

YREKA CITY COUNCIL  
AGENDA  
December 20, 2012 – 6:30 P.M.  
Yreka City Council Chamber 701 Fourth Street, Yreka, CA

PLEDGE OF ALLEGIANCE

**PUBLIC COMMENTS:** This is an opportunity for members of the public to address the Council on subjects within its jurisdiction, whether or not on the agenda for this meeting. The Council has the right to reasonably limit the length of individual comments. Pursuant to Yreka Municipal Code Section 1.24.170 those addressing the Council shall limit their remarks to five minutes. For items, which are on this agenda, speakers may request that their comments be heard instead at the time the item is to be acted upon by the Council. The Council may ask questions, but may take no action during the Public Comment portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda.

**SPEAKERS:** Please speak from the podium. State your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

**Presentations to:**

- David Peterson in recognition of his retirement from city service.
- Randy Horn in recognition of his retirement from city service.

1. Discussion/Possible Action - Consent Calendar: 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 recommends approval of the following consent calendar items:

- a. Approval of Minutes of the regular meeting held December 6, 2012.
  - b. Approval of Warrants issued from December 7, 2012 through December 20, 2012.
  - c. Adopt Resolution No. 3002 approving the destruction of certain City Records identified by the Finance Director.
  - d. Approval of September 2012 Quarterly Treasurer's Investment Report.
  - e. Approval of budget to actual and Treasurer's Report for the month of October 2012.
2. Discussion/Possible Action – Approve a Supplemental Appropriation for the Yreka Creek Flood Hazard Reduction Project.
3. Annual Development Impact Fee Report:
- a. Public Hearing – to solicit public comments regarding the City's intention to adopt a Resolution to approve the Annual Development Impact Fee Report and Updating the City's Capital Improvement Plan and Development Impact Fee Program.
  - b. Discussion/Possible Action – Adopt Resolution No. 3001 approving the Development Impact Fee Reports and Updating the City's Capital Improvement Plan and Development Impact Fee Program.

4. Supplemental Law Enforcement Grant Funds (COPS) Fiscal Year 2012/2013:
  - a. Public Hearing - to discuss the proposed spending plan submitted by the Chief of Police for the Supplemental Law Enforcement Grant Funds (COPS) Fiscal Year 2012/2013.
  - b. Discussion/Possible Action – Adopt Resolution No. 3003 Authorizing the Spending Plan of the Supplemental Law Enforcement Grant Funds for Fiscal year 2012-2013.
5. Discussion/Possible Action – Adopt Resolution No. 3004 adopting the 2013 meeting calendar for the Yreka City Council.
6. Discussion/Possible Action – Adopt Resolution 3005 approving the amended Constitution and Amended Bylaws of the Yreka Volunteer Fire Department.
7. Discussion/Possible Action – Adopt Ordinance No. 833 Amending Ordinance 831 regarding Section 11.01.080 of the Yreka Municipal Code in Title 11, Buildings And Construction.
8. Discussion/Possible Action – Adopt Resolution No. 3006 authorizing the listing of 307 North Street and related actions.

City Manager Report:

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

**CLOSED SESSION:**

1. Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001.
2. Conference with Real Property Negotiator (Government Code Section 54956.8)
 

Property:	Assessor Parcel No. 062-011-200
Third Party Negotiator:	County of Siskiyou
City Negotiators:	City Manager and City Attorney
Under Negotiation:	Possible purchase including price, terms of payment, or both.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)
 

Property:	Assessor Parcel No. 013-110-130 & 140
Third Party Negotiator:	County of Siskiyou
City Negotiators:	City Manager and City Attorney
Under Negotiation:	Possible purchase including price, terms of payment, or both.
4. Conference with Real Property Negotiator (Government Code Section 54956.8)
 

Property:	Assessor Parcel No. 053-681-070
Third Party Negotiator:	Cliff Brown, Phillipe Lane Industrial Park
City Negotiators:	City Manager and City Attorney
Under Negotiation:	Possible purchase including price, terms of payment, or both.

5. 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).

**RETURN TO OPEN SESSION: Announcement** of any action taken by the City Council in Closed Session required by the Ralph M. Brown Act. (Government Code Section 54950 et. seq.)

Adjournment.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

All documents produced by the City which are related to an open session agenda item and distributed to the City Council are made available for public inspection in the City Clerk's Office during normal business hours.

*In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 841-2324 or by notifying the Clerk at [casson@ci.yreka.ca.us](mailto:casson@ci.yreka.ca.us).*

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON DECEMBER 6, 2012

On the 6<sup>th</sup> day of December 2012, 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: Robert Bicego, Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – None.

City Attorney Mary Frances McHugh announced that Closed Session No. 5 Personnel pursuant to Government Code Section 54957(b)(1), consider appointment for the position of City Attorney, went off calendar due to the reported action taken by the Council in closed session on December 3, 2012.

Addition to the agenda.

City Attorney Mary Frances McHugh submitted a request to add the following items to the agenda:

Discussion/Possible Action: Approve Execution by the City Manager of Agreement for City Attorney Services between the City of Yreka and Dohn R. Henion.

Closed Session: Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001.

City Attorney McHugh reported the reason for need for immediate action: After the preparation and posting of the agenda the Council had a meeting on December 3, 2012, and as a result appointed Mr. Dohn Henion as successor to Mary Frances McHugh, as City Attorney, for the City of Yreka. Mr. Henion's appointment was conditioned upon negotiation of an Agreement for Services, which the City Manager and City Attorney have done and are recommending to Council for approval. Mary Frances McHugh will be leaving office effective December 7, 2012, at 4:45 PM. Direction to Mr. Henion on some pending matters should be accomplished before Ms. McHugh's departure.

Following Council discussion, Council Member McNeil moved to add Discussion/Possible Action: Approve Execution by the City Manager of Agreement for City Attorney Services between the City of Yreka and Dohn R. Henion, as item # 9 to the agenda.

Council Member Bicego seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Following Council discussion, Council Member McNeil moved to add to the closed session portion of the agenda as the new no. 5: Closed Session: Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001.

Council Member Bicego seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Consent Calendar: Mayor Simmen 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 of Minutes of the regular meeting held November 15, 2012.
- b. Approval of Warrants issued from November 16, 2012 through December 6, 2012.
- c. Approval of Budget to Actual and Treasurer's Report for the month of September 2012.
- d. 2011-2012 Final Year End Closing Budget Revision.

Following Council discussion, Council Member McNeil moved to approve the items on the consent calendar as submitted.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Discussion/Possible Direction to staff – Fats, Oils and Grease (FOG) Source Control Program.

Don Rolph, Water Efficiency Coordinator, for the Department of Public Works, addressed the Council to present a draft of the proposed Fats, Oils and Grease (FOG) Source Control Program.

Mr. Rolph reported that a Sewer System Management Plan was prepared as required by the General Waste Discharge Requirements of the State Water Resources Control Board and approved by the City Council in April of 2010. And a required element of the plan is an evaluation to determine if fats, oils and grease (FOG) buildup in the sewer lines is causing blockages and sanitary sewer overflows. If deposition of FOG is found to be significant, a FOG source control program must be prepared and implemented to reduce the amount discharged into the City's sewer system.

Mr. Rolph further reported that an evaluation was completed by Public Works, and the findings are that some commercial and institutional food service establishments are discharging significant amounts of FOG. The results have been some FOG caused sanitary sewer overflows with extra cleaning costs for some sewer lines and fines issued to the City of Yreka from the Regional Water Quality Control Board for the overflows. A draft of the proposed FOG Program is submitted tonight for Council review. The proposed program includes the required evaluation of current and potential FOG disposition and recommendations for an effective program to reduce the amount of FOG discharged. When the FOG program is approved in its final form and successfully implemented, then potential reductions in sanitary sewer overflow fines, and reductions in costs of extra cleaning of sewer lines are expected to offset the required budget amounts.

Following Council discussion Council Member Bicego thanked Mr. Rolph for his presentation of the proposed FOG program and moved to authorize the preparation of a final document, proceed with initial implementation of the FOG Program, primarily - education for Food Service Establishments, and to complete the necessary amendments to the Yreka Municipal Code to fully implement the FOG Program.

Council Member McNeil seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 2999 Finding Certain City Equipment as Surplus Property and Authorizing Sale by City Manager.

City Manager Baker reported that the Yreka Volunteer Fire Department is recommending the sale of certain equipment due to their age and that they are no longer needed, as they have been replaced. Said items being: 5 Survivair 2.2 Sigma LoPro, fire-rated 1992 Spec, 14 Survivair 2.2 Panther LoPro, fire-rated 1992 Spec, 12 Survivair Face Mask, 20/20, 49 Survivair, 30/2216 – Aluminum Cylinder, and 49 Survivair Low Pressure Cylinder Valves.

Following Council discussion, Council Member Mercier moved to adopt Resolution No. 2999 as submitted.

Council Member Bicego seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Adopt Ordinance No. 832 of the City Council of the City of Yreka amending certain sections of the Yreka Municipal Code in Chapters 6.08 Garbage, Rubbish & Waste, 8.04 Animals-General Provisions, 10.32 Vehicles & Traffic and 16.46 Zoning-Special Provisions.

Following the reading of the title of the Ordinance and Council discussion, Council Member McNeil moved to waive the reading of the body of the Ordinance and to Adopt Ordinance No. 832 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

PUBLIC HEARING – To discuss the accomplishments of Community Development Block Grant No. 08-EDBG-5874 and to give citizens an opportunity to make their comments known. The tasks completed under this grant were technical assistance and training for eligible microenterprise businesses to enable them to create and retain local jobs.

This being the time and date scheduled for the Public Hearing, Mayor Simmen opened the hearing to the public.

Pete LaFortune, JEDI Program Manager provided the Council a brief presentation to highlight the accomplishments of the project.

There being no further statements or comments from the public, Mayor Simmen closed the public hearing.

City Attorney - Report and request authority to extend services of outside Counsel; Supplemental Appropriation for Continuing Legal Services.

City Attorney McHugh submitted a report of Counsel engaged to perform legal services on behalf of the City and requested authority to extend services of outside Council and supplemental appropriation for continuing legal services.

Fiscal Impact: The following supplemental appropriation/expenditure is requested:

2A: In re Abbott: General fund reserves appropriate to fund 01-040-0000-525-000, general fund in the amount of Ten Thousand Dollars (\$10,000.00).

2B: In re River Watch Claim: Authorize further expenditure of \$5,000 from funds 80-550-0600-525-000 and 80-560-0000-525-000 (Wastewater Capital Projects and Wastewater Operating Funds, in equal shares).

City Attorney McHugh recommended that the Council exclude item 2A and handle that item as a separate matter, due to the conflict of interest of Council Member Mercier.

Following Council discussion, Council Member Bicego moved approve the request for extension of contract services of outside Counsel and supplemental appropriation as requested with the exclusion of the financial matter listed as 2 A.

Council Member McNeil seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

2A: In re Abbott: General fund reserves appropriate to fund 01-040-0000-525-000, general fund in the amount of Ten Thousand Dollars (\$10,000.00).

Council Member Mercier announced his recusal stating that he has a conflict of interest and left the Council Chamber.

Following Council discussion, Council Member Bicego moved to approve the supplemental appropriation in the amount of \$10,000 as requested.

Council Member McNeil seconded the motion, and upon roll call, the following voted YEA:  
Bicego, Foster, McNeil, and Simmen.

Mayor Simmen thereupon declared the motion carried. Council Member Mercier returned to his seat at the Council table.

Introduce Ordinance No. 833 Amending Ordinance 831 regarding Section 11.01.080 of the Yreka Municipal Code in Title 11, Buildings and Construction.

Following the reading of the title of the Ordinance and Council discussion, Council Member McNeil moved waive the reading of the body of the Ordinance and to Introduce Ordinance No. 833 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA:  
Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

Approval of all Warrants payable to Siskiyou County Economic Development Council from November 16, 2012 through December 6, 2012.

Council Member Mercier announced his recusal stating that he has a conflict of interest with one of the warrants listed by reason of his employment relationship with one of the proposed payees, namely, Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member McNeil moved to approve the warrants as submitted.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA:  
Bicego, Foster, McNeil, and Simmen.

Mayor Simmen thereupon declared the motion carried. Council Member Mercier returned to his seat at the Council table.

Approve Execution by the City Manager of Agreement for City Attorney Services between the City of Yreka and Dohn R. Henion.

Following Council discussion, Council Member Bicego moved to authorize the City Manager to execute the Agreement for City Attorney Services as amended.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA:  
Bicego, Foster, McNeil, Mercier and Simmen.

Mayor Simmen thereupon declared the motion carried.

**CLOSED SESSION:**

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)  
 Agency negotiators: Steven Baker, Mary Frances McHugh, and Liz Casson.  
 Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association.
2. Conference with Real Property Negotiator (Government Code Section 54956.8)  
 Property: Assessor Parcel No. 062-011-200  
 Third Party Negotiator: County of Siskiyou  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)  
 Property: Assessor Parcel No. 013-110-130 & 140  
 Third Party Negotiator: County of Siskiyou  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
4. Conference with Real Property Negotiator (Government Code Section 54956.8)  
 Property: Assessor Parcel No. 053-681-070  
 Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
5. Personnel pursuant to Government Code §54957(b)(1), consider appointment for the position of City Attorney. Removed from the agenda.

Added to agenda in its place by motion McNeil, second by Bicego, all Councilmembers voting aye. Conference with Legal Counsel pursuant to Government Code § 54959.9 On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001.

**RETURN TO OPEN SESSION:** Upon return to open session, City Attorney Mary Frances McHugh reported out the following:

1. Conference with Labor Negotiator. Government Code Section 54957.6(a). Agency negotiators: Steven Baker, Mary Frances McHugh, and Liz Casson. Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association and the Yreka Police Officer's Association. The Council conferred with its Labor negotiators and gave direction. No other reportable action was taken.
2. Conference with Real Property Negotiator (Government Code Section 54956.8)  
 Councilmember Rory McNeil announced a recusal due to proximity of property she owns to the project, and left the room.

Property: Assessor Parcel No. 062-011-200  
 Third Party Negotiator: County of Siskiyou  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.  
 The Council conferred with its real property negotiators and gave direction. No other reportable action was taken.

3. Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: 013-110-130 & 140  
 Third Party Negotiator: County of Siskiyou  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.  
 The Council conferred with its real property negotiators and gave direction. No other reportable action was taken.

4. Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: Assessor Parcel No. 053-681-070  
 Third Party Negotiator: Cliff Brown, Phillippe Lane Industrial Park  
 City Negotiators: City Manager and City Attorney  
 Under Negotiation: Possible purchase including price, terms of payment, or both.  
 The Council conferred with its real property negotiators and gave direction. No other reportable action was taken.

5. Item Personnel pursuant to Government Code Section 54957(b)(1), consider appointment for the position of City Attorney, went off calendar due to the reported action taken by the Council in closed session on December 3, 2012, as reported by the City Attorney at the beginning of the Council meeting on December 6, 2012.

Added to agenda in its place by motion McNeil, second by Bicego, all Councilmembers voting aye. Conference with Legal Counsel pursuant to Government Code § 54959.9 On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001. Councilmember Mercier was recused and left the room. The Council conferred with its legal advisers and gave direction. No further reportable action was taken.

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

Attest:

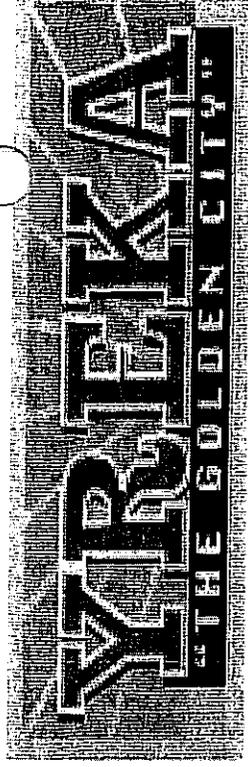
\_\_\_\_\_  
 David Simmen, Mayor  
 Minutes approved by Council  
 Motion December 20, 2012

\_\_\_\_\_  
 Elizabeth E. Casson, City Clerk

# Accounts Payable

## Computer Check Proof List by Vendor

User: lysandra  
 Printed: 12/13/2012 - 3:38PM  
 Batch: 00004.12.2012



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 2138 09-754184-8	AAA OF NORTHERN CALIFORNIA CLAIM #09-7B4184-8	1,333.18	12/21/2012	01-210-0000-530-005	ACH Enabled: False
	Check Total:	1,333.18			
Vendor: 1005 MS69008	AIELLO, GOODRICH & TEUSCHER INV MS69008	14,166.50	12/21/2012	01-030-0000-525-000	ACH Enabled: False
	Check Total:	14,166.50			
Vendor: 3007	AMERIGAS				
800758359	INV 800758359	128.53	12/21/2012	01-350-0000-518-002	ACH Enabled: False
800758359	INV 800758359	80.48	12/21/2012	01-370-0000-518-002	
800758359	INV 800758359	80.48	12/21/2012	70-510-0000-518-002	
800758400	INV 800758400	914.64	12/21/2012	80-560-0000-518-002	
800811048	INV 800811048	170.34	12/21/2012	70-510-0000-518-002	
800811048	INV 800811048	170.34	12/21/2012	01-370-0000-518-002	
800811048	INV 800811048	319.56	12/21/2012	01-350-0000-518-002	
	Check Total:	1,864.37			
Vendor: 1437 10525	WILLIAM AYRES INV 10525	765.82	12/21/2012	01-040-0000-525-010	ACH Enabled: False
	Check Total:	765.82			
Vendor: 6021 1210702	BASIC LABORATORY INC INV 1210702	699.00	12/21/2012	80-560-0000-416-001	ACH Enabled: False
	Check Total:	699.00			
Vendor: 1423 1465	ALICE BRANDON INV 1465	60.00	12/21/2012	80-560-0000-416-001	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	60.00			
Vendor: 1044	BULBMAN			Check Sequence: 7	ACH Enabled: False
131267	INV 131267	25.43	12/21/2012	01-090-0000-516-000	
131268	INV 131268	15.90	12/21/2012	01-090-0000-516-000	
	Check Total:	41.33			
Vendor: 2118	STEVE BULCROFT			Check Sequence: 8	ACH Enabled: False
08/22/12	INV 08/22/12	90.00	12/21/2012	80-560-0000-525-000	
	Check Total:	90.00			
Vendor: 1098	DELL MARKETING LP			Check Sequence: 9	ACH Enabled: False
12/21/12	INV XJ1J8MWW6 & XJ1RK9111	1,461.57	12/21/2012	01-350-0000-416-000	
12/21/12	INV XJ1J8MWW6 & XJ1RK9111	1,461.58	12/21/2012	01-210-0000-516-002	
12/21/12	INV XJ1J8MWW6 & XJ1RK9111	1,461.58	12/21/2012	70-510-0000-416-000	
12/21/12	INV XJ1J8MWW6 & XJ1RK9111	730.78	12/21/2012	70-500-0000-416-000	
12/21/12	INV XJ1J8MWW6 & XJ1RK9111	730.79	12/21/2012	80-550-0000-416-000	
XJ1P1MT66	INV XJ1P1MT66	599.00	12/21/2012	01-200-0000-416-000	
	Check Total:	6,445.30			
Vendor: 1116	DRY CREEK LANDFILL INC			Check Sequence: 10	ACH Enabled: False
1831929	INV 1831929	501.48	12/21/2012	80-560-0000-420-006	
	Check Total:	501.48			
Vendor: 2128	FARR WEST ENGINEERING			Check Sequence: 11	ACH Enabled: False
3657	INV 3657 GIS PROJECT	441.25	12/21/2012	80-300-0000-525-000	
3657	INV 3657 GIS PROJECT	441.25	12/21/2012	70-300-0000-525-000	
	Check Total:	882.50			
Vendor: 1124	FERGUSON ENTERPRISES INC			Check Sequence: 12	ACH Enabled: False
863965	INV 863965 GASKETS	30.89	12/21/2012	70-500-0000-450-501	
	Check Total:	30.89			
Vendor: 1998	LAURA FLETT			Check Sequence: 13	ACH Enabled: False
367	INV 367	38.96	12/21/2012	01-060-0000-525-000	
367	INV 367	38.96	12/21/2012	01-020-0000-525-000	
367	INV 367	38.96	12/21/2012	01-020-0000-525-000	
367	INV 367	38.96	12/21/2012	01-030-0000-525-000	

