Baker

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0-

8. OLD BUSINESS: (none)

9. PUBLIC HEARINGS:

Public Hearing Protocol:

- i. Mayor will describe the purpose of the Public Hearing.*
- ii. City Staff will provide the Staff Report.*
- iii. City Staff will respond to questions from the City Council.*
- iv. Mayor will open the Public Hearing.*
- v. Public wanting to comment will come to the podium, provide the City Clerk with their name and address, and provide their comments.*
- vi. Mayor will close the Public Hearing.*
- vii. City Council will deliberate and act on the item.*

a. **Title: Yreka Travel Center and Hotel Development Planned Unit Development Amendment**

- Review of Planning Commission Approval of Yreka Travel Center and Hotel Development Planned Unit Development Amendment and Conditional Use Permit (YMC Section 16.60.070(F))
- Appeal of Variance 2021-45 (Filed by Darrin Mercier on behalf of Yreka Truck Stop, Holiday Inn Express, and A-1 Investments, LLC) (YMC Section 16.58.090)

Summary:

Applicant 4 North Yreka, LLC seeks to amend Planned Unit Development (“PUD”) Permit 5-98 (Use Permit No. 2883), use permit for the project, and a height variance (Assessor’s Parcel Numbers 053-642-350, 053-642-360, 053-642-370, and 053-642-380). The Project proposes a 12,300 square-foot convenience store, a food hall, and retail shop; a fuel center for automobiles, a separate fuel center for semi-trucks, RV’s, and Trailer Trailers, and a parking lot including electric vehicle charging stations (Phase I); and a 70-room, three-story hotel with parking (Phase II). The height variance allows the hotel building to exceed the maximum height limit of 35 feet for the Commercial Highway zone.

Appellant Yreka Truck Stop, Holiday Inn Express, and A-1 Investments, LLC (through Law Office of Darrin Mercier) challenges the height variance and opposes the review of the Planning Commission Resolution 2023-06.

Recommended Action:

1. Open Public Hearing, receive public comments, and close public hearing
2. Motion to approve City Council Resolution 2023-51 a Resolution of the City Council of the City of Yreka Affirming Planning Commission Approval of Amendments to Planned Unit Development 5-98 with Conditions, and Denying Appeal of Variance 2021-45 and Affirming the Planning Commission Approval of Variance 2021-45.

Councilmember Kegg recused himself from the meeting and discussion of the Yreka Travel Center due to a financial conflict and left the council chambers.

Public hearing comments were heard from Mr. Bamik, Melissa Moulton, Dawnmarie Autry, Lorenzo Love, Selma Lemon, Lowell Pratt, Ankit Penchal, Nairi Modi, Gary Hall, and Don East.

Attorneys for the applicant pages 85 and 96, pointed out the phrase is “will be detrimental”, should read “will not be detrimental”. The City Clerk acknowledged the changes to be made.

Motion to approve City Council Resolution 2023-51 a Resolution of the City Council of the City of Yreka Affirming Planning Commission Approval of Amendments to Planned Unit Development 5-98 with Conditions and correcting the omission of the word “not”, in the phrase “will not be detrimental on pages 85 and 96 of the agenda for Resolution 2023-51.

MOTIONED: Councilmember Baker

SECONDED: Councilmember Davis
AYES: Councilmembers Baker, Davis, McCoy, and Middleton
NOES: -0-
ABSENT: Kegg

Motion Denying Appeal of Variance 2021-45 and Variance will be granted.

MOTIONED: Councilmember Baker
SECONDED: Councilmember McCoy
AYES: Councilmembers Baker, Davis, McCoy, and Middleton
NOES: -0-
ABSENT: Kegg

City Attorney Andrew Jared mentioned that the resolution as presented for consideration incorporates both of the two separate motions made this evening in that document.

