

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON APRIL 19, 2018

On the 19TH day of April 2018, 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 - Robert Bicego.

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 6, through April 19, 2018.
- b. Approval of Minutes of the meeting held April 5, 2018.

Councilmember Kegg requested that item 1a – payments be pulled for discussion.

Following Council discussion, Councilmember Shaskey moved to approve the Minutes of the meeting held April 5, 2018, as submitted.

Councilmember Kegg seconded the motion, and upon roll call, the following voted YEA: Freeman, Kegg, and Shaskey. Abstain – Baird. Mayor Freeman thereupon declared the motion carried.

Approval/ratification of payments issued from April 6, through April 19, 2018.

Councilmember Kegg requested a clarification relating to the propane bills, Finance Director Hogan stated that she would look into the matter and get back to him.

Following Council discussion, Councilmember Kegg moved to approve the payments issued from April 6 through April 19, 2018, 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.

Annual Report – Kim Pressley, President Liberty Arts.

- Discussion/Possible Action – Adopt Resolution # 2018-13 authorizing the City Manager to execute a Lease Agreement between the City of Yreka and Liberty Arts for City owned property known as 108 W. Miner Street.

Kim Pressley, President of Liberty Arts, addressed the Council presenting an Activity Report for the past five years.

City Manager Steve Baker reported that the City entered into a Lease Agreement with Liberty Arts on May 1, 2008 for the lease of City owned property located at 108 W. Miner Street for a

period of five years, and subsequently approved an extension of said lease for an additional five (5) year period subject to the same terms and conditions in April of 2013.

As part of the current Lease Agreement, which expires April 30, 2018, Liberty Arts has submitted an Activity Report for the past five years and is requesting continuation of the Lease relationship under similar terms and conditions of the original lease. City staff has reviewed the proposed Lease Agreement with representatives of Liberty Arts and recommends that the City Council authorize the City Manager to enter into another Lease Agreement for a period of five (5) years, with the option to extend terms of the agreement for two (2) additional periods of five (5) years as depicted on page 2, in paragraph 3.2 of the Lease Agreement.

Councilmember Shaskey announced that he is recusing himself due to a conflict of interest due to his business relationship with Liberty Arts.

Following Council discussion, Councilmember Kegg moved to adopt the Resolution # 2018-13 as submitted.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Freeman, and Kegg. Abstain – Shaskey. Mayor Freeman thereupon declared the motion carried.

Acceptance of the Audited Financial Report Fiscal Year 2016-17.

Logan Castle of Aiello, Goodrich, and Teuscher addressed the Council to present the City's 2016-2017 Audited Finance Statements.

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.

Approval of appointment of Jenny Handa and Larissa Woltering to the Yreka Volunteer Fire Department.

Yreka Volunteer Fire Chief Jerry Lemos introduced candidates Jenny Handa and Larissa Woltering, recommending their appointment to the Fire Department.

Following Council discussion, Councilmember Baird moved to approve the appointment of Jenny Handa and Larissa Woltering to the Yreka Volunteer Fire Department.

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 Resolution 2018-14 authorizing the City to enter into an Agreement with HealTherapy, Inc., allowing development of an Equestrian Facility in Greenhorn Park.

City Manager Steve Baker reported that on March 28, 2018, the City received a letter of proposal from HealTherapy, Inc., which has provided equine facilitated therapy in Siskiyou County since 2001. The City has allowed HealTherapy, in partnership with Siskiyou County Probation, to use the upper reaches of Greenhorn Park for the Equine Program with appropriate insurance coverage. HealTherapy is requesting permission from the City to further develop the existing equestrian facility, which is located on City property approximately half a mile west of Upper Greenhorn Park. This area was developed by City staff and designated for trail access and parking for equestrian use.

HealTherapy would provide portable metal ranching panels and, with the help of Siskiyou County Probation, install a 30-foot diameter round pen and small pen areas. All the proposed structures would be temporary and could be dismantled as necessary. HealTherapy would extend public use of these pens for private citizens and their equines during non-program hours.

Siskiyou County Probation Department has agreed to construct a Greenhorn Park Equestrian Center sign that would display Park Rules and HealTherapy's program hours as well as other suggested verbiage.

The initial proposal letter contains a request that the City provide and maintain a portable restroom for the facility, which would cost approximately \$120 per month plus staff time for monitoring. For fiscal reasons, as well as reluctance to set such a precedent, staff does not recommend accepting this responsibility.

Judd Pindell, of HealTherapy addressed the Council to answer any questions regarding the proposed equestrian facility.

Following Council discussion, Councilmember Kegg moved to adopt Resolution No. 2018-14 as amended to include a requirement to provide the City of Yreka with evidence of insurance naming the City as additionally insured in the amount of \$1 million and to reflect all costs would be paid by Heal Therapy, including costs of portable restrooms.

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 Resolution # 2018-15 approving guidelines for the submission and tabulation of protests in connection with rate hearings conducted pursuant to Article XIID, Section 6 of the California Constitution and finding the Resolution exempt from CEQA.

City Manager Steve Baker reported that the City of Yreka 2018 Water and Wastewater Utility Rate Study evaluates the systems' cost-of-service as discussed in the workshop conducted earlier this evening. Based on comments this evening, the City anticipates continuing to move forward receiving and filing the final Water and Wastewater Utility Rate Study and approving the Proposition 218 Notice to be published in the Siskiyou Daily News advertising a Public Hearing to be held on June 21, 2018.

City Attorney Dohn Henion reported that pursuant to California Constitution Article XIII D, Section 6 (Proposition 218), prior to imposing a new or increasing an existing property-related fee such as water rates, the City is required to hold a public hearing and mail notice of the public hearing to the record owner of the property and any tenant who is directly liable for the payment of the proposed fees, such as the customer of record. Any record owner or customer of record who is subject to the proposed utility charge that is the subject of the hearing may submit a written protest. A majority protest exists if the number of validated written protests received equals at least 50% plus one of the parcels subject to the proposed change.

Proposition 218 requires that the notice include the following: (a) the amount of the fee or charge proposed to be imposed; (b) the basis upon which it was calculated; (c) the reason for the fee or charge; and (d) the date, time, and location of the public hearing. Consistent with these requirements, the proposed Proposition 218 Notice presents the modifications to the Water Fee structure and provides examples of the impact to typical users within the various customer classes, along with a summary explanation of the reason for the proposed rate structure changes and increases, and the basis upon which the rates were calculated. The notices must be mailed at least 45-days in advance of the public hearing to consider modifications to the rates. The Resolution presented for adoption tonight sets forth the guidelines for submission and tabulation of such protests.

Following Council discussion, Councilmember Shaskey moved to adopt the Resolution 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.

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 May 3, 2018

Elizabeth E. Casson, City Clerk