Invoice	Description	Amount	Payment Date	Acct Number	Reference
367	INV 367	38.95	12/21/2012	01-030-0000-525-000	
367	INV 367	38.96	12/21/2012	80-030-0000-525-000	
	Check Total:	233.75			
Vendor: 1132	CHRIS GAMACHE			Check Sequence: 14	ACH Enabled: False
12/21/12	CLOTHING ALLOW 12/12	90.00	12/21/2012	01-200-0000-510-000	
	Check Total:	90.00			
Vendor: 1953	GARY HAGEDORN			Check Sequence: 15	ACH Enabled: False
345081	INV 345081	150.00	12/21/2012	70-500-0000-416-000	
	Check Total:	150.00			
Vendor: 1148	THOMAS HESSELDENZ			Check Sequence: 16	ACH Enabled: False
1203COYRP	INV 1203COYRP	8,409.36	12/21/2012	60-400-6029-615-022	
	Check Total:	8,409.36			
Vendor: 1156	IGLEPOA			Check Sequence: 17	ACH Enabled: False
2013 DUES	INV 13-345 2013 DUES	150.00	12/21/2012	70-510-0000-526-000	
	Check Total:	150.00			
Vendor: 1175	LP ENTERPRISES			Check Sequence: 18	ACH Enabled: False
80584C	INV 80584C	302.31	12/21/2012	80-550-0000-416-000	
	Check Total:	302.31			
Vendor: 1212	MT SHASTA SPRING WATER			Check Sequence: 19	ACH Enabled: False
324439	INV 324439	43.70	12/21/2012	80-560-0000-420-003	
	Check Total:	43.70			
Vendor: 2137	ROBERT O'GORMAN			Check Sequence: 20	ACH Enabled: False
1470	INV 1470 THEATER BEAM PROJECT	40,605.16	12/21/2012	10-470-0000-620-100	
	Check Total:	40,605.16			
Vendor: 1531	TERRY O'NEILL			Check Sequence: 21	ACH Enabled: False
3912	INV 3912	2,200.00	12/21/2012	04-610-1016-525-000	
	Check Total:	2,200.00			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1237 1620636	OLIN CORP - CHLOR ALKALI INV 1620636	5,103.22	12/21/2012	Check Sequence: 22 80-560-0000-416-002	ACH Enabled: False
	Check Total:	5,103.22			
Vendor: 16014	PACE ENGINEERING INC			Check Sequence: 23	ACH Enabled: False
20411	INV 20411	2,060.00	12/21/2012	71-500-3020-625-007	
20411	INV 20411	858.33	12/21/2012	71-500-3020-625-008	
20411	INV 20411	428.71	12/21/2012	71-500-3020-625-009	
20411	INV 20411	758.07	12/21/2012	71-500-3020-625-010	
20411	INV 20411	1,287.50	12/21/2012	71-510-3020-620-007	
20411	INV 20411	1,955.85	12/21/2012	71-510-3020-620-008	
20411	INV 20411	1,001.39	12/21/2012	71-510-3020-625-009	
20411	INV 20411	540.18	12/21/2012	71-510-3020-625-010	
20412	INV 20412	27,740.75	12/21/2012	81-560-3024-425-000	
20413	INV 20413	510.00	12/21/2012	80-300-0000-525-000	
20413	INV 20413	510.00	12/21/2012	70-300-0000-525-000	
	Check Total:	37,650.78			
Vendor: 1243 119048	PACIFIC ELECTRICAL CONTRACTORS INV 119048	1,073.51	12/21/2012	Check Sequence: 24 80-560-0000-420-003	ACH Enabled: False
	Check Total:	1,073.51			
Vendor: 1826 2838340	PLAIT INV 2838340	459.73	12/21/2012	Check Sequence: 25 80-560-0000-420-003	ACH Enabled: False
	Check Total:	459.73			
Vendor: 1268 22915-0	RAYVERN LIGHTING SUPPLY CO INC INV 22915-0	472.97	12/21/2012	Check Sequence: 26 20-312-0000-420-000	ACH Enabled: False
	Check Total:	472.97			
Vendor: 1314 10770	SISKIYOU OPPORTUNITY CENTER INV 10770	317.79	12/21/2012	Check Sequence: 27 70-030-0000-526-000	ACH Enabled: False
	Check Total:	317.79			
Vendor: 1324 INV23939	SPRINGBROOK SOFTWARE INC INV 23939	582.71	12/21/2012	Check Sequence: 28 01-030-0000-526-000	ACH Enabled: False
	Check Total:	582.71			

Vendor: 1542 STATE WATER RESOURCES CONTROL BOA  
 094006048 12/13 ACCT 094-006048 12/13  
 094008578 12/13 ACCT 094-008578 12/13  
 094016662 12/13 ACCT 094-016662 12/13

Check Total: 838.45  
 Vendor: 1333 STEINHOFF HEAVY EQUIPMENT & REPAIR  
 021169 INV 021169  
 021172 INV 021172  
 021286 INV 021286  
 021294 INV 021294  
 021407 INV 021407  
 021411 INV 021411  
 021432 INV 021432  
 021433 CM 021433  
 021520 INV 021520

Check Total: 1,299.45

Vendor: 1337 JOE SUTER  
 12/21/12 MUTUAL AID - MILL FIRE

Check Total: 4,657.50

Vendor: 1842 T & S CONSTRUCTION CO INC  
 FOOTHILL #1  
 LENNOX #1

Check Total: 80,718.10

Vendor: 21027 UNITED PARCEL SERVICE  
 84V993482 INV 84V993482  
 84V993482 INV 84V993482  
 84V993482 INV 84V993482  
 84V993482 INV 84V993482

Check Total: 11.22

Vendor: 1360 WEST PAYMENT CENTER  
 826136585 INV 826136585

Check Total: 634.66

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1370	WRA				ACH Enabled: False
1700416474	INV 1700416474	2,586.59	12/21/2012	60-400-6009-615-009	
	Check Total:	2,586.59			
Vendor: 1375	YREKA FIRE DEPT				ACH Enabled: False
12/10/12	NOVEMBER 2012	1,422.00	12/21/2012	01-210-0000-560-000	
12/10/12	NOVEMBER 2012	355.38	12/21/2012	01-210-0000-515-000	
12/10/12	NOVEMBER 2012	456.49	12/21/2012	01-210-0000-416-000	
12/10/12	NOVEMBER 2012	476.19	12/21/2012	01-210-0000-416-001	
12/10/12	NOVEMBER 2012	123.39	12/21/2012	01-210-0000-421-000	
12/21/12	MUTUAL AID - MILL FIRE	532.95	12/21/2012	01-210-0000-560-000	
	Check Total:	3,366.40			
Vendor: 25040	YREKA HARDWARE				ACH Enabled: False
100933	INV 100933	65.80	12/21/2012	70-500-0000-422-000	
100933	INV 100933	65.80	12/21/2012	80-550-0000-422-000	
101033	INV 101033	3.00	12/21/2012	01-210-0000-421-000	
101057	INV 101057	41.02	12/21/2012	01-210-0000-421-000	
	Check Total:	175.62			
Vendor: 25120	YREKA TRANSFER				ACH Enabled: False
127648	INV 127648 ACCT 47811	2,782.91	12/21/2012	80-560-0000-420-006	
	Check Total:	2,782.91			
Vendor: 1390	YREKA TRANSIT MIX				ACH Enabled: False
055598	INV 055598	525.10	12/21/2012	80-550-0000-416-002	
055601	INV 055601	288.10	12/21/2012	80-550-0000-416-002	
	Check Total:	813.20			
	Total for Check Run:	222,609.46			
	Total of Number of Checks:	39			



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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To: Yreka City Council  
Prepared by: Rhetta Hogan  
Agenda title: Resolution 3002, Approving the Destruction of Certain City Records Identified by the Finance Director  
Meeting date: December 20, 2012

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Discussion:

Itemized below are records that the Finance Director has identified for destruction. Records containing confidential data, such as payroll information, will be shredded by an appropriate vendor or organization. The California Secretary of State has issued guidelines for records destruction, and the City is generally more conservative in its records retention destruction. I have included excerpts from the Local Government Records Management Guidelines as an attachment for reference.

Identified records, where the Finance Director is requesting destruction:

- Accounts Payable: records older than July 1, 2005, includes copies of invoices, checks and AP batch reports
- Cash Receipts: Cash receipt daily batches older than July 1, 2005, includes copies of daily detail and summary ledger reports, and cash receipt advices for utility billing (water, sewer and landfill), building permits, animal and business licenses, and all other cash receipts received by the City.
- Payroll records: payroll timecards, payroll bi-weekly cycle reports, registers and other payroll related and timecard processing information older than July 1, 2005.
- Payroll annual and quarterly registers: quarterly summary reports older than December 31, 2002, includes quarterly tax and gross wages summaries.
- General ledger reports: Detail ledger listing of transactions, includes various sorts, periods and aggregations, older than July 1, 2005. Ledger data active and retained electronically on database server through 1998. Does not include summary trial balances.

*Please note, that the trial balance, the permanent records of City's total transactions for a fiscal year are being retained, however detail transaction records that arrive at those balances are being identified for destruction.*

- General ledger journal entries: Journal entry posting of adjustments to the general ledger older than July 1, 2005, does not include subledger interface posting from payroll, accounts payable, accounts receivable, cash receipts, utility billing, animal and business licensing.
- Electronic backup media: Historical backup tapes and diskettes data from (ACS, BRMS) financial systems, and or restoration tape drives are no longer in place, or active, and where software updates have made the data obsolete to restore. Note, both Springbrook and ACS are currently have full backups each night, with a

three week rotation of tapes, in the event a restoration is needed of the live and historic data.

- Bank reconciliation: bank statements, detail reconciliation work papers, cancelled checks and treasurer's monthly and quarterly reports older than July 1, 2005
- Dog license: Dog license records older than July 1, 2005, includes receipts, registration tickets, subledger registers list, billing and adjustments batches pertaining to dog licensing
- Water Accounts: Billing registers, customer correspondences, and other collection related information older than July 1, 2005
- Accounts Receivable: Invoice registers, collection receipts, aging lists and customer correspondences older than July 1, 2005; receivable collections includes landfill invoicing records and TOT tax records.
- Parking ticket collections: Citations, collections and customer correspondences relating to parking ticket citations older than July 1, 2005. (Note the City ceased collections of parking tickets in 1998, however some correspondences are dated after that time.)
- Park and recreation correspondences: Miscellaneous desk correspondences, notes, and memorandums of park and recreation manager, records older than July 1, 2005.
- Senior Program: All records for menu plans, meals served, participant registers, transportation routes and appointments, desk memorandums and notes, relating to the operations of the senior programs. Final program monitoring for the grant program was performed July 2009. Note, PSA 2 Area Agency on Housing (grant administrative agency), was notified and approved records destruction. Fiscal reports filed for the Title III grant program, from July 1, 2005 are being retained.

Fiscal Impact:

Estimated \$500-\$1,000 for destruction of confidential information, in departmental budget.

Recommendation and Requested Action:

Approval of Resolution 3002, authorizing the Destruction of Certain City Records Identified by the Finance Director

Approved by:

  
Steven Baker, City Manager

**FINANCE**

Record Series	Retention	Citation	Descriptor
<b>ACCOUNTING</b>			
Accounts Payable	AU + 4	GC34090	Invoices, check copies, supporting documents
Accounts Receivable	AU + 4	GC 34090	
Applications	CL + 2	GC34090	Utility connections, disconnects, registers, service
Assessment Districts	P	GC 34090	Collection information; Original documentation files with municipal clerk
Bank Reconciliation	AU + 5	GC34090; 26 CFR 16001-1	Statements, summaries for receipts, disbursements & reconciliation
Billing Records	AU + 2	GC34090	Customer name, service address, meter reading, usage, payments, applications/cancellations.
Budget	AU + 2	GC 34090	
Budget adjustments, journal entries	AU + 2	GC34090	Account transfers
Checks	AU + 5	GC34090; CCP 337	Includes payroll, canceled & voided checks
Deposits, Receipts	AU + 4	GC 34090; CCP 337	Checks, coins, currency
Invoices	AU + 2	GC34090	Copies sent for fees owed, billing, related documents
Journals			
Utility Billing	CU + 2	GC34090	Billing including monthly activity
Ledger, General	P	GC34090; *	* CCP 337 (summary trial balance)
Voucher	AU + 4	GC34090; CCP 337	Account postings with supporting documents
Taxes, Receivable	AU + 3	CCP338	
Warrant Register	AU + 2	GC 34090.7	
<b>ADMINISTRATIVE SERVICES</b>			
Budget Operating (copies)	S	GC34090	Departmental Reference
Budget, Proposed	CU + 2	GC34090	Presented to Council
Adopted	P	GC 34090.	
<b>FIXED ASSETS</b>			
Inventory	AU + 4	GC34090; 26 CFR 301 65-1(F)	Reflects purchase date, cost, account number
Surplus Property			
Auction	AU + 2	GC34090	Listing of property
Disposal	AU + 4	GC34090; CCP 337	Sealed bid sales of equipment
Vehicle Ownership & Title	L	VC 9900 et seq.	Title transfers when vehicle sold
<b>LICENSE</b>			
Business	T + 4	GC34090; CCP 337	Paid & reports

## FINANCE (CONTINUED)

Record Series	Retention	Citation	Descriptor
<b>PAYROLL</b>			
Adjustments	AU + 4	GC 34090 29 CFR 516.5 - 516.6	Audit purposes
Employee Time Sheets	AU + 6	GC34090; 29 CFR 516.2	Signed by employee for audit & FEMA Reports *20 CFR 516.6(1); IRS Reg. 31.6001-1(e)(z); R&T 19530; LC 1174(d)
PERS Employee Deduction Reports	T + 4	GC34090; CAC 22- 1085-2	Record of deductions (PERS Public Employee Retirement System) *26CFR 31.6001-1; 29 CFR 516.5, 516.6, LC 1174(d)
Register	P	GC34090; GC37207	Labor costs by employee & program
Salary Records	T + 3	GC34090; 29 CFR 516.2	Deduction authorization, beneficiary designations, unemployment claims, garnishments
<b>PURCHASING</b>			
Bids, RFQ's, RFP's Successful Unsuccessful	AU + 4 AU + 5 CU + 2	GC34090; CCP 337; *	Requests for Qualifications; Requests for Proposals regarding goods and services * GC 25105-1; GC 34090
Requisitions			
Purchase Orders	AU + 4	GC34090; CCP 337	Original documents
Stores	CU + 2	GC34090	Completed forms for ordering
Vendor Register	P	GC34090	Alpha vendor listing of purchase orders, invoices, account numbers and check date
<b>REPORTS</b>			
Audits	P	GC 34090	
Deferred Compensation	T + 5	GC34090; 26 CFR 16001- 1*	Records of employee contributions and city payments *29 CFR 1627.3(2)
Federal and State Tax	AU + 4	GC34090; 29USC 436 *	Forms 1096, 1099, W-4's and W-2's *26 CFR 31.6001.1-4; IRS REG 31.6001-1(e)(2); R&T 19530; 29 CFR 516.5-516.6
Financial, Annual	AU + 7	GC 34090.7	
Investment Transactions	P	GC34090; CCP 337; GC 53607	Summary of transactions, inventory & earnings report
Labor Distribution	AU + 2	GC34090	Costs by employee & program
Meter Reading	CU + 2	GC34090	
State Controller	P	GC34090	Controller may destroy after 5 years
Utility Rebates	CU + 2	GC34090	
<b>TREASURER</b>			
Bank Statements	AU + 2	FC 3368, 30210; GC 43900 et seq.	Financing authority

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
California Vehicle Code Infractions (Duplicates)	CU + 90 days	GC34090	Original is forwarded to court.
Parking/Traffic, Duplicates	CU + 2	GC34090.7	Originals are forwarded to court after agency processing; includes citations electronically created
Transmittals	CU + 2	GC34090	Listing of citations forwarded to court, filed for reference
Equipment Radio Logs (Communication)	CU + 2	GC34090	Documents problems, malfunctions, resolution to provide equipment performance history
General Orders	P		
Patrol Requests (Correspondence)	CU + 2	GC34090	From citizens for patrol presence
Radar Calibration Records	T + 2	GC34090	Documentation of Radar Instruments retained during use/ownership
Reports Accident	CL + 2	GC34090	Non-Jury
Traffic Collision Fatalities	P		
Vehicle Assignment Reports	S		Record of assignments
Down Reports	CU + 1		Printouts reporting which vehicles are down for repair, maintenance, etc.
Repossession/Private Impounds	CU + 2	GC34090	
Service Schedules	S	GC34090	
Vests, Bulletproof Letters	CU + 2	GC34090	Authorization to purchase
Warrants Parking	Recall after 1 year		Recommended by the California Law Enforcement Warrant Officer's Association
Traffic	Recall after 5 years		Recommended by the California Law Enforcement Warrant Officer's Association
Weapons, Database	P		Departmentally-owned weapons, personal weapons, alternate weapons, secondary handguns; produces inventory reports
<b>SERVICES</b>			
Chemicals/Film Inventories	S		
Equipment Inventory/Sign-out Cards- Photo Lab	T		
Operations Files - Photo Lab	T		Retain until equipment no longer owned/used by department; Manuals, instructions, procedures for use/operations of photographic equipment

## PUBLIC WORKS

Record Series	Retention	Citation	Descriptor
<b>PARKS</b>			
Agendas, Board	CU + 2	GC34090	
Grants (refer to Admin.)			
Inventory, Equipment	AU + 2	GC34090	Warranties, purchase orders
Landscape	CU + 2	GC34090	Drawings, contracts, complaints, specifications, photos, reports
Maintenance/ Operations	C + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps	P	GC34090	Irrigation, plot plans
Minutes, Board	P	GC34090	
Photographs	S + 2	GC34090	
Plans, Proposed	CU + 2	GC34090	Future plans, new sites, expansions
Policies and Procedures	S + 2	GC34090	Includes rules and regulations
Railroad Right-of-way	CL + 3	36 CFR 64.11	Land acquisitions, correspondence, improvements, statutory records
<b>Reports</b>			
Accident	CL + 2	GC34090	Patrons, employees
Others	CL + 2	GC34090	
Studies	CL + 2	GC34090	Future sites, expansions
Resolutions, Board	P	GC34090	
Schedules, Class & Events	CU + 2	GC34090	Enrollment, liability releases, evaluations, attendance, flyers
<b>SANITATION/ SOLID WASTE/ WASTEWATER</b>			
Collections/Landfill	CU + 2	GC34090	Daily records, usage
Facilities	CU + 2	GC34090	Correspondence, maps, patron list
History, Sanitation	P	GC34090	Where City-owned
Incineration Plants, Sludge	CU + 2	40 CFR 61.54	Sludge, sampling, charging rate to measure mercury content
Incinerator Operations, Treatment Plant	CU + 2	40 CFR 60.153	Gas flow through wet scrubbing, oxygen content of exhaust gas, sludge rate, temperatures, fuel flow, total solids and volatile solids
Maintenance and Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps, Septic Tank	P	GC34090	Location maps
Rates	CU + 2	GC34090	
Recycling Programs	S + 2	GC34090	
Regulations	S + 2	GC34090	Includes legislation
<b>Reports</b>			
Studies	CL + 2	GC34090	
Tonnage	CU + 2	GC34090	

## PUBLIC WORKS (CONTINUES)

Record Series	Retention	Citation	Descriptor
Speed Limits	S + 2	GC34090	
<b>Programs</b>			
Federal Aid Urban	CL +	23 CFR 633 (a) & (c)	
Traffic Safety	S + 2	GC34090	Drivers Education, Pedestrian Safety, Bicycle Lanes
<b>Reports</b>			
Bridges & Overpasses	L	GC34090	Life of structure
Inspection	CU + 2	GC34090	Includes intersection, sidewalks. Bridges and Overpasses, keep life of structure
Studies	CL + 2	GC34090	Traffic volume, accident history, requests, statistics, drawings supporting traffic devices
Traffic Count	CL + 2	GC34090	Evaluation of traffic volume
Vehicle Accident	CL + 2	GC34090	
Routes, School Bus & Truck	S + 2	GC34090	Truck routes, access ramps, rest areas
Signage	L + 2	GC34090	Log books, index register cards, inventory lists, records of traffic signs
Traffic Signals	L		Logs, drawings, wiring diagrams, codes, circuit numbers, installation records, testing and maintenance.
Weigh Scales	S + 2	GC34090	
<b>UTILITIES</b>			
Facilities	T + 2	GC34090	If city owned
Gas & Electric Rates	S + 2	GC34090	
Underground	P	GC34090	GC4003, GC4004; H&S 19850
<b>WATER</b>			
Billing/Customer Records	GU + 2	GC34090	Billings, correspondence, complaints
Connection Records	P	GC34090	Maps, water line connections
<b>Flood Control</b>			
Drainage Facilities	P	GC34090	Includes dams, lakes, basins, creeks
Flood Zones	P	GC34090	Includes flood maps
Insurance Programs	S + 2	GC34090	Includes copies of policies, rules, programs



**SECRETARY OF STATE**

**LOCAL GOVERNMENT**

**RECORDS MANAGEMENT GUIDELINES**

**SECRETARY OF STATE KEVIN SHELLEY**

**ARCHIVES AND MUSEUM DIVISION**  
**RECORDS MANAGEMENT**

(916) 653-1537

OCTOBER 2003

**LOCAL GOVERNMENT  
RECORDS MANAGEMENT GUIDELINES**

**TABLE OF CONTENTS**

**CALIFORNIA GOVERNMENT RECORDS MANAGEMENT PROGRAM.....2-1000**

**BACKGROUND.....2-1010**

**AUTHORITY.....2-1020**

**DEFINITIONS.....2-1030**

**RECORDS MANAGEMENT.....2-2000**

**PRINCIPLES.....2-2010**

**INVENTORY.....2-2020**

**APPRAISAL AND SCHEDULING.....2-2030**

**RETENTION SCHEDULES.....2-2040**

**DISPOSITION OF RECORDS.....2-2050**

**SUMMARY.....2-2060**

**ACKNOWLEDGEMENT.....2-2070**

**ADMINISTRATIVE RECORDS - TYPICAL RETENTION PERIODS.....ATTCH A**

**RECORDS MANAGEMENT AND ARCHIVES RESOURCES.....ATTCH B**

**CITY RECORDS RETENTION GUIDELINES.....ATTCH C**

**COUNTY RECORDS RETENTION GUIDELINES.....ATTCH D**

# **LOCAL GOVERNMENT RECORDS MANAGEMENT**

## **GUIDELINES**

### **California Government Records Management Program**

**2-1000**

#### **Background**

**2-1010**

In 1968 the Legislature passed the California Public Records Act (PRA) (Government Code, Section 6250 et seq.) which is modeled after the federal Freedom of Information Act and details what government information is, and is not, available to the public. In general, all records are open to the public except 28 specific exemption categories listed in PRA, Section 6254. The PRA applies to all records, in whatever form, maintained by either state or local public agencies.