10. NEW BUSINESS

City Manager

a. **Title:** City of Yreka Proclamation United Against Hate

The City Council for the City of Yreka adopted the Proclamation United Against Hate on October 18th of 2022 at the request of members of the public. The United Against Hate organization was created by civic leaders to empower residents to take action in their local communities and build inclusive and equitable communities for all. United Against Hate Week (Nov. 12-18, 2023) is a call for seven days of local civic action by people in every community to stop the hate and implicit biases that are a dangerous threat to the safety and civility of our neighborhoods, towns, and cities.

Recommended City Council Action: Motion to adopt the City of Yreka Proclamation United Against Hate as presented and Proclaiming November 12-18, 2023, as United Against Hate Week.

Item 10.a. City of Yreka Proclamation United Against Hate was considered prior to item 9.a. Yreka Travel Center and Hotel Development Planned Unit Development Amendment during the meeting.

Motion to adopt the City of Yreka Proclamation United Against Hate as presented and Proclaiming November 12-18, 2023, as United Against Hate Week.

MOTIONED: Councilmember McCoy
SECONDED: Councilmember Kegg
AYES: Councilmembers Kegg, McCoy and Middleton
NOES: Councilmember Baker and Davis
ABSENT: -0-

11. CITY MANAGER/STAFF REPORTS:

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

City Manager Ledbetter met with the consulting company that bid on Ringe Pool on October 5, 2023. Mr. Ledbetter will be attending the cemetery district board meeting, to discuss a fencing project. Mr. Ledbetter will be meeting with the consultant working with the EDC to go over strategic planning with the Economic Development Council specifically for the city. For the months of November and December will be suspending the Ad Hoc Committee. I have given every council member a draft newsletter containing updates on the multitude of projects the City has going on, for your consideration. The plan is to roll that out sometime in November.

Police Chief Gilman gave information on animal control with sworn officers performing animal control functions, overall performance has increased by 24%. (Statistic report is included with the minutes)

12. MAYOR/COUNCILMEMBERS REPORTS, STATEMENTS AND REQUESTS:

AB 1234 Conference and Meeting Report (verbal, if any) *(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)*

Members of the Council may make brief announcements, reports, or request staff to report to Council on any matter at a subsequent meeting.

Councilmember Davis commented he is better from being ill recently.

Councilmember Baker asked about the availability of utility rate increase protest vote form on City website. Councilmember Baker voiced questions and concerns about how things are handled procedurally for agenda placement and whether that should be addressed when revisiting the code of conduct policy.

Mayor Pro tempore McCoy attended Local Transportation Commission (LTC). Mayor Pro tempore McCoy attended LOLA in Tulelake.

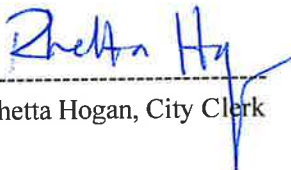
Mayor Middleton also attended LOLA meeting in Tulelake. Mayor Middleton met with City Attorney Andrew Jared, and together they have a plan on moving forward with the code of conduct. City Attorney Andrew Jared will be speaking to each councilmember individually to gather information and concerns first.

13. ADJOURNMENT:

The meeting was adjourned at 10:53PM.



Corey Middleton, Mayor
Minutes approved by City Council,
Motion on November 7, 2023



Rhetta Hogan, City Clerk



POLICE DEPARTMENT



Animal Control Stats from Oct. 17th 2023.

From Oct. 2022 to Oct. 2023 there were approximately 1030 animal control calls for service. This was a 24% increase over the year before. This was total calls that an ACO would handle.

Breaking that down to a few specific search queries gives us: (Search is Oct. 1st from year to year.)

- "Animal"
 1. 22-23=769
 2. 21-22=754
 3. 20-21=594
- "Animal Capture"
 1. 22-23=9
 2. 21-22=0
 3. 20-21=0
- "Adoption"
 1. 22-23=8
 2. 21-22=7
 3. 20-21=4
- "Bite"
 1. 22-23=43
 2. 21-22=36
 3. 20-21=27
- "Animal Found"
 1. 22-23=33
 2. 21-22=33
 3. 20-21=24