In 1978 the Information Practices Act (IPA) (California Civil Code, Section 1798 et seq.) became effective to protect personal privacy rights for individuals. The IPA is modeled after the Federal Privacy Act of 1974 and supercedes portions of the PRA. It does not apply to local public agencies except under voluntary contractual agreements.

The State Records Management Act (Government Code, Section 14740-14774) requires the Director of the Department of General Services (DGS) to establish and administer the state's records management program. The program applies "... to the creation, utilization, maintenance, retention, preservation, and disposal of state records." DGS administers the program through the State Administrative Manual (SAM), Chapter 1600 and the California Acquisition Manual (CAM).

SAM and CAM require every state agency to establish Records Retention Schedules which, when approved, become the legal authority for the agency to dispose of official public records. Retention schedules are the key element in effective records management programs for both government and private industry. State agencies must revise and update their schedules every five years or whenever a change occurs that impacts the keeping or disposing of agency records. The Records Management Act, SAM and CAM do not apply to local public agencies.

Since, with the exception of the PRA, legislation and directives establishing the state Records Management Program **do not** apply to local government, county and/or city government agencies do not have a standardized program of accountability for their treatment of public records. Nor does local government have standard retention periods for various record categories other than certain record types identified in government codes that mandate specific local programs. To alleviate this situation the 1999 legislature added Section 12236 to the Government Code, which states in Section 12236 (a) "The Secretary of State shall establish the Local Government Records

LOCAL GOVERNMENT RECORDS MANAGEMENT GUIDELINES  
Program to be administered by the State Archives to establish guidelines "for local government retention and to provide archival support to local agencies in this state."

These guidelines are an initial attempt to provide some standards and structure to the local government records management effort. Other attempts at standardization include the California City Clerks Association's 1998 list of common local government records and recommended retention periods. The goal of the State Archives in compliance with GC 12236 is to consolidate information resources and provide local government with a single source for archival and records management support and guidance.

### Authority

2-1020

- California Public Records Act (Government Code, Section 6250 et seq.)
- Government Code, Section 12236

### Definitions

2-1030

- **Active Records** – As a measure of activity for records that are referred to at least once a month per cubic foot of records. Also – As a retention period for a Perpetual Record that remains "active" until some event occurs to change its status, at which time it has fulfilled its function. (See also **Perpetual Record**)
- **Administrative Records** – Records commonly found in all offices and typically retained only for short time periods – less than five years. Examples include subject, chronological, budget, and policy files.
- **Archival Records** - Records with enduring value because they reflect significant historical events, document the history and development of an agency, or provide valuable research data.
- **Discovery** – The pretrial disclosure of pertinent facts or documents by one or both parties to a civil action or proceeding. Anything requested during discovery must be disclosed if it exists – even non-records and records that should have been destroyed earlier. Discovery effectively freezes selected holdings until released by opposing attorney or the court.
- **Local Government** – Government Code, Section 6252 states: "Local Agency" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code, Section 54952."

- **Non-Records** - Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library or museum material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents. (See also **Discovery**)
- **Permanent Records** – Records that are required in perpetuity, usually identified by statute or other written guidance. Examples include original birth certificates, death certificates, Spanish land grants, etc.
- **Perpetual Records** – Records retained for an indefinite period of time and then stored or destroyed after some event takes place. Examples include office personnel files which are kept until a person leaves the office, policy files kept until the policy is changed, contract files kept until the contract terminates, etc.
- **Program Records** - Records that relate to the primary function of the agency in response to its daily mission. Examples include lien files, recorders files, election files, probate records, medical records, etc.
- **Public Records** - Any information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.
- **Records** - All papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by an agency, regardless of physical form or characteristics.
- **Records Retention Schedule** - A list of all records produced or maintained by an agency and the actions taken with regards to those records. A retention schedule is an agency's legal authority to receive, create, retain, and dispose of official public records. It assists the agency by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, or legal value. In the event of litigation, courts accept a retention schedule as establishing an agency's "normal course of doing business".
- **Retention Period** – The length of time a record must be retained to fulfill its administrative, fiscal and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.

## Records Management

2-2000

### Principles

2-2010

According to Government Code, Section 14740, California's Records Management Program is designed to "...apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of state records". Effective Records Management ensures that records are kept **only** as long as they have some administrative, fiscal, or legal value.

When records no longer fulfill the value for which they were created, they should be destroyed unless they also have some historic or research significance. If that is the case the records should be preserved by an appropriate historical agency. Staff members should realize that an effective records management program is not only cost effective, it will also make their jobs easier. They should also know that records retained beyond their value "just in case" only extend the agency's legal liability in the event of adverse litigation.

These principles apply to all levels of government.

### Inventory

2-2020

The first step in records management is a records inventory. Agencies need to know what records they have, where the records are kept, the volume, and how the records are used. This information is essential for developing a Records Retention Schedule to document the agencies normal course of doing business.

The Records Inventory Worksheet, state form STD 70, is available to assist agencies in gathering information needed in a records management program. Regardless of the form used, the following information should be obtained during any inventory of agency records:

- **Record Series** - A record series is a group of similar records arranged under a single filing system or kept together as a unit. They deal with a particular subject (budget, personnel, etc.), result from the same activity (arrest reports, property assessments, etc.), or have a special form (blueprints, maps, etc.). The title of each record series should be as accurate as possible, since future references to the records will be by the record series name. Avoid vague titles such as "Corporate Papers", "Official Documents", or "Vital Correspondence".
- **Media** - Determine the media for each record series such as paper, microfilm, etc. Also note if the same record exists in several medium.

- Years covered - Determine the period of years covered by each record series. (Example: 1994-98).
- Activity Level - The amount of activity involving a record determines where the record should be stored. Active records need to be readily available and are generally stored in the office because they are accessed frequently. Inactive records that are still needed but only accessed occasionally should be warehoused in low cost storage.
- Volume - Note the volume of each record series by the cubic feet of space they occupy. This number is a spot count and should represent only those records on hand at the time of inventory. A typical file drawer or archive box contains approximately one cubic foot of actual records. Folders, separators, tab cards, etc. are not considered part of a record.

### **Appraisal and Scheduling**

**2-2030**

After the inventory, sound records management requires a realistic appraisal of records in relation to their period of usefulness and their value to the agency that owns them. The appraisal will:

- Establish reasonable retention periods.
- Identify records that can be destroyed immediately.
- Identify records that should be transferred to low cost storage.
- Identify vital and/or confidential records.
- Identify records with historic and/or research value.
- Determine the method of disposition.

Once records are inventoried, determine the immediate and future usefulness of the records. In general, records should be retained only as long as they serve the immediate administrative, legal and/or fiscal purposes for which they were created. When records no longer serve these purposes, they should be disposed of or preserved for archival purposes, whichever is appropriate.

Records with administrative value are created to help accomplish the functions for which an agency is responsible and have administrative value only as long as they assist the agency in performing current or future work. Their administrative use is exhausted when the transactions to which they relate are complete and from that point on they lose value rapidly.

Records with legal value contain evidence of legally enforceable rights or obligations of the agency. Examples are records that provide the basis for action, such as legal decisions and opinions; fiscal documents representing agreements, such as leases, titles and contracts; and records of action in particular cases, such as claim papers and legal dockets.

**LOCAL GOVERNMENT RECORDS MANAGEMENT GUIDELINES**

Fiscal records pertain to the financial transactions of the agency, such as budgets, ledgers, allotments, payrolls and vouchers. After some records have served a basic administrative function, they may still have sufficient fiscal value to justify additional retention to protect the agency against court action and/or audits.

Some records will also have enduring value because they reflect significant historical events or document the history and development of an agency. Others contain accumulated data that can be useful for both scientific and genealogical research. At the local level historical societies and/or public libraries may be able to assess this potential value for the agency.

The final step in appraising records is determining their retention period. Keeping records, either in offices or storage areas, is very expensive and the actual or potential value of the records must be weighed against the cost. Most managers tend to keep records too long "just in case" and unwittingly extend the agency liability for as long as the records exist. Except for perpetual records, most administrative records should only be kept two or three years and certainly not more than five. Program records (unique and representative of the function of the office) are typically large files and kept for longer periods of time. Attachment A contains recommended retention periods for common administrative records maintained by several state agencies.

Questions to ask are how serious would it be if a particular record 5 or 10 years from now were unavailable? What are the chances of it being needed? Are the consequences serious enough to justify keeping a large volume of records for long periods of time at considerable cost? Is the information available anywhere else? What would it cost to reconstruct the record if necessary? Answering these questions will lead to a more realistic approach to the problem of determining how long records should be kept.

Establishing retention periods may also involve negotiation with the people who use the records. They should be encouraged to look realistically at their need for the records. Don't accept the answer that 'the records are used all the time and therefore must be kept permanently'. "Permanent" retention is very expensive, rarely necessary, and usually must be justified by a specific written requirement such as a statute, legal opinion, government code, etc. The State assumes "permanent" to mean 500 years! Will your records really have any value 500 years from now?

Once retention periods have been established for all records, a Records Retention Schedule can be developed. The schedule formalizes the retention and disposition of the agency's records and establishes the agency's "normal course of doing business".

**Retention Schedules**

2-2040

A properly prepared and approved Records Retention Schedule is an agency's legal authority to do whatever needs to be done with records and documents entrusted to the agency's care. It certifies the life, care, and disposition of all agency records. If subpoenaed records have been destroyed, agency schedules (AND EVIDENCE OF COMPLIANCE WITH THOSE SCHEDULES) will defend the agency's actions. However, to prove there was no adverse intent when records were destroyed, schedules must be specific and consistently used. Adverse intent (to keep records out of court) is both a civil and criminal offense.

The state uses two forms to create Records Retention Schedules: the Records Retention Schedule Approval Request, STD Form 72 (pdf); and the Records Retention Schedule, STD Form 73 (pdf). The Form 72 contains signature elements from the agency involved, the Records Manager, the approval authority, and an archival review. The Form 73 is the schedule itself and contains an agency description or mission statement plus the listing of all agency records. Both of these forms are for state agencies but could easily be adapted/modified for use by local government.

Use of these or similar forms help an agency ensure their schedule contains all the elements necessary to withstand legal scrutiny. The signatures of the program manager (record custodian) and agency Records Manager attest to the completeness and accuracy of the information on the schedule. The approval authority should be the government body having administrative authority over the agency. For local government this authority could be the County Board of Supervisors, County Administration, Mayor's Office, City Administrator or similar government functions. Archival review at the local level could be from a county or city historical society, historical museum, library, or similar organization.

In state government schedules are considered current for five years unless amended sooner due to a significant change in an agency's record keeping practices. A change of mission, added functions, new programs, etc. would all trigger an amendment to an existing schedule. Regardless of any amendments, a new schedule must be prepared and approved after five years to ensure the schedule accurately and completely reflects the agency's records holdings and disposition. Renewing schedules more frequently is always an option, and is required in some states. Local government agencies should adopt whatever cycle is most practical within their jurisdiction.

Physical location, complexity, and activity levels of records are some of the factors to consider when determining how many schedules are needed to support an agency's records management program. Small agencies housed in one facility with narrowly focused missions may only need one schedule for the entire agency. Larger, more complex agencies may need many schedules to efficiently and effectively document the varied records maintained by the agency. For example, County Health Services in a large populous county would probably require separate schedules for Children's Services, Mental Health, Health Promotion, Elder Care Services, etc. On the other

hand, a small county Health Services Agency might use a single schedule and list record series in groups under each different agency function.

### **Disposition of Records**

2-2050

Once records have fulfilled their administrative, fiscal, or legal function they should be disposed of as soon as possible in accordance with their Records Retention Schedule. A properly completed schedule provides an agency with the legal authority to dispose of records entrusted to its care. Disposition may include sending appropriate records to an archival facility, recycling unneeded records, and/or destroying unneeded confidential records. Remember, in the event of litigation the court will want to know what the agency does in the normal course of doing business. Your Records Retention Schedule spells out the normal course of business for how your agency handles and disposes of its records.

In general, most agencies keep records well beyond the record's administrative, fiscal, or legal value "just in case" the records may be desired for future purposes. That is one of the worst reasons to retain records because excess records over-burden staff, slow response times to public requests, and extend the agency's legal liability. A court can not demand an agency produce documents that have been destroyed in accordance with accepted and documented (your retention schedule) industry practices.

### **Summary**

2-2060

Records Management's primary concern is the efficient, effective and economical management of information. The guiding principle of Records Management is to insure that information is available when and where it is needed, in an organized and efficient manner, and in a well-maintained environment. Records Management is more than retention schedules and the disposition of records; records management also encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations. Records Management seeks to control and manage records through the entirety of their life cycle, from their creation to their final disposition.

In today's litigious society Records Management is more important than ever but unfortunately is still overlooked and under-funded at all levels of government. In court an astute attorney can discredit an agency in the eyes of a judge or jury by attacking the way the agency handles its records. The fact that the records may refute or support a particular position is obscured by the attack on how the agency accounts for and handles those records. The agency's legal position in the litigation may be influenced by how well or how poorly they comply with accepted records management practices.

A sound records management program doesn't cost – it pays. It pays by improving customer service, increasing staff efficiency, allocating scarce resources, and providing

a legal foundation for how an agency conducts its daily mission. It helps identify and justify opportunities for new technology. Microfilm, optical disk, optical character recognition, workflow, e-mail, bar code, and other related technologies cannot be adequately evaluated and cost justified without a good records management program. Other benefits of effective records management include:

- Space Savings
- Reduced expenditures for new filing equipment
- Increased efficiency in information retrieval
- Compliance with legal, administrative, and fiscal retention requirements
- Identification and protection of vital records
- Control over creation of new records
- Identification of records with research value.
- Identification of records with historical value

**Acknowledgement**

**2-2070**

The California State Archives would like to acknowledge the League of California Cities, the City Clerks Association of California, and Tuolumne County for their major contribution to these guidelines. Attachment C represents several years of effort by the League and the Association to provide standard retention periods for record series common to most city jurisdictions. Attachment D is based on research conducted by Tuolumne County to standardize county record retention.

Please forward comments and/or corrections to these retention periods to the California State Archives.

For assistance in developing a Records Management Program or to comment on this web site please contact:

*Blaine Lamb  
Local Government Records Coordinator  
Secretary of State  
Archives and Museum Division  
1020 O Street  
Sacramento, CA 95814  
(916) 657-3634, Fax (916) 653-7363  
blamb@ss.ca.gov*

**GOVERNMENT CODE**  
**SECTION 34090-34095**

34090. Unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the city attorney the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required.

This section does not authorize the destruction of:

- (a) Records affecting the title to real property or liens thereon.
- (b) Court records.
- (c) Records required to be kept by statute.
- (d) Records less than two years old.
- (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

This section shall not be construed as limiting or qualifying in any manner the authority provided in Section 34090.5 for the destruction of records, documents, instruments, books and papers in accordance with the procedure therein prescribed.

34090.5. Notwithstanding the provisions of Section 34090, the city officer having custody of public records, documents, instruments, books, and papers, may, without the approval of the legislative body or the written consent of the city attorney, cause to be destroyed any or all of the records, documents, instruments, books, and papers, if all of the following conditions are complied with:

(a) The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document, or reproduced on film, optical disk, or any other medium in compliance with Section 12168.7 for recording of permanent records or nonpermanent records.

(b) The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one which accurately and legibly reproduces the original thereof in all details and that does not permit additions, deletions, or changes to the original document images.

(c) The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium are made as accessible for public reference as the original records were.

(d) A true copy of archival quality of the film, optical disk, or any other medium reproductions shall be kept in a safe and separate place for security purposes.

However, no page of any record, paper, or document shall be destroyed if any page cannot be reproduced on film with full legibility. Every unreproducible page shall be permanently preserved in a manner that will afford easy reference.

For the purposes of this section, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

34090.6. (a) Notwithstanding the provisions of Section 34090, the head of a department of a city or city and county, after one year, may destroy recordings of routine video monitoring, and after 100 days may destroy recordings of telephone and radio communications maintained by the department. This destruction shall be approved by the legislative body and the written consent of the agency attorney shall be obtained. In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.

(b) For purposes of this section, "recordings of telephone and radio communications" means the routine daily recording of telephone communications to and from a city, city and county, or department, and all radio communications relating to the operations of the departments.

(c) For purposes of this section, "routine video monitoring" means video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the departments described in subdivision (a), including mobile in-car video systems, jail observation and monitoring systems, and building security recording systems.

(d) For purposes of this section, "department" includes a public safety communications center operated by the city or city and county.

34090.7. Notwithstanding the provisions of Section 34090, the legislative body of a city may prescribe a procedure whereby duplicates of city records less than two years old may be destroyed if they are no longer required.

For purposes of this section, video recording media, including recordings of "routine video monitoring" pursuant to Section 34090.6, shall be considered duplicate records if the city keeps another record, such as written minutes or an audio recording, of the event that is recorded in the video medium. However, a video recording medium shall not be destroyed or erased pursuant to this section for a period of at least 90 days after occurrence of the event recorded thereon.

34090.8. (a) When installing new security systems, a transit agency operated by a city or city and county shall only purchase and install equipment capable of storing recorded images for at least one year, unless all of the following conditions apply:

(1) The transit agency has made a diligent effort to identify a security system that is capable of storing recorded data for one year.

(2) The transit agency determines that the technology to store recorded data in an economically and technologically feasible manner for one year is not available.

(3) The transit agency purchases and installs the best available technology with respect to storage capacity that is both economically and technologically feasible at that time.

(b) Notwithstanding any other provision of law, video recordings or other recordings made by security systems operated as part of a public transit system shall be retained for one year, unless one of the following conditions applies:

(1) The video recordings or other recordings are evidence in any claim filed or any pending litigation, in which case the video

recordings or other recordings shall be preserved until the claim or the pending litigation is resolved.

(2) The video recordings or other recordings recorded an event that was or is the subject of an incident report, in which case the video recordings or other recordings shall be preserved until the incident is resolved.

(3) The transit agency utilizes a security system that was purchased or installed prior to January 1, 2004, or that meets the requirements of subdivision (a), in which case the video recordings or other recordings shall be preserved for as long as the installed technology allows.

**RESOLUTION NO. 3002**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA  
APPROVING THE DESTRUCTION OF CERTAIN CITY RECORDS IDENTIFIED BY  
THE FINANCE DIRECTOR**

WHEREAS, the Finance Director has requested destruction of certain City documents and records, as hereinafter set forth; and

WHEREAS, the destruction of said records is consented to by the City Attorney;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Yreka as follows:

SECTION 1: The Finance Director is hereby authorized to destroy the following records:

Accounts Payable: records older than July 1, 2005, includes copies of invoices, checks and AP batch reports

Cash Receipts: Cash receipt daily batches older than July 1, 2005, includes copies of daily detail and summary ledger reports, and cash receipt advices for utility billing (water, sewer and landfill), building permits, animal and business licenses, and all other cash receipts received by the City.

Payroll records: Payroll timecards, payroll bi-weekly cycle reports, registers and other payroll related and timecard processing information older than July 1, 2005.

Payroll annual and quarterly registers: Quarterly summary reports older than December 31, 2002, includes quarterly tax and gross wages summaries.

General ledger reports: Detail ledger listing of transactions, includes various sorts, periods and aggregations, older than July 1, 2005. Ledger data active and retained electronically on database server through 1998.

General ledger journal entries: Journal entry posting of adjustments to the general ledger older than July 1, 2005, does not include subledger interface posting from payroll, accounts payable, accounts receivable, cash receipts, utility billing, animal and business licensing.

Electronic backup media: Historical backup tapes and diskettes data from (ACS, BRMS) financial systems, and or restoration tape drives are no longer in place, or active, and where software updates have made the data obsolete to restore. Note, both Springbrook and ACS are currently have full backups each night, with a three week rotation of tapes, in the event a restoration is needed of the live and historic data.

Bank reconciliation: Bank statements, detail reconciliation work papers, cancelled checks and treasurer's monthly and quarterly reports older than July 1, 2005.

Dog license: Dog license records older than July 1, 2005, includes receipts, registration tickets, sub-ledger registers list, billing and adjustments batches pertaining to dog licensing

Water Accounts: Billing registers, customer correspondences, and other collection related information older than July 1, 2005.

Accounts Receivable: Invoice registers, collection receipts, aging lists and customer correspondences older than July 1, 2005; receivable collections includes landfill invoicing records and TOT tax records.

Parking ticket collections: Citations, collections and customer correspondences relating to parking ticket citations older than July 1, 2005. (Note the City ceased collections of parking tickets in 1998, however some correspondences are dated after that time.)

Park and recreation correspondences: Miscellaneous desk correspondences, notes, and memorandums of park and recreation manager, records older than July 1, 2005.

Senior Program: All records for menu plans, meals served, participant registers, transportation routes and appointments, desk memorandums and notes, relating to the operations of the senior programs. Final program monitoring for the grant program was performed July 2009. Note, PSA 2 Area Agency on Housing (grant administrative agency), was notified and approved records destruction. Fiscal reports filed for the Title III grant program, from July 1, 2005 are being retained.

SECTION 2: The City Council hereby expressly determines that said records are no longer required and that the same have no historical value.

PASSED AND ADOPTED 20<sup>th</sup> day of December 2012 by the following vote:

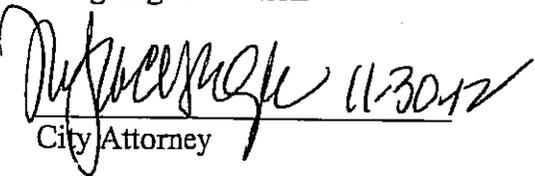
AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
David Simmen, Mayor

Consent is hereby given  
to the form and content of the  
foregoing Resolution

ATTEST:

\_\_\_\_\_  
Liz Casson, City Clerk

  
\_\_\_\_\_  
City Attorney

**CITY OF YREKA  
TREASURER'S QUARTERLY INVESTMENT REPORT**

September 30, 2012

<u>Settlement Date</u>	<u>Investment</u>	<u>Account Number</u>	<u>Par Amount</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Market Value %</u>
<b>Government Bonds</b>								
None								
<b>Certificates of Deposit</b>								
None								
<b>Cash and Equivalents</b>								
6/30/2012	CASH / COUPON & MATURITY PAYMENTS (cash in transit)	875-03646-17	500	\$0.00	\$0.00	0.000	NONE	N/A
6/30/2012	LOCAL AGENCY INVESTMENT FUND ***	98-47-996	\$13,488,460.30	\$13,488,460.30	\$13,488,460.30	0.0348	NONE	100.00%
6/30/2012	SCOTT VALLEY BANK-CHECKING	0001015102	\$927,386.22	\$927,386.22	\$927,386.22	0.2500	NONE	100.00%
6/30/2012	TRI-COUNTIES BANK (YVFD)	176010540	\$47,430.27	\$47,430.27	\$47,430.27	0.0500	NONE	100.00%
2/21/2012	TRI-COUNTIES BANK (YVFD) CD	170063666	\$24,512.44	\$24,512.44	\$24,512.44	0.2500	2/21/2013	100.00%
6/30/2012	PETTY CASH ON HAND - CITY DEPARTMENTS		\$700.00	\$700.00	\$700.00		NONE	100.00%
6/30/2012	PETTY CASH ON HAND - YVFD		\$100.00	\$100.00	\$100.00		NONE	100.00%
<b>TOTAL CASH AND INVESTMENTS</b>					<b>\$14,488,589.23</b>	<b>\$14,488,589.23</b>		

\*\*\* See supplemental data on LAIF Investment maturity, investment portfolio mix and yield

The instruments of investments used this quarter are in direct relationship with the City's investment policy. It is the opinion of the Treasurer that the next six (6) months expenditures can be met.

  
 Shella Rheitla Hogaf, Treasurer

Approved by motion of the Yreka City Council at its meeting held December 20, 2012.

\_\_\_\_\_  
David Simmen, Mayor

# Bill Lockyer, State Treasurer



## Inside the State Treasurer's Office

### Local Agency Investment Fund (LAIF)

#### PMIA Performance Report

#### LAIF Performance Report

Date	Daily Yield	Quarter to Date Yield	Average Maturity (in days)
11/22/2012	0.32	0.33	227
11/23/2012	0.32	0.33	227
11/24/2012	0.32	0.33	227
11/25/2012	0.32	0.33	227
11/26/2012	0.32	0.33	222
11/27/2012	0.32	0.33	220
11/28/2012	0.32	0.33	227
11/29/2012	0.32	0.33	225
11/30/2012	0.33	0.33	228
12/1/2012	0.33	0.33	228
12/2/2012	0.33	0.33	228
12/3/2012	0.33	0.33	234
12/4/2012	0.33	0.33	232
12/5/2012	0.33	0.33	231

Quarter ending 09/30/2012

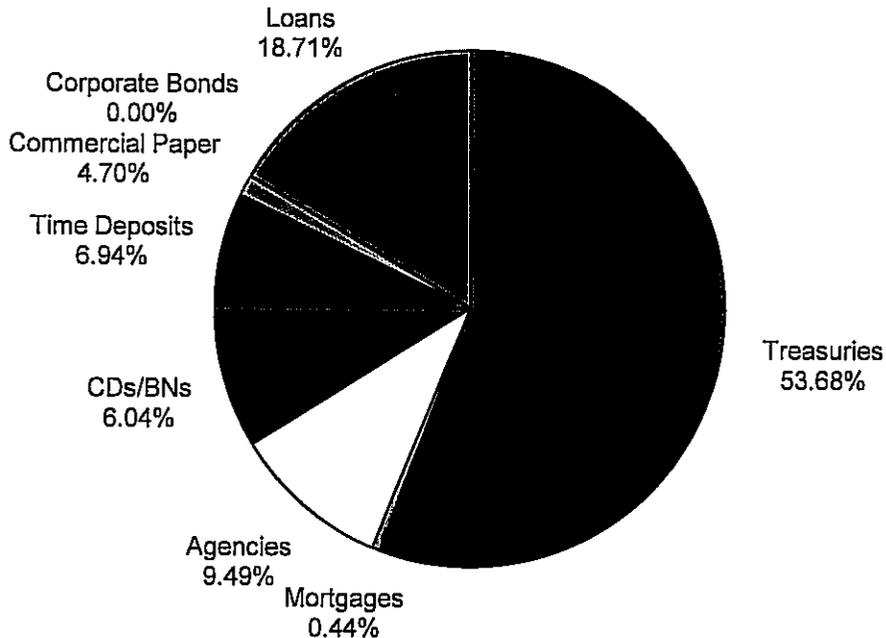
Apportionment Rate: 0.35%  
 Earnings Ratio: .00000970563155028  
 Fair Value Factor: 1.001314072  
 Daily: 0.35%  
 Quarter To Date: 0.36%  
 Average Life: 242

#### PMIA Average Monthly Effective Yields

NOVEMBER 2012 0.324%  
 OCTOBER 2012 0.340%  
 SEPTEMBER 2012 0.348%

\*Daily yield does not reflect capital gains or losses

#### Pooled Money Investment Account Portfolio Composition \$63.0 Billion 10/31/12



CITY OF YREKA  
TREASURER'S REPORT TO THE CITY COUNCIL  
Oct-2012

Fund Type	Fund	Fund Description	Previous Balance	Receipts / Debits	Disbursements / Credits	Cash Balance by Fund	
General-Unrestricted	01	General Operating	\$ 1,674,534.12	\$ 295,716.80	\$ 343,095.75	\$ 1,627,155.17	
General-Designated	01	Comm Art	2,772.56	-	-	2,772.56	
General-Designated	01	Fire Museum	4,952.35	-	-	4,952.35	
General-Designated	01	Planning Deposits	-	-	-	0.00	
General-Designated	01	Sidewalk in Lieu	35,803.46	-	-	35,803.46	
General-Designated	01	Parkland Trust	-	-	-	0.00	
General-Designated	01	Police Asset Forfeit	6,424.78	-	-	6,424.78	
General-Designated	01	Parking Fees	63,011.04	-	-	63,011.04	
General-Designated	01	Campbell Tract Redemption	48,020.34	-	-	48,020.34	
General-Designated	01	Baker Tract/Lucas	-	-	-	0.00	
General-Designated	02	Gifts Donations	3,710.10	-	-	3,710.10	
General-Designated	02	K-9 Unit	16,283.94	214.55	-	16,498.49	
General-Designated	02	YPD Donated - Hiltson	8,058.85	11.07	-	8,069.92	
General-Designated	02	YPD Donated - Travellers	3,864.72	-	-	3,864.72	
General-Designated	02	YPD Donated - Teen Fund	453.08	-	-	453.08	
General-Designated	02	Greenhorn Park Redevelopment	-	-	-	0.00	
General-Designated	03	YVFD Volunter Fund	71,869.02	1,581.16	-	73,450.18	
General-Restricted	04	Crandell Cash	1,957,255.66	3,404.69	22,170.90	1,938,489.45	
General-Restricted	04	Morgan Stanely SmithBarney-Crandall	-	-	-	0.00	
General-Designated	08	Grant Projects Reserve	1,200,635.81	9,487.93	18,975.86	1,191,147.88	
General-Designated	08	PERS Pension Liability Reserve	(516,842.50)	9,487.93	-	(507,354.57)	
General-Designated	09	Reserves for Cap. Outlay	1,017,244.04	-	-	1,017,244.04	General - All
General-Designated	10	Capital Outlay	173,282.50	905.92	8,965.84	165,222.58	\$ 5,698,935.57
Spec. Rev. -Streets	20	Gas Tax 2106	(35,837.50)	36,751.22	23,724.36	(22,810.64)	
Spec. Rev. -Streets	20	Traffic Conjestion Relief	-	-	-	0.00	
Spec. Rev. -Streets	21	Local Transportation	441,562.21	394.40	-	441,956.61	Streets
Spec. Rev. -Streets	24	Fines - Traffic Safety	57,132.97	2,927.68	6,531.51	53,529.14	\$ 472,675.11
Special Revenue	30	Fire Assessment Spec. Rev	302,445.55	18,727.88	11,869.13	309,304.30	
Special Revenue	31	Landfill Access Fee - Debt Service	(216,672.08)	18,166.98	490.78	(198,995.88)	Special Revenues
Special Revenue	32	Developer Impact Fees	378,530.18	638.12	-	379,168.30	\$ 489,476.72
Special Grants	60	Spec Grants Capital Outlay	(142,045.86)	33,901.00	25,008.58	(133,153.44)	Special Grants
Special Grants	65	Community Development Grants	144,490.58	1,665.48	11,884.31	134,271.75	\$ 1,118.31
Water Enterprise	70	Water Operating	324,973.02	333,699.62	210,213.03	448,459.61	
Water Enterprise	71	Water Capital Projects	477,203.78	96,671.60	47,919.92	525,955.46	
Water Enterprise	72	Water Debt Servicing	264,000.00	6.00	185,576.59	78,429.41	
Water Enterprise	72	USDA COPS 2010	100,000.00	-	-	100,000.00	Water Enterprise
Water Enterprise	74	Water Reserves	3,960,762.09	67,599.65	-	4,028,361.74	\$ 5,181,206.22
Sewer Enterprise	80	Sewer Operating	112,369.15	192,735.73	162,361.26	142,743.62	
Sewer Enterprise	81	Sewer Capital Outlay	378,489.37	-	332.43	378,156.94	
Sewer Enterprise	82	Sewer Debt Servicing	43,059.50	-	-	43,059.50	
Sewer Enterprise	82	USDA COPS 2003	100,000.00	-	-	100,000.00	Enterprise-Sewer
Sewer Enterprise	84	Sewer Reserves	1,856,399.44	52,617.60	-	1,909,017.04	\$ 2,572,977.10
Agency	90	Agency - Cash	9,902.18	358,360.01	400,270.25	(32,008.06)	Agency- Payroll
							\$ (32,008.06)
<b>COLUMN TOTALS</b>			<b>\$14,328,098.45</b>	<b>\$ 1,535,673.02</b>	<b>\$ 1,479,390.50</b>	<b>\$14,384,380.97</b>	<b>\$ 14,384,380.97</b>
<b>BANK RECAPITULATION</b>			<b>PER BANK</b>	<b>Market Value</b>	<b>PER LEDGER</b>		
L.A.I.F. 0.34%			13,500,518.55	13,500,518.55			
Petty Cash Drawers			700.00				
YVFD Petty Cash			100.00				
TriCounties YVFD DDA			48,837.74				
TriCounties YVFD CD 0.250% due 2/21/13			24,512.44	24,512.44			
Scott Valley Bank - Primary DDA			823,635.60				
<b>TOTAL PER BANK</b>			<b>14,398,304.33</b>		<b>14,384,380.97</b>		
<b>ADJUSTMENTS</b>							
Less Outstanding Checks SVB			(5,942.48)				
Less Outstanding Checks TCB			-				
SVB DDA Fees 9/30 GL 10/1			-				
SVB DDA Interest 9/30 GL 10/1			(156.30)				
US Treasury Misc Pay - tracing unknown			(5,862.45)				
UB ACH GL 10/31 ACH 11/1			44.32				
CalPERS Health Adj. PY shortpay			559.25				
BRMS AP 406 G/L 10/31 Bk 11/1			(2,565.70)				
<b>TOTAL PER LEDGER</b>			<b>14,384,380.97</b>		<b>14,384,380.97</b>		

*SR Hogan*

Rhetta Hogan, City Treasurer

David Simmen, City Mayor

**2012-2013 Operating Budget of Revenue and Expenditures  
with Actuals through  
October 31, 2012**

Fund Analysis	REVENUE		EXPENSE		Excess of Rev over Exp.-Surplus/ (Deficit)		Based on Operating Budget			Current/Cash/ Balance
	Adopted	Operating Budget, Year to Date	Adopted	Operating Budget, Year to Date	Operating Budget	Net Actual Year to Date	Beginning Working Capital	Operating Budget Net Increase/ (Decrease)	Ending Working Capital	
Major Grp Investment in LAIF										
General Operating Fund	4,844,507.10	532,378.06	4,840,592.49	4,840,592.49	3,914.61	(965,495.51)	2,688,399.88	3,914.61	2,692,314.49	1,788,139.70
	4,844,507.10	532,378.06	4,840,592.49	4,840,592.49	3,914.61	(965,495.51)	2,688,399.88	3,914.61	2,692,314.49	1,788,139.70
Gifts Donations	(17,329.10)	225.92	1,200.00	1,200.00	(18,529.10)	225.62	32,370.69	(18,529.10)	13,841.59	32,596.31
YVFD Volunteer Fund	20,500.00	307.53	20,500.00	20,500.00	-	(11,543.50)	84,993.88	-	84,993.88	73,450.18
Trusts - Crandell-Stewart	30,000.00	9,134.84	124,820.00	124,820.00	(94,820.00)	(26,091.99)	1,969,761.43	(94,820.00)	1,869,761.43	1,936,499.45
General Fund Reserves	(353,293.00)	(261,175.81)	(199,347.00)	(199,347.00)	(153,946.00)	(225,399.48)	906,178.74	(153,946.00)	752,232.74	883,793.31
Reserves for Cap. Outlay	120,000.00	120,000.00	25,000.00	25,000.00	95,000.00	95,000.00	904,047.10	95,000.00	999,047.10	1,017,244.04
Capital Outlay	250,000.00	252,584.43	250,000.00	259,529.00	(19,529.00)	219,155.86	(9,529.00)	(9,529.00)	165,222.59	165,222.59
General Fund - Restricted or Designated	49,877.90	131,075.81	222,173.00	231,702.00	(181,824.10)	51,355.52	3,892,171.94	(181,824.10)	3,710,347.84	3,910,795.87
<b>Total General Fund</b>	<b>4,894,395.00</b>	<b>963,463.97</b>	<b>5,095,765.40</b>	<b>5,072,294.49</b>	<b>(177,909.49)</b>	<b>(914,129.99)</b>	<b>6,660,571.52</b>	<b>(177,909.49)</b>	<b>6,402,662.03</b>	<b>5,698,935.57</b>
Gas Tax & Traffic Cong.	436,066.03	72,999.71	436,066.03	436,066.03	-	(21,690.54)	6,233.43	-	6,233.43	(22,810.64)
Local Transportation	201,000.00	394.40	376,493.24	376,493.24	(175,493.24)	51,293.51	441,592.21	(175,493.24)	266,098.97	441,956.61
Fines - Traffic Safety	105,736.99	75,390.64	105,736.99	105,736.99	24,107.13	-	2,245.83	-	2,245.83	53,599.14
Road, Street & Transit - Restricted	742,803.02	149,463.75	918,296.28	918,296.28	(175,493.24)	29,997.37	450,041.27	(175,493.24)	274,548.03	472,675.11
<b>Total Road, Streets and Transit</b>	<b>742,803.02</b>	<b>149,463.75</b>	<b>918,296.28</b>	<b>918,296.28</b>	<b>(175,493.24)</b>	<b>29,997.37</b>	<b>450,041.27</b>	<b>(175,493.24)</b>	<b>274,548.03</b>	<b>472,675.11</b>
Fire Assessment Spec. Rev	221,000.00	79,041.51	142,508.17	140,880.53	78,491.83	(64,639.02)	392,642.88	78,491.83	471,134.51	309,304.30
Landfill Access Fee - Debt Service	215,500.00	73,311.03	181,467.97	178,642.05	34,032.03	(103,331.02)	(70,725.59)	34,032.03	(36,693.55)	(198,995.88)
Developer Impact Fees	40,075.00	338.04	-	-	40,075.00	338.04	74,053.61	40,075.00	114,128.61	378,198.30
Special Revenue - Restricted	476,575.00	149,690.58	323,976.14	317,322.58	152,596.66	(167,632.00)	395,970.71	152,596.66	548,569.57	499,476.72
<b>Total Special Revenue</b>	<b>476,575.00</b>	<b>149,690.58</b>	<b>323,976.14</b>	<b>317,322.58</b>	<b>152,596.66</b>	<b>(167,632.00)</b>	<b>395,970.71</b>	<b>152,596.66</b>	<b>548,569.57</b>	<b>499,476.72</b>
Spec Grants Capital Outlay	1,905,750.00	1,004,344.47	1,905,750.00	1,905,750.00	216,000.00	(145,984.90)	(146.84)	216,000.00	215,853.16	(133,153.44)
Community Development Grants	176,500.00	(59,445.71)	184,000.00	20,612.55	(7,500.00)	(90,059.26)	207,512.93	(7,500.00)	200,012.93	134,271.75
Special Grants - Capital Projects	2,082,250.00	(63,790.18)	2,089,750.00	2,089,750.00	208,500.00	(226,043.16)	207,364.09	208,500.00	415,864.09	1,118.31
<b>Total Grants - Operating &amp; Capital Projects</b>	<b>2,082,250.00</b>	<b>(793,790.19)</b>	<b>2,089,750.00</b>	<b>2,089,750.00</b>	<b>208,500.00</b>	<b>(226,043.16)</b>	<b>207,364.09</b>	<b>208,500.00</b>	<b>415,864.09</b>	<b>1,118.31</b>
Water Operating	1,643,586.31	656,722.94	1,643,586.31	1,643,586.31	-	229,352.47	(29,233.70)	-	(29,233.70)	448,459.61
Water Capital Projects	1,163,213.80	720,278.22	1,163,213.80	1,054,678.12	(67,000.00)	(334,400.90)	344,793.73	(67,000.00)	277,793.73	525,955.46
Water Debt Servicing	264,000.00	264,000.00	264,000.00	264,000.00	225,699.75	225,699.75	100,000.00	-	100,000.00	178,429.41
Water Reserves	85,413.89	263,417.51	-	38,300.25	85,413.89	263,417.51	4,399,502.10	85,413.89	4,484,915.99	4,028,361.74
Water Enterprise	3,156,214.00	1,904,418.67	3,070,800.11	3,137,800.11	18,413.89	394,096.63	4,815,062.13	18,413.89	4,833,476.02	5,181,206.22
Sewer Operating	1,548,489.40	463,588.64	1,548,489.40	349,846.00	-	114,742.64	(14,404.55)	-	(14,404.55)	142,743.62
Sewer Capital Outlay	30,000.00	1,116.66	30,000.00	1,116.66	(149,000.00)	89,098.69	100,000.00	(149,000.00)	(49,000.00)	378,156.94
Sewer Debt Servicing	126,451.22	126,451.22	126,451.22	37,352.53	-	66,559.38	2,840,487.03	66,559.38	3,006,026.41	143,059.60
Sewer Reserves	665,559.38	195,351.13	-	-	665,559.38	195,351.13	2,840,487.03	665,559.38	3,006,026.41	1,909,017.04
Sewer Enterprise Fund	2,370,500.00	785,390.99	1,704,840.62	1,853,940.62	516,559.36	399,075.80	2,728,052.48	516,559.36	3,242,621.65	2,572,877.10
<b>Total Enterprise Funds</b>	<b>5,626,714.00</b>	<b>2,689,809.60</b>	<b>4,775,740.73</b>	<b>4,991,740.73</b>	<b>534,973.27</b>	<b>(782,144.63)</b>	<b>7,541,724.61</b>	<b>534,973.27</b>	<b>8,076,697.88</b>	<b>7,754,163.32</b>
Agency Trust - Cash	-	-	-	34,288.51	-	(34,288.51)	-	-	-	(32,008.09)
Agency Funds	-	-	-	34,288.51	-	(34,288.51)	-	-	-	(32,008.09)
<b>Total Agency Funds</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>34,288.51</b>	<b>-</b>	<b>(34,288.51)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(32,008.09)</b>
<b>All Funds Combined</b>	<b>13,722,727.02</b>	<b>13,939,727.02</b>	<b>13,170,529.52</b>	<b>13,395,057.62</b>	<b>642,969.40</b>	<b>(629,560.66)</b>	<b>15,175,072.20</b>	<b>642,969.40</b>	<b>15,717,741.60</b>	<b>14,364,980.97</b>



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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To: Yreka City Council  
Prepared by: Steve Neill, Director of Public Works, *SN*  
Agenda title: Approve a Supplemental Appropriation for the Yreka Creek Flood Hazard Reduction Project  
Meeting date: December 20, 2012

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Discussion:

In February 2011, the City Council approved Resolution No. 2900 authorizing the Department of Public Works to submit a \$5 million application to the State Department of Water Resources (DWR) for grant funds from the Flood Corridor Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Prop 84) and the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Prop 1E). The State has approved the City's application, awarded a \$5 million grant to the City, and the grant agreement is expected to be signed before the end of December.

This project will further implement the goals of the Yreka Creek Master Plan and the Master Plan of Drainage. The proposed project includes land acquisition from willing sellers, rough grading for floodway restoration, native plant re-vegetation, building relocation at the Forest Service yard, and as necessary, bridge reconstruction, as shown on the attached maps. This project will not install any developed trail improvements, but it will provide primitive recreational access in several new areas of the Yreka Creek Greenway.

This grant provides a restricted creek maintenance endowment fund of approximately \$191,000. Only the interest generated by this endowment fund will be available for maintenance purposes, and maintenance activities will be reported annually for five years after the close of the grant.

This project is leveraged by five other current and past projects in the amount of \$6.7 million, as well as volunteer contributions of approximately \$16,300 from Tom Hesseldenz and the Yreka Creek Committee. This appropriation recognizes the City's contribution for pre-agreement costs in the amount of \$7,500, including approximately \$6,500 for staff time in fiscal years 2010/11 and 2011/12 for the grant application and interfacing with DWR during the approval process, and \$1,000 in the current fiscal year to cover expenditures related to negotiating the final grant agreement. No other match is required. If there are future project costs that are not grant eligible, they will be addressed in the normal budget process.

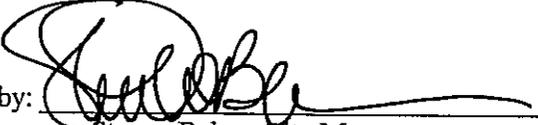
A supplemental appropriation of \$40,000 of expenditures and \$32,500 of revenues is requested for Resource No. 6035 to incorporate this grant into the City's budget. This project was not included in the FY 12/13 budget because the State's timetable for preparing grant agreements was unknown. This appropriation adds budget authority to enable the Department of Public Works to initiate the project in the current fiscal year.

Fiscal Impact:

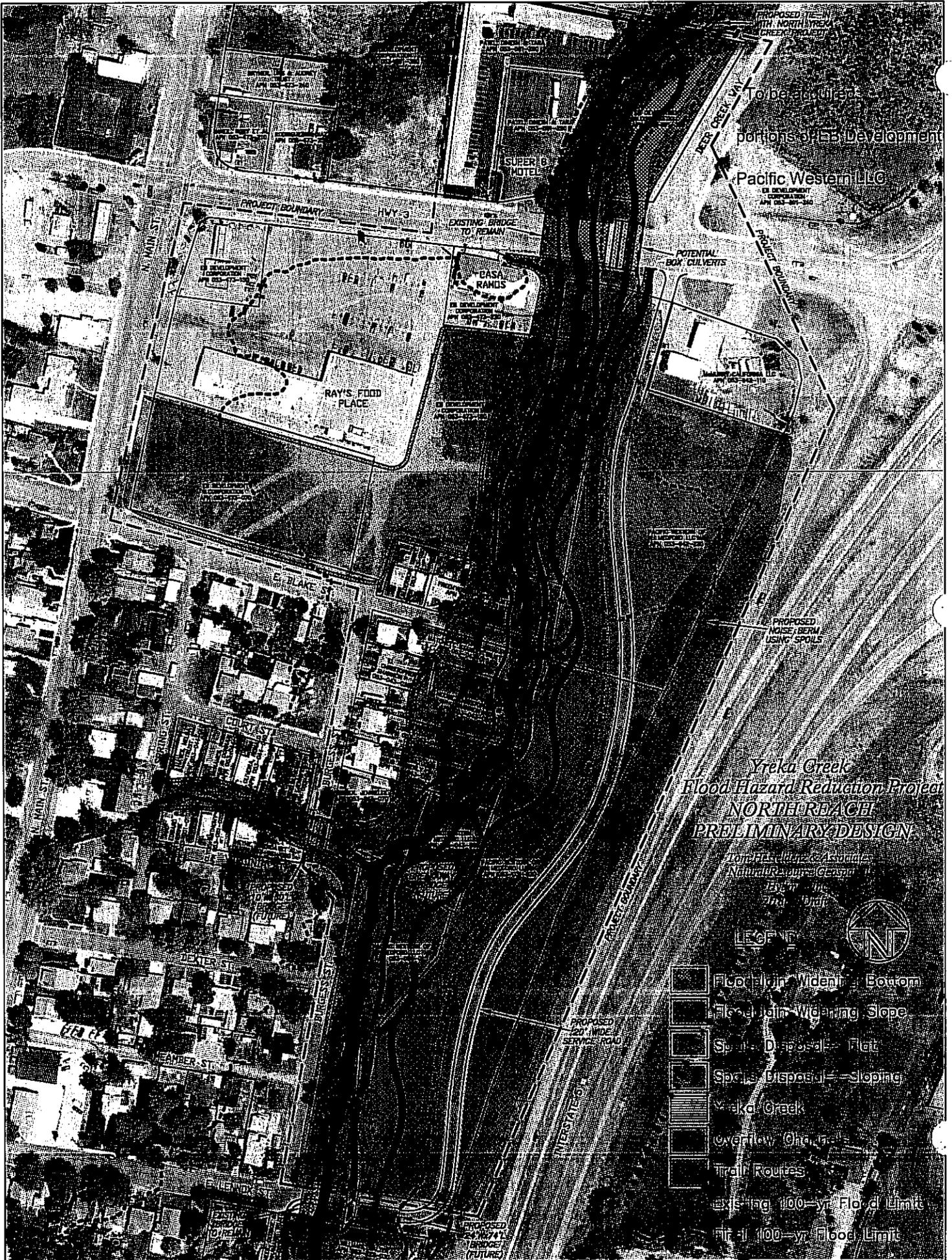
The fiscal impact is \$7,500 from the Storm Drain budget.

Recommendation and Requested Action:

That the Council: Approve a Supplemental Appropriation for the Yreka Creek Flood Hazard Reduction Project.

Approved by:   
Steven Baker, City Manager





PROPOSED SITE WITH NORTH YREKA CREEK CHANNEL

To be an...  
portions of... Development

Pacific Western LLC

SUPER 6 MOTEL

PROJECT BOUNDARY

HWY-3

EXISTING BRIDGE TO REMAIN

CASA RAMON

RAY'S FOOD PLACE

POTENTIAL BOX CULVERTS

PROPOSED NOISE BERM USING SPOILS

PROPOSED NOISE BERM USING SPOILS

Yreka Creek  
Flood Hazard Reduction Project  
NORTH REACH  
PRELIMINARY DESIGN

North Pacific Engineering Associates  
Natural Resource Group  
By: [Signature]  
Date: [Date]

LEGEND

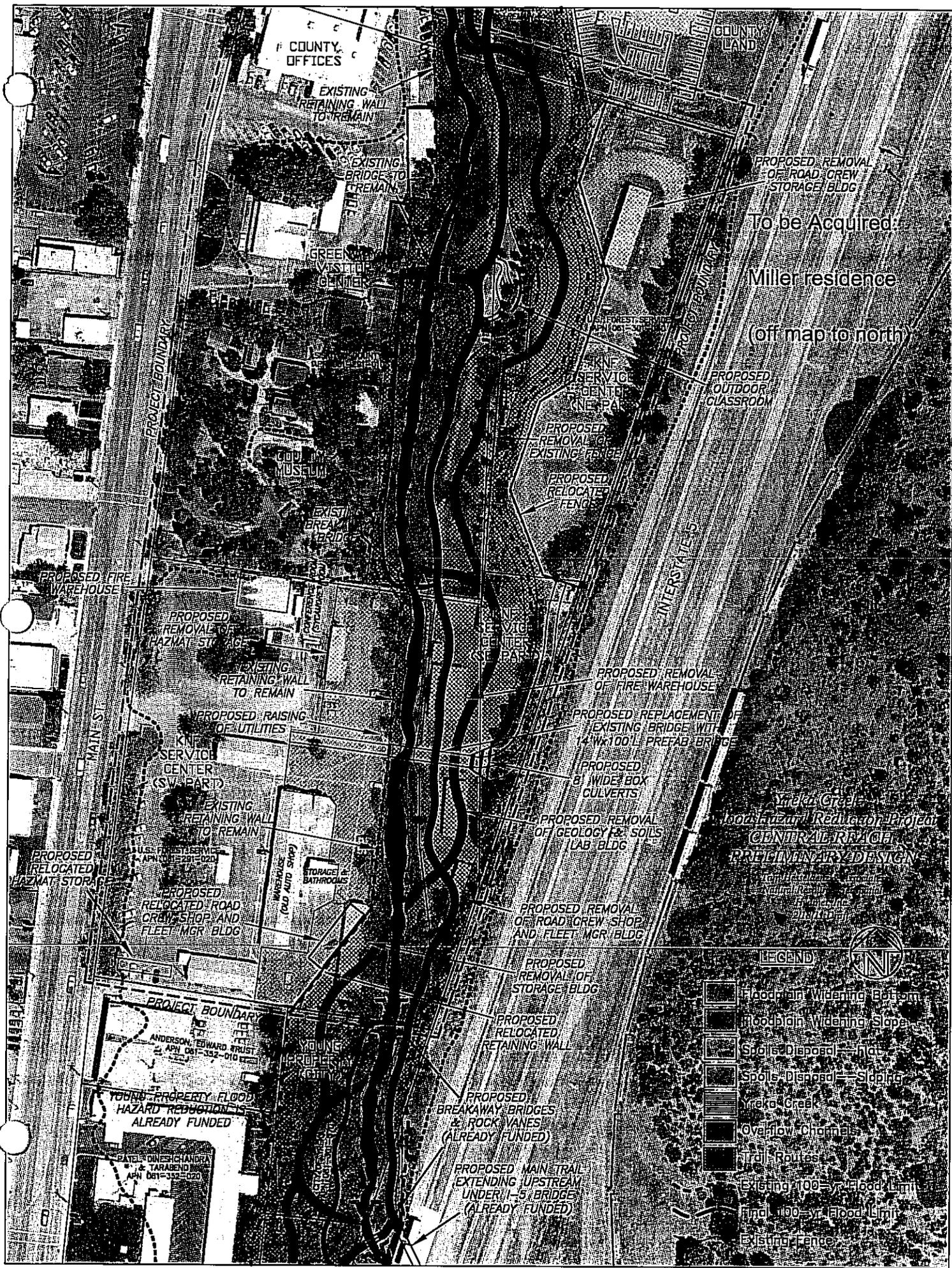


- Flood Limit Widening Bottom
- Flood Limit Widening Slope
- Spill Disposal - Flat
- Spill Disposal - Sloping
- Yreka Creek
- Overflow Channel
- Trail Routes
- existing 100-yr Flood Limit
- 100-yr Flood Limit

PROPOSED 24' WIDE SERVICE ROAD

INTERSTATE 5

PROPOSED 24' WIDE BRIDGE (FUTURE)



COUNTY OFFICES

EXISTING RETAINING WALL TO REMAIN

EXISTING BRIDGE TO REMAIN

GREEN VISTAGE CENTER

MUSEUM

EXISTING BREAKAWAY BRIDGE

PROPOSED FIRE WAREHOUSE

PROPOSED REMOVAL OF HAZMAT STORAGE

EXISTING RETAINING WALL TO REMAIN

PROPOSED RAISING OF UTILITIES

KNE SERVICE CENTER (SW PART)

EXISTING RETAINING WALL TO REMAIN

PROPOSED RELOCATED HAZMAT STORAGE

U.S. FOREST SERVICE APN 061-221-020

PROPOSED RELOCATED ROAD CREW SHOP AND FLEET MGR BLDG

WAREHOUSE (OLD AUTO SHOP)

STORAGE & BATHROOMS

PROPOSED REMOVAL OF FIRE WAREHOUSE

PROPOSED REPLACEMENT OF EXISTING BRIDGE WITH 14'x100' PREFAB BRIDGE

PROPOSED 8' WIDE BOX CULVERTS

PROPOSED REMOVAL OF GEOLOGY & SOILS LAB BLDG

PROPOSED REMOVAL OF ROAD CREW SHOP AND FLEET MGR BLDG

PROPOSED REMOVAL OF STORAGE BLDG

PROPOSED RELOCATED RETAINING WALL

PROPOSED BREAKAWAY BRIDGES & ROCK VANES (ALREADY FUNDED)

PROPOSED MAIN TRAIL EXTENDING UPSTREAM UNDER I-5 BRIDGE (ALREADY FUNDED)

COUNTY LAND

PROPOSED REMOVAL OF ROAD CREW STORAGE BLDG

To be Acquired:  
Miller residence  
(off map to north)

PROPOSED OUTDOOR CLASSROOM

KNE SERVICE CENTER (NE PART)

PROPOSED REMOVAL OF EXISTING BRIDGE

PROPOSED RELOCATED FENCE

KNE SERVICE CENTER (NE PART)

Yreka Creek  
Floodplain Reduction Project  
CENTRAL REACH  
PRELIMINARY DESIGN

LEGEND



- Floodplain Widening Bottom
- Floodplain Widening Slope
- Spills Disposed - Flat
- Spills Disposed - Sloping
- Yreka Creek
- Overflow Channels
- Trail Routes
- Existing 100-yr Flood Limit
- Final 100-yr Flood Limit
- Existing Fence



To be Acquired

portion of Johnson

portion of Moody

portion of Janson

**NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF AVAILABILITY OF  
ANNUAL DEVELOPMENT IMPACT FEE REVIEW  
AND UPDATE OF CAPITAL IMPROVEMENT PLAN REPORT**

The Yreka City Council will hold a public hearing at 6:30 p.m., Thursday, December 20, 2012, in the Council Chambers, 701 Fourth Street, Yreka, California, on the following matter:

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF YREKA  
APPROVING THE ANNUAL DEVELOPMENT IMPACT FEE REPORT  
AND UPDATING THE CITY'S CAPITAL IMPROVEMENT PLAN AND  
DEVELOPMENT IMPACT FEE PROGRAM**

The Annual Development Impact Fee Review and Update of Capital Improvement Plan Report is on file in City Hall for public review. All interested persons are invited to attend the meeting and to participate in the public hearing or deliver written comments regarding the Report on or before 4:00 PM, December 20, 2012, to the following address:

YREKA CITY COUNCIL, 701 Fourth Street, Yreka, CA 96097.

Pursuant to Government Code Section 66002 a local agency which levies a fee subject to Section 66001 of the Government Code shall annual update the capital improvement plan by resolution of the local agency adopted at a noticed public hearing. Pursuant to Government Code Section 66006, a local agency which levies a fee subject to Section 66001 shall within 180 days after the last day of each fiscal year make available to the public a report providing the information set forth in Section 66006(b)(1) and shall review that information at the next regularly scheduled public hearing not less than 15 days after the information has been made available to the public.

Liz Casson  
City Clerk  
City of Yreka

November 20, 2012

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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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**TO:** Yreka City Council  
**PREPARED BY:** Rhetta Hogan   
**AGENDA TITLE:** Adopt Resolution 3001, a Resolution of the City Council of the City of Yreka approving the Development Impact Fee Reports and Updating the City's Capital Improvement Plan and Development Impact Fee Program  
**MEETING DATE:** Thursday, December 20, 2012

**Annual Development Impact Fee Review:**

On November 16, 2006, the City Council adopted Ordinance 790 establishing and implementing development impact fees (DIFs) and made it a part of Title 11, Chapter 11.23. This Ordinance was amended twice, by Ordinance 795, and Ordinance 799 for technical amendments and re-titling it Municipal Utility Services, Impact and Connection Fees. Section 11.23.170 of Chapter 11.23 provides for an annual review of the capital improvement plan and an accounting of DIFs received and expended. The last report made to the Yreka City Council on December 15, 2011.

Based upon Government Code Section 66006(b), development fees must be reviewed annually and may be adjusted by the City Council after a noticed public hearing. The annual report shall include the following items.

1. A brief description of the type of fee collected;
2. The amount of the fee;
3. The beginning and ending balance of each type of fee held by the City;
4. The amount of fees collected and the interest earned;
5. An identification of each public improvement and the amount expended;
6. An identification of the approximate date by which the construction of the public improvement will be complete;
7. A description of each interfund transfer or loan made; and
8. The amount of refunds made (none reported).

As required by the Government Code, this information must be made available to the public through posting of a draft of this report. Upon the completion of a fifteen day review period, Council will be asked to accept and file the report.

It is important to note, that none of the funds have been held by the City for five or more years and that all past and planned expenditures are contained in the Master Facility Plan and are consistent with the community's goals, or have been programmed to be funded from sources other than DIF's.

**ALTERNATIVES/OPTIONS:** This item is presented for review as required by the Government Code to provide information to the public concerning collections and expenditures of Development Impact Fees (AB 1600 Fees). As long as the City maintains these fees, this annual review will be required.

**Update of Capital Improvement Plan:** Pursuant to the provisions of Government Code Section 66002(b), the capital improvement plan adopted by the City by Resolution 2615 approving the Development Impact Fee Study shall be annually updated at a noticed public hearing. The Capital Improvement Plan, Capital Needs Prioritization was updated as of November 9, 2012 by Public Works and is attached hereto as Attachment 4, which is being present in addition to capital needs identified on the original report .

**Discussion:**

When the City Council adopted the Development Impact Fees Report, Yreka City Council made findings as follows:

1. There is a reasonable relationship between the need for the described public facilities and the impacts of the various types of development, and,
2. there is a reasonable relationship between the fees use and the type of development for which the fee is charged, and
3. the cost estimates set forth in the Master Facilities Plan are reasonable cost estimates for constructing these facilities, and that the fees to be generated by new development will not exceed the total of these costs.

The attached Resolution reaffirms these findings.

- Since the last report submitted to City Council on December 15, 2011, no other change of circumstance has occurred since the Capital Improvement Plan and Development Impact Fee program were adopted.
- Neither General Plan designations nor growth projections in the City have materially changed in the last year.
- The remainder of the public facilities identified in the Development Impact Fee Report are still required to serve the needs which will be created by new development in the City.
- A relationship between the need for such public facilities, the amount of fees necessary to fund development of such facilities, and the impacts of development for which the fees are charged has remained unchanged from when these programs were adopted.
- There have been duly authorized index adjustments of the cost of the public improvements and the fee amounts made pursuant to YMC Section 11.23.180.
- Gov Code Section 66006(b), which requires the Annual Review report of AB 1600 fees be made within 180 days after the last day of each fiscal year and that it be reviewed by the City Council **at the next regularly scheduled public meeting not less than 15 days** after the information is made available to the public. The update of the capital improvement plan can be by resolution, but must occur at a

noticed public hearing (one newspaper publication of the notice 10 days prior to the public hearing.) Gov. Code Section 66002. The update of the capital improvement plan and approval of the DIF fees report can occur at the same time. Legal notice will be published for public hearing on Monday, November 26, 2012 for the Capital Improvement Plan review updated December 2012.

**Financial:**

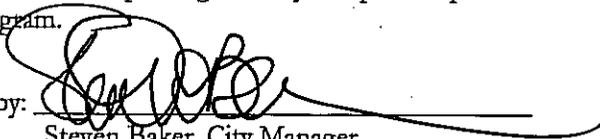
- Collection of Development Impact Fees provides revenue necessary for the City ultimately to fund the construction of the public improvements contained in the City's adopted Capital Improvement Plan.
- The City Council may review the phased in fee implementation schedule every six months, and the council may, in its discretion, set fees up to the full amounts of the fees as set forth in the City of Yreka Impact Fee Report, which fee modifications, if adopted, shall be effective six months after the order of the city council.
- It is anticipated that interfund loans between fee accounts have been and may be made during the next review period for the purposes of funding the construction of the improvements discussed in this report.
- Discussion and direction to staff topics bring back to the Council at a future meeting several horizon issues related to the rate and collection of DIF Fees.

**ATTACHMENTS:**

Attachment 1: Original AB 1600 Development Fee Project Improvements by Impact;  
Attachment 2: Description of AB 1600 Development Fee Types;  
Attachment 3: Schedule of AB 1600 Development Fee Collections and Disbursements;  
Attachment 4: Capital Improvement Plan – Capital Needs Prioritization updated as of December 2010;  
Attachment 5: Resolution Of The City Council Of The City Of Yreka Updating The City's Capital Improvement Plan And Development Impact Fee Program as shown in Attachment 4.

**Recommendation:** It is recommended that the City Council:

Adopt resolution 3001, a Resolution of the City Council of the City of Yreka approving the Development Impact Fee Reports and Updating the City's Capital Improvement Plan and Development Impact Fee Program.

Approved by: 

Steven Baker, City Manager

Attachment 1

City of Yreka

Original Schedule of Developer Impact Fee Improvements by Impact

<b>Fee Summary</b>				
	<b>Fee Per Unit/Due</b>	<b>Six Months (25%)</b>	<b>One Year (50%)</b>	<b>After One Year (100%)</b>
4.1 City Buildings	\$792	\$198	\$396	\$792
4.2 Park Facilities	\$1,821	\$455	\$911	\$1,821
4.3 Police Department	\$683	\$171	\$342	\$683
4.4 Fire Department	\$35	\$9	\$17	\$35
4.5 Storm Drainage	\$99	\$25	\$49	\$99
4.6 Street Improvements	\$539	\$135	\$270	\$539
4.7 Wastewater System	\$1,486	\$371	\$743	\$1,486
4.8 Water System	\$5,132	\$1,283	\$2,566	\$5,132
<b>Totals</b>	<b>\$10,587</b>	<b>\$2,647</b>	<b>\$5,294</b>	<b>\$10,587</b>

<b>Table 4.1-1 City Buildings</b>			
<b>Item</b>	<b>Sq. Ft.</b>	<b>\$ per Sq. Ft.</b>	<b>Total</b>
Expanded City Offices	2,000	\$200	\$400,000
Expanded Public Works Building	2,000	\$200	\$400,000
<b>Total</b>			<b>\$800,000</b>

<b>Table 4.2-1 Basic Neighborhood Park Average Cost Estimate</b>			
<b>Item</b>	<b>Unit</b>	<b>Unit Cost</b>	<b>Total Cost</b>
Acquisition	5 acres	60000	\$300,000
Right of Way Improvements			
Curb, Gutter, Sidewalk	467 lineal ft.	45	\$21,015
Parking Lane, One Travel Lane --	217,800 square ft.	4	\$871,200
Pave-out			
Landscaping	217,800 square ft.	1	\$217,800
Irrigation	217,800 square ft.	1	\$217,800
Parking Area	15,000 square ft.	4	\$60,000
Restrooms	1 each	150000	\$150,000
Play Equipment	1 each	45000	\$45,000
Ball Field	1 each	25000	\$25,000
Soccer Field	1 each	10000	\$10,000
Benches/Bike Racks	6 each	500	\$3,000
Garbage Cans	6 each	200	\$1,200
Lighting (security)	6 each	1500	\$9,000
Sidewalks/Paths (miscellaneous)	140 lineal ft.	25	\$3,500
<b>Total</b>			<b>\$1,934,515</b>

Attachment 1  
continued

<b>Table 4.3-1 Police Department Needs</b>			
Item	Sq. Ft.	\$ per Sq. Ft.	Total
Expanded Police Building + Secure Parking Area	2760	200	\$552,000
Secure outdoor area at \$50 per sq. ft.	2760	50	\$138,000
<b>Total</b>			<b>\$690,000</b>

<b>Table 4.4-1 Fire Department Needs</b>	
Item	Total
Fire Services Report	\$35,000
<b>Total</b>	<b>\$35,000</b>

<b>Table 4.5-1 Intersection Improvements</b>	
	Totals
Traffic Signal SR 3 & SR 263	\$225,000
Traffic Signal Upgrade at SR 3 & Moonlit Oaks	\$90,000
Additional Backhoe (acquired, non DIF funding 2008-09)	\$80,000
Intersection Improvements at Miner and Oregon	\$150,000
<b>Total</b>	<b>\$545,000</b>

<b>Table 4.7-2 Wastewater System Improvements</b>		
	Ultimate	General Plan Growth
Vacuum Truck (acquired 2009-10)		\$450,000
Office At Plant w/ secure storage		\$400,000
Collection System Upgrades	\$829,000	\$554,000
<b>Totals</b>	<b>\$829,000</b>	<b>\$1,404,000</b>
<b>Grand Total</b>		<b>\$2,233,000</b>

Attachment 1  
continued

<b>Table 4.8-2</b>	
<b>Water System Improvements</b>	<b>Totals</b>
	<i>General Plan Growth</i>
New Filter Control Panel	\$75,000
Additional Booster Pump	\$170,000
Stage 1 Water Treatment Plant Booster Pump Station	\$1,100,000
Add Two Filters to Water Treatment Plant	\$600,000
Zone 2 - 2.0 MG Storage Tank	\$1,660,000
Zone 1 Supply Improvements from Foothill Dr. PRV	\$662,000
Upgrade State Street Pumps	\$63,000
Replacement Main in Hwy 3	\$560,000
Replacement Main from Yreka Creek Way to Main	\$144,000
Alternate Water Source Study	\$150,000
<b>Totals</b>	<b>\$5,184,000</b>

# City of Yreka Municipal Utility Services, Impact, & Connection Fees Worksheet

**NOTICE:** Enacted by Ordinance # 792 on November 16, 2006, amended by Ordinance # 795 on February 1, 2007, and amended by Ordinance #799 on December 6, 2007, pursuant to California Government Code Section 66000.

**BASE FEE**



Phased Implementation Effective Dates:

as of July 16, 2007 50%

Exemptions

- a. Alteration/renovation/expansion of residential building where no additional dwelling units are created.
- b. Expansion of commercial/industrial structure which is less than 50% of the square footage of the existing structures.
- c. Accessory building with no extra vehicle trips.
- d. Replacement structure, same size, within 3 years.
- e. Replacement mobile home.
- f. Fees pursuant to an Encroachment Permit will be charged for applicable connections only.

**Impact Fee \$606.16**

- 1. Single Family - base fee per dwelling unit
- 2. Multiple Family - base fee is per dwelling unit
- 3. Commercial - base fee is per sq. ft.
- 4. Office/general - base fee is per sq. ft.
- 5. Industrial base fee is per sq. ft.

**Storm Drainage Impact Fee \$111.15**

- 1. Single Family - base fee per dwelling unit
- 2. Multiple Family - base fee is per dwelling unit
- 3. Commercial - base fee is per sq. ft.
- 4. Office/general - base fee is per sq. ft.
- 5. Industrial base fee is per sq. ft.

**D. Storm Drainage Impact Fee \$111.15**

- 1. Single Family - base fee per dwelling unit
- 2. Multiple Family - base fee is per dwelling unit
- 3. Commercial - base fee is per sq. ft.
- 4. Office/general - base fee is per sq. ft.
- 5. Industrial base fee is per sq. ft.

**E. Water System Impact Fee \* \$5,761.94**

Base fee multiplied by household equivalent ratio from chart.



**Fee Calculation Worksheet**

Name: \_\_\_\_\_

Property Address or APN: \_\_\_\_\_

**1. List the building size (sq. ft.) or # of units next to the type of proposed structure:**

single family residence	_____	sf
multi-family residence	_____	units
commercial, retail	_____	sf
office, general	_____	sf
Industrial	_____	sf

**2. Water Meter Size or if no meter, water service pipe size**

\_\_\_\_\_

**3. Fees Due**

- A. Public Facilities \_\_\_\_\_
  - B. Streets \_\_\_\_\_
  - C. Park and Recreation \_\_\_\_\_
  - D. Storm Drainage \_\_\_\_\_
  - E. Water \* \_\_\_\_\_
  - F. Wastewater \* \_\_\_\_\_
- TOTAL \_\_\_\_\_

**4. Implementation Phase Percentage**

Permit Application Date: \_\_\_\_\_

Percentage \_\_\_\_\_

Total Fee \_\_\_\_\_

**\*Water and Wastewater Fees- Multiply the base fee for each premises times the Household Equivalent ratio (from chart below) based on the meter size, or if no meter is installed the water service pipe size.**

Household Equivalent Ratio	Water Meter size or if no meter, water service pipe size
1	3/4 inch - SF Residential with Fire Suppression (1)
1.5	3/4 inch (Commercial)
2.5	1 inch
5	1.5 inch
8	2 inch
16	3 inch
25	4 inch
50	6 inch
80	8 inch

(1) Single Family residential home with required fire suppression system, pricing reflects pending ordinance change to SF Residential.

**TOTAL BASE FEE - Single Family Residential with a 3/4" water meter size, as required for Fire Suppression \$11,886.53**

Fee amount is due prior to issuance of building permit, encroachment permit or mobile home permit.

Attachment 3  
City of Yreka  
Utility Services, Impact and Connection Fees  
Annual Report

FISCAL YEAR 2006-2007

Fee Type	Beginning Balance 7/1/06	Fees Collected	Interest Allocated	Ending Balance 6/30/07
Public Facilities	-	7,324.00	-	7,324.00
Streets	-	1,373.75	-	1,373.75
Storm Drains	-	148.75	-	148.75
Parks and Recreation	-	1,821.00	-	1,821.00
Water	-	70,565.00	-	70,565.00
Sewer	-	20,061.00	-	20,061.00
	-	101,293.50	-	101,293.50

FISCAL YEAR 2007-2008

Fee Type	Beginning Balance 7/1/07	Fees Collected	Interest Allocated	Ending Balance 6/30/08
Public Facilities	7,324.00	10,511.06	1,094.11	18,929.17
Streets	1,373.75	2,675.26	278.47	4,327.48
Storm Drains	148.75	433.73	45.15	627.63
Parks and Recreation	1,821.00	6,612.05	688.25	9,121.30
Water	70,565.00	27,615.31	2,874.50	101,054.81
Sewer	20,061.00	7,250.19	754.68	28,065.87
	101,293.50	55,097.60	5,735.16	162,126.26

FISCAL YEAR 2008-2009

Fee Type	Beginning Balance 7/1/08	Fees Collected	Interest Allocated	Ending Balance 6/30/09
Public Facilities	18,929.17	41,046.97	966.49	60,942.63
Streets	4,327.48	5,860.77	164.18	10,352.43
Storm Drains	627.63	255.25	14.23	897.11
Parks and Recreation	9,121.30	-	146.99	9,268.29
Water	101,054.81	71,336.91	2,778.01	175,169.73
Sewer	28,065.87	19,537.00	767.09	48,369.96
	162,126.26	138,036.90	4,836.99	305,000.15

FISCAL YEAR TO DATE 2009-2010\* Amended with issuance of final audit

Fee Type	Beginning Balance 7/1/09	Fees Collected	Fees Expended	Interest Allocated	Ending Balance 6/30/10
Public Facilities	60,942.63	3,244.32	-	396.6	64,583.55
Streets	10,352.43	463.23	-	66.83	10,882.49
Storm Drains	897.11	159.52	-	6.53	1,063.16
Parks and Recreation	9,268.29	-	-	57.27	9,325.56
Water	175,169.73	8,269.82	-	1133.44	184,572.99
Sewer	48,369.96	2,394.57	318,761.19	313.65	(267,683.01)
	305,000.15	14,531.46	318,761.19	1,974.32	2,744.74

FISCAL YEAR TO DATE 2010-2011

Fee Type	Beginning Balance 7/1/10	Fees Collected	Fees Expended	Interest Allocated	Ending Balance 6/30/11	
Public Facilities	64,583.55	36,403.97	-	608.21	101,595.73	37,012.18
Streets	10,882.49	5,377.86	-	97.93	16,358.28	5,475.79
Storm Drains	1,063.16	160.90	-	7.37	1,231.43	168.27
Parks and Recreation	9,325.56	1,013.15	64,270.99	62.27	(53,870.01) <sup>(1)</sup>	(63,195.57)
Water	184,572.99	38,511.94	-	1,343.55	224,428.48	39,855.49
Sewer	(267,683.01)	11,151.36	-	(1,544.99)	(258,076.64) <sup>(2)</sup>	9,606.37
	2,744.74	92,619.18	64,270.99	574.34	31,667.27	28,922.53

(1) Interfund Borrowing from GF Capital Reserves (purchase S. West St. property adjacent Miner St. Park)

(2) Interfund Borrowing from Sewer Capital Reserves (purchased Sewer Vacuum Truck 2009-10)

2011-2012 Annual DIF Report  
City of Yreka Department of Public Works

Priority Code	Impr. #	Improvements Done (2007 to 2012) In Budget This FY	Dec 2012 Estimated Cost (Completed or in progress purposes 11-3-12)	Comments	Proposed Funding Source
1	WA	Humbug Tank - Recoat Interior	\$7,955	Old coating beginning to fail, some pitting observed.	
2	W6	Develop Alternative Water Supply	\$1,662,764	Upgrade well as an emergency supply (if feasible). Cost for Boston Shaft well. Alternative being explored.	
3	STR 1	Overlay with reinforcement fabric, 2-3"	\$7,605,414	14.6 miles, PCI 0 to 49	
4	SD 1	Inflow & Infiltration Reduction Program	\$3,699,804	Reduce .75 MGD of I&I	
5	SD 1	Curb Inlets, Construct/Reconstruct	\$161,608	4 locations	
6	SD 2	Curb & Gutter, Reconstruct	\$218,275	8 locations	
7	STR 2	Chip Seal (double)	\$3,975,005	13.9 miles, PCI 50 to 69	
8	SD 3	Box Culverts, Remove & Replace w/ Larger	\$408,217	6 locations, Humbug Cr	
9	SD 4	Headwall, 36" PVC	\$14,692	N. Gold @ school	
10	SD 2	Target Area General Improvements	\$3,373,821	Sewer, manholes, & lateral repairs & replacements	
11	DD 3	16" Main in Hwy 3 - Foothill Dr. to Deer Creek Way	\$623,633	Replace a portion of old steel piping and provide for growth north of Hwy 3 - Priority Depends on Growth	Conn. Fee (dif)
12	DD 4	14" Main - Deer Creek Way to Main Street	\$160,363	Provide for growth in the northwest portion of service area- Priority depends on Growth	Conn. Fee (dif)
13	STR 3	Chip Seal (single)	\$504,691	9.3 miles, PCI 70 to 90	
14	SD 5	Butte St. Drain	\$100,742	P.O. Flooding	
15	SD 6	Oregon St. Drain	\$113,335	Lawrence to Rose	
16	SD 7	Yama St. Drain	\$313,771	Discovery to Fairchild to Oak	
17	WD 3	Alt. Water Source Study (additional supply)	\$183,749	Investigate additional sources of new supply	Conn. Fee (dif)
18	W	Zone 3 water distribution Improvements	\$2,098,800	Water tank, Barham Pump Station relocation and water pipeline between them. May be project specific.	Conn. Fee (dif)
<b>TOTAL</b>			<b>\$25,296,639</b>		

2

New Project	WWTP	Waste Water Treatment Plant Improvements	Dec 2012 Estimated Annual Cost	Comments	Proposed Funding Source
			\$7.8 million-\$ 14.4 million	Phase 2 of WWTP expansion plan (1.4 mgd capacity)	Conn. Fee (dif)
<b>Ongoing Projects</b>					
6 year completion		Steel Water Main Replacement	\$157,410	The Master Water Plan has \$900,000 as a total cost. Based on recent work the cost should be reviewed.	Proposed Funding Source
15 year cycle		Water Meter Replacement	\$83,952	\$1,200,000 total projected cost (based on 15 yr cycle)	

Note 1: Reduced for completion of Bruce St, North St, and Broadway St overlays

Note 2: Projects completed as part of the Fall Creek Water System Improvements were removed from this list

## Attachment 5

### RESOLUTION NO. \_\_\_\_\_

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA APPROVING THE DEVELOPMENT IMPACT FEE REPORT AND UPDATING THE CITY'S CAPITAL IMPROVEMENT PLAN AND DEVELOPMENT IMPACT FEE PROGRAM

WHEREAS, on November 16, 2006, the City Council adopted Ordinance No. 790, which implemented the City's Development Impact Fee program, and, which established the level of Development Impact Fees; and

WHEREAS, by Resolution Number 2615, the City Council had previously approved a Capital Improvement Plan for the construction of public facilities in the City as described in the City's Developer Impact Fee Study; and

WHEREAS, Yreka Municipal Code Section 11.23.170 provides for an annual review of the Capital Improvement Plan, and provides for an annual review of both the City's Development Impact Fee Program and the balance of funds currently maintained in the City's various Development Impact Fee accounts; and

WHEREAS, by Ordinance 799 adopted December 6, 2007, the City Council last approved a revision to the level of Development Impact Fees; and

WHEREAS, the documents reflecting the balance in each Development Impact Fee account, the fee, interest, and income and the amount of expenditure by public facility, and the amount of refunds made for the fiscal year have been available for public review as required by law.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Yreka, California, as follows:

1. The City Council finds that there are no Development Impact Fees remaining unexpended or uncommitted in its account five (5) or more years after deposit of the fee.
2. The City Council finds that new development in the City will generate additional demands on public facilities throughout the City, and will contribute to the impact upon public facilities.
3. The City Council approves the estimated costs of the capital improvements described in the Capital Improvement Plan, attached hereto as Attachment 1, and as described in Resolution 2615, and determines that there is a continued need for these improvements and that there is a reasonable relationship between such need and the impacts of development for which the fees are charged.
4. The City Council finds that there is a reasonable relationship between the fees' use and the type of development for which the fees are charged, as these reasonable relationships are described in more detail in the City's Development Impact Fees Program and Capital Improvement Plan.

5. The City Council finds that the fees expected to be generated by new development will not exceed the costs for construction of public facilities set forth in the City's Capital Improvements Plan as set forth in the Developer Impact Fee Study.
6. The City Council approves the City's Capital Improvement Plan as set forth in the Developer Impact Fee Study with the additions identified in Attachment 4, attached to this Resolution and made a part hereof by this reference.
7. The City Council approves the City's adopted Development Impact Fee Program without change except for (a) the automatic adjustment of the amount of said fees pursuant to YMC Section 11.23.180.
8. The City Manager is hereby authorized to initiate any loans between fee accounts which may be necessary during the next review period for the purpose of funding the construction of the improvements discussed in the Annual Review Report.

Adopted this 20th day of December 2012, by the following called vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
David Simmen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attest: \_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk

**NOTICE OF PUBLIC HEARING  
AND  
NOTICE OF AVAILABILITY OF  
ANNUAL DEVELOPMENT IMPACT FEE REVIEW  
AND UPDATE OF CAPITAL IMPROVEMENT PLAN REPORT**

The Yreka City Council will hold a public hearing at 6:30 p.m., Thursday, December 20, 2012, in the Council Chambers, 701 Fourth Street, Yreka, California, on the following matter:

**RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF YREKA  
APPROVING THE ANNUAL DEVELOPMENT IMPACT FEE REPORT  
AND UPDATING THE CITY'S CAPITAL IMPROVEMENT PLAN AND  
DEVELOPMENT IMPACT FEE PROGRAM**

The Annual Development Impact Fee Review and Update of Capital Improvement Plan Report is on file in City Hall for public review. All interested persons are invited to attend the meeting and to participate in the public hearing or deliver written comments regarding the Report on or before 4:00 PM, December 20, 2012, to the following address:

YREKA CITY COUNCIL, 701 Fourth Street, Yreka, CA 96097.

Pursuant to Government Code Section 66002 a local agency which levies a fee subject to Section 66001 of the Government Code shall annual update the capital improvement plan by resolution of the local agency adopted at a noticed public hearing. Pursuant to Government Code Section 66006, a local agency which levies a fee subject to Section 66001 shall within 180 days after the last day of each fiscal year make available to the public a report providing the information set forth in Section 66006(b)(1) and shall review that information at the next regularly scheduled public hearing not less than 15 days after the information has been made available to the public.

Liz Casson  
City Clerk  
City of Yreka

November 20, 2012

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# CITY OF YREKA

701 Fourth Street, Yreka, California 96097



## NOTICE OF AVAILABILITY FOR REVIEW OF ANNUAL DEVELOPMENT IMPACT FEE REVIEW REPORT FOR THE City OF YREKA

Government Code Section 66006

Date: Monday, November 26, 2012

**SUBJECT:** Availability for Public Review of Annual Development Impact Fee Review Report for The City Of Yreka (Government Code Section 66006).

**CONTACT PERSON:** Rhetta Hogan, Finance Director, City of Yreka (530)841-2386

**LOCATION OF REPORT:** City Hall, City of Yreka, 701 Fourth Street, Yreka, California 96097

This is to advise that pursuant to Government Code Sections 66006, an **ANNUAL DEVELOPMENT IMPACT FEE REVIEW REPORT FOR THE CITY OF YREKA** is available for viewing at the City of Yreka location referenced above.

Rhetta Hogan  
Finance Director, City of Yreka

November 26, 2012

RECEIVED

NOV 26 2012

CITY OF YREKA

RESOLUTION NO. 3001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA APPROVING  
THE DEVELOPMENT IMPACT FEE REPORT AND UPDATING THE CITY'S  
CAPITAL IMPROVEMENT PLAN AND  
DEVELOPMENT IMPACT FEE PROGRAM

WHEREAS, on November 16, 2006, the City Council adopted Ordinance No. 790, which implemented the City's Development Impact Fee program, and, which established the level of Development Impact Fees; and

WHEREAS, by Resolution Number 2615, the City Council had previously approved a Capital Improvement Plan for the construction of public facilities in the City as described in the City's Developer Impact Fee Study; and

WHEREAS, Yreka Municipal Code Section 11.23.170 provides for an annual review of the Capital Improvement Plan, and provides for an annual review of both the City's Development Impact Fee Program and the balance of funds currently maintained in the City's various Development Impact Fee accounts; and

WHEREAS, by Ordinance 799 adopted December 6, 2007, the City Council last approved a revision to the level of Development Impact Fees; and

WHEREAS, the documents reflecting the balance in each Development Impact Fee account, the fee, interest, and income and the amount of expenditure by public facility, and the amount of refunds made for the fiscal year have been available for public review as required by law.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Yreka, California, as follows:

1. The City Council finds that there are no Development Impact Fees remaining unexpended or uncommitted in its account five (5) or more years after deposit of the fee.
2. The City Council finds that new development in the City will generate additional demands on public facilities throughout the City, and will contribute to the impact upon public facilities.
3. The City Council approves the estimated costs of the capital improvements described in the Capital Improvement Plan, attached hereto as Attachment 1, and as described in Resolution 2615, and determines that there is a continued need for these improvements and that there is a reasonable relationship between such need and the impacts of development for which the fees are charged.
4. The City Council finds that there is a reasonable relationship between the fees' use and the type of development for which the fees are charged, as these reasonable relationships are described in more detail in the City's Development Impact Fees Program and Capital Improvement Plan.

5. The City Council finds that the fees expected to be generated by new development will not exceed the costs for construction of public facilities set forth in the City's Capital Improvements Plan as set forth in the Developer Impact Fee Study.
6. The City Council approves the City's Capital Improvement Plan as set forth in the Developer Impact Fee Study with the additions identified in Attachment 4, attached to this Resolution and made a part hereof by this reference.
7. The City Council approves the City's adopted Development Impact Fee Program without change except for (a) the automatic adjustment of the amount of said fees pursuant to YMC Section 11.23.180.
8. The City Manager is hereby authorized to initiate any loans between fee accounts which may be necessary during the next review period for the purpose of funding the construction of the improvements discussed in the Annual Review Report.

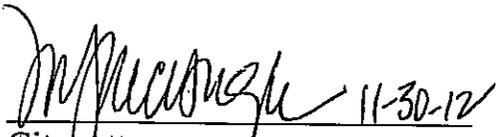
Adopted this 20th day of December 2012, by the following called vote:

AYES:

NOES:

ABSENT:

APPROVED AS TO FORM:

  
City Attorney

\_\_\_\_\_  
David Simmen, Mayor

Attest: \_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk

## Notice of Public Hearing

Notice is hereby given that the Yreka City Council will hold a public hearing at 6:30 p.m. on Thursday, December 20, 2012 in the Council Chambers, 701 Fourth Street, Yreka, Ca. to discuss the spending plan submitted by the Chief of Police for the Supplemental Law Enforcement Grant Funds (COPS) Fiscal Year 2012/2013.

All interested persons are invited to attend the meeting and to participate in the public hearing or deliver written comments on or before 4 PM, December 20, 2012, to the following address:

YREKA CITY COUNCIL, 701 Fourth Street, Yreka, CA 96097.

Liz Casson  
City Clerk



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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To: Yreka City Council  
Prepared by: Brian Bowles, Chief of Police  
Agenda title: Public Hearing-Adoption Resolution No. 3003 Authorizing the Spending Plan of Supplemental of the Law Enforcement Grants Funds.  
Meeting date: December 20, 2012

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Discussion:

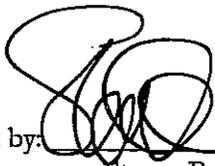
Citizens' Option for Public Safety (COPS) program that was established by Assembly Bill 3329 and impose a specified state-wide sales and use tax that requires the revenues derived be allocated to qualifying local agencies. This money is to be used to directly support front line law enforcement services. The city normally receives \$100,000.00 in funding and currently uses it for funding approximately 1.33 full time police officers. The remainder of the second officer cost (approximately \$68,255) is to be funded in the police budget. The COPS program is a huge benefit to the police department and to the citizens of Yreka. Throughout the years this program has provided additional officers to keep our department's response to crimes at the level that the community deserves.

Fiscal Impact:

There is no cost to the city to accept \$100,000.00 from the COPS program.

Recommendation and Requested Action:

That the Council hold a Public Hearing and Adopt Resolution No. 3003 Authorizing the spending Plan of the Supplemental Law Enforcement Grant Funds.

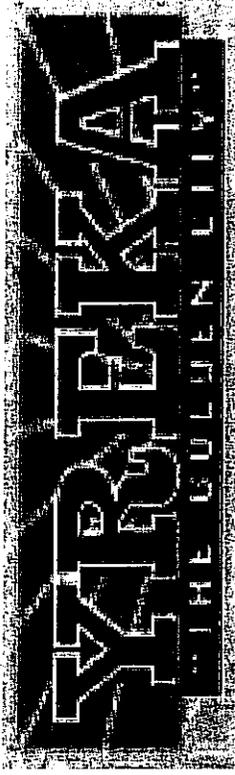
Approved by: 

Steven Baker, City Manager

# General Ledger

## Summary Trial Balance

User: rhetta  
 Printed: 11/30/2012 - 10:11AM  
 Period: 01 to 12, 2013



Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
Fund 01	General Operating					
REVENUE						
Function/Dept 200	Police	100,000.00	0.00	0.00	0.00	0.00
01-200-6500-850-000	COPS Supplement	68,254.93	0.00	0.00	0.00	0.00
01-200-6500-899-000	Transfer to Restricted Rev					
	01-200 REVENUE Totals:	168,254.93	0.00	0.00	0.00	0.00
EXPENSE						
Function/Dept 200	Police	94,198.37	0.00	38,916.80	1,767.69	37,149.11
01-200-6500-100-000	Wages	1,500.00	0.00	750.00	0.00	750.00
01-200-6500-100-010	Uniform Allowance	0.00	0.00	0.00	0.00	0.00
01-200-6500-100-011	Out of Class	0.00	0.00	0.00	0.00	0.00
01-200-6500-100-015	Holiday Pay	0.00	0.00	2,692.58	122.39	2,570.19
01-200-6500-100-018	Compensated Absences	0.00	0.00	0.00	0.00	0.00
01-200-6500-100-025	Furlough Savings	0.00	0.00	0.00	0.00	0.00
01-200-6500-102-000	Overtime	8,500.00	0.00	1,705.24	4.62	1,700.62
01-200-6500-102-004	Overtime - Special Events	0.00	0.00	0.00	0.00	0.00
01-200-6500-320-000	ER PERS	18,398.83	0.00	8,107.22	368.51	7,738.71
01-200-6500-320-001	EE PERS	8,189.85	0.00	3,678.62	167.21	3,511.41
01-200-6500-320-002	ER Deferred Liability	0.00	0.00	138.38	6.29	132.09
01-200-6500-330-000	FICA	6,367.30	0.00	2,641.04	113.83	2,527.21
01-200-6500-330-001	Medicare	1,489.13	0.00	617.70	26.62	591.08
01-200-6500-340-001	Health Insurance Opt Out	0.00	0.00	0.00	0.00	0.00
01-200-6500-340-002	Health Insurance	16,560.00	0.00	8,508.55	1,414.45	7,094.10
01-200-6500-340-100	Dental Insurance	990.00	0.00	462.88	41.25	421.63
01-200-6500-340-200	Vision Insurance	412.08	0.00	171.70	17.17	154.53
01-200-6500-360-000	Worker's Comp	11,194.12	0.00	4,718.31	206.53	4,511.78

Account Number	Description	Budget Amount	Beginning Balance	Debit This Period	Credit This Period	Ending Balance
01-200-6500-390-000	Life Insurance	455.25	0.00	181.00	17.92	163.08
01-200-6500-390-100	Employee Assistance Program	0.00	0.00	22.50	0.00	22.50
	<b>01-200 EXPENSE Totals:</b>	168,254.93	0.00	73,312.52	4,274.48	69,038.04
	<b>EXPENSE Totals:</b>	168,254.93	0.00	73,312.52	4,274.48	69,038.04
	<b>Fund 01 Totals:</b>	0.00	0.00	73,312.52	4,274.48	69,038.04
	<b>Report Totals:</b>	0.00	0.00	73,312.52	4,274.48	69,038.04

RESOLUTION NO. 3003

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA AUTHORIZING THE  
SPENDING PLAN OF THE SUPPLEMENTAL LAW ENFORCEMENT  
GRANT FUND FOR FISCAL YEAR 2012/2013

WHEREAS, the existing provision of the California Constitution and related implementing statutes provide for the imposition of a specified state-wide sales and use tax rate and require that revenues derived from that rate be allocated to qualifying local agencies to supplement otherwise available funding for local public safety services; and

WHEREAS, the Citizens' Option for Public Safety (COPS) Program was established by Assembly Bill 3229; and

WHEREAS, the Chief Administrator of a law enforcement agency must submit a written request specifying the front line law enforcement needs of the requesting agency, including the personnel, equipment and programs necessary to meet those needs; and

WHEREAS the revenues shall "supplement existing services and shall not be used to supplant any existing funding for law enforcement services provided to that entity," and

WHEREAS, the Chief of Police has submitted the written request to the City Council; and

WHEREAS, a public hearing was held on December 20, 2012 to discuss how these funds will be used, and

WHEREAS, to be eligible for the funds, the Council must approve the written request and spending plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yreka does hereby authorize the expenditure of \$100,000.00 plus any accrued interest, identified by the Siskiyou County Auditor's Office as the 2012/2013 allocation of funding under the COPS Program, to be used for the cost of two full time police officers in the amount of \$168,255.

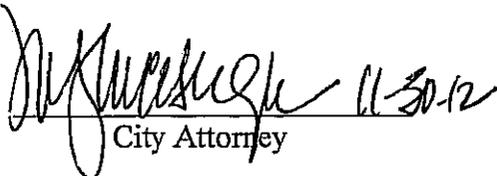
Passed and adopted this 20th day of December 2012, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED AS TO FORM:

 11-30-12  
City Attorney

\_\_\_\_\_  
David Simmen, Mayor

Attest: \_\_\_\_\_  
Liz Casson,  
City Clerk



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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To: Yreka City Council  
Prepared by: Steve Baker, City Manager  
Agenda Title: Adopt Resolution No. 3004 adopting the 2013 meeting calendar for the Yreka City Council  
Meeting Date: December 20, 2012

---

Discussion:

Staff has reviewed the dates for the Council meetings for the coming year and noted various potential conflicts. The first meeting in July is on July 4<sup>th</sup> so we are recommending cancelling that meeting. The attached resolution cancels that meeting.

In addition, a few other meetings conflict with other community events. For example, the June 6, 2013 Eighth Grade Graduation at Jackson Street School fills the parking lots at the same time as the Council meeting. The Citizen of the Year event is also currently scheduled for March 21, a City Council meeting date. The Council may wish to either reschedule these meetings to an earlier start time or a different date. These are not included on this resolution, but should be discussed at a later date.

Finally, because of holidays and short preparation time, the January 3<sup>rd</sup> Council meeting will only be scheduled if an item is time sensitive and only that item will be on the agenda.

Fiscal Impact: None.

Recommendation: Staff recommends Adoption of Resolution No. 3004 as submitted.

Approved by: \_\_\_\_\_

  
Steven Baker, City Manager

RESOLUTION NO. 3004  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA  
ADOPTING THE 2013 MEETING CALENDAR FOR THE  
YREKA CITY COUNCIL

BE IT RESOLVED by the City Council of the City of Yreka that the 2013 meeting calendar for the regular meetings of the Yreka is as follows:

January 3, 2013  
January 17, 2013

**July 4, 2013 cancelled**  
July 18, 2013

February 7, 2013  
February 21, 2013

August 1, 2013  
August 15, 2013

March 7, 2013  
March 21, 2013

September 5, 2013  
September 19, 2013

April 4, 2013  
April 18, 2013

October 3, 2013  
October 17, 2013

May 2, 2013  
May 16, 2013

November 7, 2013  
November 21, 2013

June 6, 2013  
June 20, 2013

December 5, 2013  
December 19, 2013

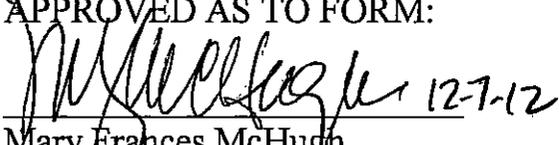
Passed and adopted this 20<sup>th</sup> day of December 2012, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mary Frances McHugh,  
City Attorney

\_\_\_\_\_  
David Simmen, Mayor

Attest: \_\_\_\_\_

\_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk



---

**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

---

To: Yreka City Council  
Prepared by: Allan Jones, Fire Chief *AJ*  
Steve Baker, City Manager *SB*  
Agenda title: Discussion/Possible Action – Adoption Resolution No. 3005 approving the amended Constitution and Amended Bylaws of the Yreka Volunteer Fire Department.  
Meeting date: December 20, 2012

---

Discussion: The Fire Department's Constitution and Bylaws were last amended in May 2011. Those amendments were a comprehensive rewrite of both documents. The current amendments proposed for the constitution and bylaws are more minor in scope and reflect a review of the documents to reflect actual practice and best practices in anticipation of reprinting the bylaws for department personnel.

The changes are outlined below:

Constitution:

1. Article II
  - a. Section 2 d) adds the provision allowing the Executive Committee to extend probation.
2. Article IV,
  - a. Section 2 – moves the absentee ballot section from the constitution to the bylaws (see bylaws section below)
  - b. Section 3 allows an experienced (5 years +) member from another department to be considered for being an office prior to 5 years' service in Yreka if approved by the Executive Committee.
  - c. Minor typographical and renumbering changes

Bylaws

1. Article 1
  - a. Section 5 has been rewritten and includes language that insures that absentee ballots are not counted toward a quorum
2. Article II
  - a. Section 5 adds the absentee section to the bylaws instead of the constitution and allows ballots to be delivered immediately prior to the election instead of a week before the election (some members did not know they could not attend the meeting a week in advance). . This section now explicitly allows wrote-in candidates which has been the practice.

Approved by:   
Steven Baker, City Manager

Other non- substantive typographical changes were made to both documents

Fiscal Impact: None

Recommendation and Requested Action: That the Council adopt: Resolution No. 3005 approving the amended Constitution and Amended Bylaws of the Yreka Volunteer Fire Department

RESOLUTION NO. 3005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA APPROVING  
THE AMENDED CONSTITUTION AND AMENDED BYLAWS OF THE  
YREKA VOLUNTEER FIRE DEPARTMENT

WHEREAS, the City of Yreka has legally established the Yreka Volunteer Fire Department ( the "Department") and authorized the Department to adopt a Constitution and Bylaws to govern the internal management of the Department, and

WHEREAS, The Department has prepared, voted on and submitted an Amended Constitution and Amended Bylaws for approval by the City Council, and

WHEREAS, approval of the Amended Constitution and Bylaws by the City Council is required for said changes to go into effect,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Yreka that the Amended Constitution and Amended Bylaws submitted by the Yreka Volunteer Fire Department, and attached hereto, are approved.

Passed and adopted this 20th day of December 2012, by the following vote:

AYES:

NAYS:

ABSENT:

RECUSED: Bicego

\_\_\_\_\_  
David Simmen, Mayor

Attest:

\_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk

# **CONSTITUTION AND BYLAWS**

**YREKA VOLUNTEER FIRE  
DEPARTMENT**

**YREKA, CALIFORNIA**

**EDITION MAY 2012**

**CONSTITUTION AND BYLAWS  
OF THE  
YREKA VOLUNTEER FIRE DEPARTMENT**

**Table of Contents**

**CONSTITUTION OF THE YREKA VOLUNTEER FIRE DEPARTMENT . 1**

ARTICLE I Title and Object .....1

    Section 1: Title. ....1

    Section 2: Object. ....1

    Section 3: City Council Authority.....1

ARTICLE II Membership.....1

    Section 1: Requirements.....1

    Section 2: Classes.....1

ARTICLE III Duties of Members.....2

    Section 1: General. ....2

    Section 2: Bearing. ....3

    Section 3: Terminated Member.....3

ARTICLE IV Officers .....3

    Section 1: Titles.....3

    Section 2: Election.....3

    Section 3: Requirements.....3

    Section 4: Terms.....4

    Section 5: Vacancies. ....4

    Section 6: Limitations. ....4

ARTICLE V Executive Committee .....4

    Section 1: Authority. ....4

    Section 2: Membership.....4

    Section 3: Duties. ....4

ARTICLE VI Duties of Officers.....5

    Section 1: Fire Chief.....5

    Section 2: First Assistant Fire Chief.....5

    Section 3: Second Assistant Fire Chief.....6

Section 4: Captain. ....	6
Section 5: First and Second Lieutenants. ....	6
Section 6: Secretary/Treasurer. ....	6
Section 7: Assistant Secretary/Treasurer. ....	7
ARTICLE VII Discipline of Officers or Members .....	7
Section 1: Authority/Limitations. ....	7
Section 2: Examples for Cause. ....	7
Section 3: Initiation Process. ....	8
Section 4: Notice Requirement. ....	8
Section 5: Rights of Accused. ....	8
Section 6: Decision Process. ....	8
Section 7: Approval for Termination. ....	8
Section 8: Appeal Process. ....	9
Section 9: Probationary Members. ....	9
ARTICLE VIII Amendments. ....	9
Section 1: Proposal Format. ....	9
Section 2: Committee Review. ....	9
Section 3: Adoption. ....	9
Section 4: Absent Committee Review. ....	9
Section 5: Order for Approval. ....	9
Section 6: City Council Approval. ....	9
ARTICLE IX Disbanding the Department .....	9
Section 1: Process. ....	9
<b>BYLAWS OF THE YREKA VOLUNTEER FIRE DEPARTMENT .....</b>	<b>11</b>
ARTICLE I Meetings. ....	11
Section 1: Date. ....	11
Section 2: Time. ....	11
Section 3: Special Meetings. ....	11
Section 4: Order of Business. ....	11
Section 5. Quorums. ....	12
ARTICLE II Elections .....	13
Section 1: Nominations. ....	13
Section 2: Frequency. ....	13
Section 3: Vacancy. ....	13

Section 4: General Membership.....	13
Section 5: Voting.....	13
Section 6: Date of Assumption.....	13
ARTICLE III Membership.....	14
Section 1: Application.....	14
Section 2: Candidate Announcement.....	14
Section 3: Review.....	14
Section 4: Approval.....	14
Section 5: City Oath.....	14
Section 6: Criteria for Membership.....	14
Section 7: Department Oath.....	15
Section 8: Probationary Member Requirements.....	15
ARTICLE IV STANDING COMMITTEES.....	15
Section 1: Titles.....	15
Section 2: Finance Committee.....	15
ARTICLE V RESIGNATIONS AND LEAVES OF ABSENCE.....	15
Section 1: Resignation.....	15
Section 2: Leaves.....	15
ARTICLE VI REIMBURSEMENT FOR EXPENSES.....	16
Section 1: Process.....	16
ARTICLE VII AMENDMENTS TO BYLAWS.....	16
Section 1: Proposal Format.....	16
Section 2: Committee Review.....	16
Section 3: Department Adoption.....	16
Section 4: Unfavorable Committee Review.....	16
Section 5: City Adoption.....	16



**CONSTITUTION  
OF THE  
YREKA VOLUNTEER FIRE DEPARTMENT**

**ARTICLE I  
Title and Object**

**Section 1: Title.** The City of Yreka has legally established the Yreka Volunteer Fire Department. Pursuant to Labor Code Section 1964 and City ordinance, the City of Yreka has authorized the Yreka Volunteer Fire Department to adopt a Constitution and Bylaws to govern the internal management of the Department.

**Section 2: Object.** The object of the Yreka Volunteer Fire Department shall be the preservation and protection of life and property from and during such fires as may occur in the City of Yreka and immediate vicinity, and the performance of those functions customarily performed by fire departments of cities of like size and particularly as provided by law and the provisions and sections under Yreka Municipal Code Chapter 2.28 and as authorized by the City Council.

**Section 3: City Council Authority.** The City of Yreka retains the right to approve the Constitution and Bylaws of the Department. The City of Yreka further retains the right to approve the Fire Chief, First Assistant Fire Chief, and Secretary/Treasurer after their election by the Department. Such officers serve at the pleasure of the City Council and may be removed from office by a majority vote thereof. An officer who is removed by the City Council, as set forth above, may continue as a regular member of the Department unless terminated there from as provided for in the Bylaws.

**ARTICLE II  
Membership**

**Section 1: Requirements.** Membership in this Department shall be open to any person who is a resident of the City of Yreka or its immediate environs. Any candidate for membership must be of good moral character, physically sound as demonstrated by passing a physical agility test as certified by the Fire Chief and not less than 18 years of age at the time of application for membership, without regard to sex, religion, marital status or national origin. Any previous member with 5 years' service in the Department seeking readmission to the Department shall be eligible for membership upon proper application, without being subject to a probationary period.

**Section 2: Classes.** There shall be 4 classes of membership:

- a) Active Member: A person who has served and successfully passed the probationary period, has passed a current annual physical examination for the Department, and continues to be in good standing with the Department.
- b) Exempt Member: A former or current active member with 5 or more years of honorable service who has resigned from the fire department and requested to be placed on exempt status.
- c) Fire Department Advisory Board Member: An active or exempt member appointed by the City Council who has at least 20 years prior experience with the Yreka Volunteer Fire Department. No person shall be a member of the advisory board without qualifying in accordance with Yreka City Ordinance 2.28.180.
- d) Probationary Member: A person who has been a member of the Department for less than a-year or is considered to be continued on probation at the discretion of the Executive Committee. A probationary member shall be entitled to vote.
- e) Honorary Member: A person, not of the prior membership classes, who has bestowed upon the department through exemplary action, a benefit of significant importance, or, who clearly would lend prestige to the membership. Only an active member may submit a name for consideration for Honorary membership. The Department, upon majority approval of a quorum present, may confer Honorary membership. With the exception of the first year of inception of this class of membership, at which 5 may be approved, no more than 2 Honorary memberships may be approved per year.
- f) Neither Exempt nor Honorary Members shall participate in duties of the Department. Exempt and Honorary Members shall be excused from active duty and meetings, shall not be entitled to vote on any questions or proposition, shall not be considered an employee of the City of Yreka, but may be invited to attend social functions of the Department.

### **ARTICLE III**

#### **Duties of Members**

**Section 1: General.** It shall be the duty of every member of the Department to respond promptly at all calls for service, unless reasonably prevented from doing so, to obey the reasonable and lawful commands of superior officers while on active duty, and to attend Department meetings and training functions unless properly excused. A member must attend at least 9 training meetings per year and may not miss more than 3 consecutive meetings without proper excuse.

**Section 2: Bearing.** No member shall appear at any fire, meeting, or training session in a state of intoxication or in a state whereby the member's conduct could reasonably endanger himself/herself or others. Nor shall any member use offensive or indecent language while on active duty, nor be guilty of conduct at any time or place that has a natural tendency to bring disgrace or disrepute upon the member or to the Department, under penalty as provided for in the Bylaws.

**Section 3: Terminated Member.** Any person who shall be terminated from the Department, shall lose all rights and privileges in the Department, any other provision in this Constitution notwithstanding.

## ARTICLE IV Officers

**Section 1: Titles.** Officers of the Department shall be:

1. Fire Chief
2. First Assistant Fire Chief
3. Second Assistant Fire Chief
4. Captain
5. First Lieutenant
6. Second Lieutenant
7. Secretary/Treasurer
8. Assistant Secretary/Treasurer (need as determined by the Executive Committee)

For purposes of this Constitution, the positions listed as 1 through 6 above are operations officers, and the positions listed as 7 and 8 are administrative officers.

**Section 2: Election.** All officers shall be elected by secret ballot at the bi-annual meeting, the time and manner as defined by the Bylaws. Upon election, the officer shall assume the duties at the next business meeting and serve their term or until a successor is elected and qualified.

**Section 3: Requirements.** The following requirements apply to the positions listed in Article IV, Section 1:

A. Any member wishing to become an operations officer must start at the position of Second Lieutenant. The candidate must have been a member of the Department for a minimum of 5 years, be in good standing, and meet the requirements for said position as outlined by the Executive Committee. Officers must successfully complete a 2 year term in the respective position to be eligible to run for the next higher office.

Any member coming from another fire department of equal or greater size and complexity with active experience for 5 or more years will be considered as exempt from the 5 year requirement of Department membership at the discretion of the Executive Committee.

B. Any member wishing to become Secretary/Treasurer or Assistant Secretary/Treasurer must have been a member of the Department for a minimum of 3 years, be in good standing, and meet the requirements for said position as outlined by the Executive Committee.

C. Good standing shall be defined as having not been disciplined by the Executive Committee within the past 2 years and meeting the minimum standards of firefighter, and conforming to the requirements of Article III, Sections 1 and 2 of this Constitution.

**Section 4: Terms.** No officer, except the Fire Chief and the Secretary/Treasurer, shall be eligible to serve successive terms, except under circumstances and by means defined by the Bylaws.

**Section 5: Vacancies.** Vacancies occurring in any office from any cause shall be declared by the Fire Chief at a regular meeting. In filling vacancies for unexpired terms, an officer who has served more than half a term in an office is considered to have served a full-term.

**Section 6: Limitations.** The members elected to the office of Fire Chief, First Assistant Fire Chief, and Secretary/Treasurer shall be subject to approval by and serve at the will of the City Council and may be removed from office by a majority vote thereof. An officer who is dismissed by the City Council, as set forth above, may continue as a regular member of the Department unless terminated there from as provided for in this Constitution and the Bylaws.

## ARTICLE V Executive Committee

**Section 1: Authority.** An Executive Committee of the Yreka Volunteer Fire Department is hereby created.

**Section 2: Membership.** The Executive Committee shall consist of the Fire Chief, First Assistant Fire Chief, Second Assistant Fire Chief, and four nonoperations-officer members. The Secretary/Treasurer shall act as ex-officio secretary to the Executive Committee. Five members constitute a quorum. The Executive Committee shall meet from time to time as is requested by the Fire Chief. The Executive Committee nonoperations officer members shall be elected biennially at the time of officer elections.

**Section 3: Duties.** The duties of the Executive Committee shall be:

- (a) To study the operation of the Department and to prescribe methods and means of operation and to increase effectiveness and efficiency.
- (b) To schedule specialized classes.
- (c) To plan and prepare an annual program of Department activity.
- (d) To hear and determine charges against firefighters or officers as set forth hereafter.
- (e) To perform other duties as assigned by the Fire Chief.

## **ARTICLE VI**

### **Duties of Officers**

**Section 1: Fire Chief.** The duties of the Fire Chief shall be:

- (a) The Fire Chief shall be the Chief Executive Officer of the Department and shall preside at all meetings of the Department and of the Executive Committee in accordance with Robert's Rules of Order.
- (b) The Fire Chief shall control, manage, and direct all of the officers and members of the Department.
- (c) The Fire Chief shall enforce the provisions of the Constitution, Bylaws, rules, and regulations of the Department.
- (d) The Fire Chief shall have the power to make rules and regulations not inconsistent with this Constitution and duly adopted Bylaws for the efficient operation of the Department.
- (e) The Fire Chief shall perform his/her duties and such other duties as are usual and customary for the Chief of a fire department to perform during the Fire Chief's term or until a successor shall be elected and qualify.
- (f) The Fire Chief shall make, or cause to make, a complete investigation of the fire and prepare a record showing the date, time and place of fire, the cause thereof, and any other information needed by the Department.
- (g) The Fire Chief shall have the power to suspend and remove from active duty any officer or other active member for such cause and in such manner as may be provided in this Constitution and the Bylaws.
- (h) The Fire Chief may have the authority to appoint to fill a vacancy as set forth in the Bylaws.

**Section 2: First Assistant Fire Chief.** The duties of the First Assistant Fire Chief shall be:

- (a) To give direct assistance to the Fire Chief in the discharge of the Fire Chief's duties.
- (b) During the absence or disability of the Fire Chief, the First Assistant shall have all the powers and perform all the duties of the Fire Chief.

**Section 3: Second Assistant Fire Chief.** The duties of the Second Assistant Fire Chief:

- (a) To perform the duties of the Fire Chief during the absence or disability of the Fire Chief and First Assistant Fire Chief.
- (b) To perform other duties as assigned by the Fire Chief.

**Section 4: Captain.** The duties of the Captain:

- (a) To directly supervise the performance of the duties of the First and Second Lieutenant.
- (b) To perform such other duties as assigned by the Fire Chief.

**Section 5: First and Second Lieutenants.** The duties of the First and Second Lieutenants:

- (a) To direct the work of the firefighters, under the supervision of their superior officers at all fire-alarms.
- (b) To perform other duties as may be assigned by the Fire Chief.
- (c) The Second Lieutenant must plan, implement and keep detailed records of the training of all firefighters.

**Section 6: Secretary/Treasurer.** The duties of the Secretary/Treasurer shall be:

- (a) Empowered to appoint one or more assistant secretaries and prescribe their duties with the permission of the Executive Committee.
- (b) Keep a current copy of Robert's Rules of Order at the fire hall at all times.
- (c) Keep a register of the names of all members of the Department and preserve all Department records.
- (d) Keep the minutes of the Department and Executive Committee meetings.
- (e) Collect all monies owed the Department.
- (f) Issue all notices.
- (g) Keep a regular account of all money received and expended.
- (h) Give a bond to the Department in the sum of \$5,000 conditional upon faithful discharge of the office. The premium on such bond to be paid by the Department.
- (i) Keep a record of attendance for each member at regular and special meetings.
- (j) Notify each person elected a member of the Department of his/her election, furnish a copy of these bylaws and administer the Firefighters Oath.
- (k) Keep the books and records in a proper manner and open for inspection at all times by the City Council, Fire Chief, the Executive Committee and the Financial Committee. The Secretary/Treasurer shall have the current

books of the Department present at each business meeting and open for inspection by any member.

- (l) Deposit the funds in such depository as may be directed by the Executive Committee.
- (m) Submit a monthly statement of balances on hand.
- (n) Pay out of the funds of the Department only such amounts as shall be properly authorized by the Department, and only upon warrants or checks signed by any two of the following: the Fire Chief, First Assistant Fire Chief or Secretary/Treasurer, or in his/her absence, the Assistant Secretary/Treasurer.
- (o) Perform such other duties as may be assigned by the Fire Chief.

**Section 7: Assistant Secretary/Treasurer.** Duties of the Assistant Secretary/Treasurer:

- (a) To give direct assistance to the Secretary/Treasurer in the discharge of his/her duties.
- (b) During the absence or disability of the Secretary/Treasurer, the Assistant Secretary/Treasurer shall perform all the duties of said position.
- (c) To attend all meetings and committee meetings as directed by the Fire Chief.

## **ARTICLE VII**

### **Discipline of Officers or Members**

**Section 1: Authority/Limitations.** Any officer or member of the Department may be disciplined pursuant to this Article. "Discipline" for purpose of this article includes, but is not limited to, reprimand, fine, penalty, suspension, removal from office, or termination: provided that the Fire Chief, First Assistant Fire Chief, and Secretary/Treasurer may be removed from office only by the City Council. However, nothing contained herein shall prevent the Department from seeking the removal of one or more of the above mentioned offices by the City Council. Discipline may be related to conduct at any Fire Department activity.

Furthermore, an officer who is removed by the City Council may retain a place in the Department as a regular member unless such person is terminated (removed from the Department) pursuant to these Bylaws.

**Section 2: Examples for Cause.** Cause for discipline includes, but is not limited to:

- (a) Incompetence, which may include but not be limited to: neglect of duty, conduct which endangers or could endanger the individual or others without reasonable cause;

- (b) Misconduct, which may include but not be limited to: abuse of authority, dishonesty, neglect of duty, excessive absenteeism, intoxication, disobedience of a lawful order, or, conduct which endangers or could endanger the individual or others without reasonable cause;
- (c) Failure to follow the rules and regulations of the Department, the Bylaws and/or the Firefighter's Oath.

**Section 3: Initiation Process.** The Fire Chief shall have the power to suspend a member suspected of any of the causes for discipline. If the Fire Chief suspends a member or removes an officer, the Fire Chief shall submit a written complaint to the Executive Committee within 7 calendar days of taking such action. The Executive Committee may initiate the discipline process on its own or upon a written complaint alleging one or more of the above causes for discipline.

The Executive Committee shall examine the charges. If the Executive Committee determines that formal action is required which could result in a penalty amounting to suspension, removal from office, or termination, it shall set a hearing before the Executive Committee and give written notice by personal delivery of the date and time of such hearing and of the charges to the affected member or members and provide such member or members with copies of the complaint and any other information upon which the charges are based. In all other circumstances, the Executive Committee shall have sole discretion after written notice and hearing to determine any appropriate, lesser discipline or counseling.

**Section 4: Notice Requirement.** The Executive Committee shall give at least 20 days written notice to the interested member or members of charges and the time and place of the hearing before the Executive Committee.

**Section 5: Rights of Accused.** At such hearing before the Executive Committee, the member or members may appear with counsel, if so desired, and hear any and all charges and testimony with full right of examination of any witness and the complaint according to rules the Executive Committee may adopt.

**Section 6: Decision Process.** The Executive Committee may impose a penalty or dismiss the charges. Such penalty may include reprimand, suspension, removal from office, or termination, or such lesser penalty as the Executive Committee in its sole discretion determines. Any formal action shall be reported in the minutes of the Executive Committee and made known to the Department.

**Section 7: Approval for Termination.** Any recommendation to terminate shall be acted upon by the Department at its next regularly scheduled meeting following the Executive Committee hearing and shall be based upon a report tendered to the Department by the Executive Committee. The Department, by a 2/3 vote of those present and voting, may terminate such officer or member.

**Section 8: Appeal Process.** Any officer or regular member against whom an order of termination has been entered in the minutes may appeal to the City Council within 10 calendar days of the date of entry of the action in the Department minutes. The City Council may hear such appeal upon such rules as it shall designate and at such time which is not more than 30 days from the date of appeal, and any order made by the City Council shall be final. The Fire Chief or the Department's designee shall represent the Department at such appeal.

**Section 9: Probationary Members.** Probationary members may be terminated during the probationary period, without cause, upon presence of a quorum and a majority vote of those voting on the issue. The Department decision is final.

## **ARTICLE VIII Amendments**

**Section 1: Proposal Format.** All amendments to this Constitution must be proposed in writing at a regular meeting.

**Section 2: Committee Review.** All amendments proposed shall be referred to the Executive Committee, which shall report to the next regular meeting.

**Section 3: Adoption.** Upon report of the Executive Committee, an amendment requires a 2/3's vote of the members present forming a quorum and, unless so adopted by such vote, shall be deemed lost.

**Section 4: Absent Committee Review.** In the event that the Executive Committee shall fail to report at the proper time, the amendment submitted may be considered in committee of the whole, but may not be altered or changed without further reference to the Executive Committee.

**Section 5: Order for Approval.** The Executive Committee may suggest any changes it deems necessary, and the vote shall first be upon the amendment as favorably reported by the Executive Committee; and, in the event such amendment be not adopted, the question shall be the original amendment proposed.

**Section 6: City Council Approval.** Any amendment to this Constitution must be approved by the City Council.

## **ARTICLE IX Disbanding the Department**

**Section 1: Process.** This Department shall not be disbanded except by a 3/4 vote of the entire membership after notice published at least once a week for 4 weeks in a newspaper of general circulation in the City of Yreka.

Approved by 2/3 vote of the members present forming a quorum

this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Fire Chief

ATTEST:

\_\_\_\_\_  
Secretary/Treasurer

Approval by the City Council of the City of Yreka on 20 \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**BYLAWS  
OF THE  
YREKA VOLUNTEER FIRE DEPARTMENT**

Pursuant to provisions of Yreka Municipal Code Section 2.28.030, and the Constitution of the Yreka Volunteer Fire Department, the following Bylaws are adopted by the Yreka Volunteer Fire Department.

**ARTICLE I  
Meetings**

**Section 1: Date.** The regular monthly business meeting shall be held on the second Monday of each month. The regular monthly training meeting shall be held on the fourth Monday of each month, except in December.

**Section 2: Time.** Each meeting of the Department shall begin at 19:00 hours at Ley Station unless otherwise ordered by the Fire Chief. Training will start at 18:30 hours during daylight savings time.

**Section 3: Special Meetings.** The Fire Chief or his/her Designee may call special meetings at anytime.

**Section 4: Order of Business.** The order of business at the regular meeting shall be:

1. Roll call
2. Discussion/approval of the minutes of the previous meeting
3. Secretary/Treasurer Report
4. Payment of bills
5. Report of officers
6. Report of Firefighters
7. Correspondence
8. New applications and membership changes
9. Report of Committees
10. Fire Chief Report
11. Good of the Department
12. Presentation/Training
13. Adjournment

## **Section 5. Quorums**

- a. A quorum shall consist of a simple majority of the voting members of the Department. Absentee ballots shall not be counted towards the quorum number.
- b. Elections by written ballot shall require a simple majority of those voting to carry the issue.

## ARTICLE II Elections

**Section 1: Nominations.** The nominations of Officers and Executive Committee shall be held at the regular business meeting in November of odd numbered years. Nominations from the floor will be taken prior to the first vote. No nominations will be accepted after the first vote on the day of the election.

If no qualified candidate is nominated by the December meeting, the Fire Chief may appoint for any vacancy from Second Assistant Fire Chief to Second Lieutenant, a member who meets the requirements as set forth in the Constitution under Article IV, Section 4.

**Section 2: Frequency.** The election of officers of the Department and the Executive Committee shall be held at the regular business meeting in December of each odd numbered year.

**Section 3: Vacancy.** In the event of vacancies occurring in any office an election shall be held at the next regular business meeting following the meeting when such vacancy is declared to exist and conducted pursuant to this Article.

**Section 4: General Membership.** The election of persons to membership shall be as provided in Article III of these bylaws.

**Section 5: Voting.** Provided a quorum is present, a simple majority vote of those eligible members present and voting on the issue shall suffice to elect. For example, if 24 members were present and constituted a quorum, then a majority would be 13. As another example, if 25 members were present and constituted a quorum, then a majority would be 13. Only votes cast shall be counted for any given office, absentions will not be counted as a vote.

Absentee ballots shall not be counted toward the quorum. For purposes of elections, voting members of the Department may vote by absentee ballot, if necessary. An absentee ballot shall be obtained from the Secretary/Treasurer, be completed, and returned to the Secretary/Treasurer up to the time of the election. The absentee ballot shall be sealed upon delivery to the Secretary Treasurer and opened only at the time of election.

Write-in candidates for both officers and Executive Committee members shall be accepted.

For the Executive Committee, the 4 top voted nominee members shall be elected to become the Executive Committee, together with the Fire Chief and his/her two Assistants.

**Section 6: Date of Assumption.** Elected officers will assume their duties on the second Monday in January at the regular business meeting.

## **ARTICLE III Membership**

**Section 1: Application.** Application for membership shall be upon an official form as prescribed by the City of Yreka. All candidates for membership must pass background checks and physical examinations, including drug screening, and such other requirements as may be established by the City of Yreka. The application shall be fully completed before an announcement of the candidate is made. Honorary and Exempt members are exempt from this process.

**Section 2: Candidate Announcement.** The names of candidates for membership shall be announced by the Secretary/Treasurer at the monthly business meeting following receipt of application.

**Section 3: Review.** All applications for membership shall be referred to the Executive Committee once the candidacy has been announced to the membership. The Executive Committee shall report back to the Department with the results of its screening. All applications for membership shall be retained for a period of one year.

**Section 4: Approval.** Upon a vacancy, the current approved applications shall be presented to the Department for vote at the next regular meeting. Provided a quorum is present, a majority vote of those members present and voting on the issue shall suffice to elect.

**Section 5: City Oath.** Every person elected to membership shall take the following oath, which shall be administered by the City Clerk or other designated officer of the City of Yreka:

“I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of a member of the Yreka Volunteer Fire Department according to the best of my ability, so help me God.

I further agree that I will be an active member of said Fire Department for the full term of my appointment unless prevented by sickness, being out of town, or unavoidable accident.”

**Section 6: Criteria for Membership.** Upon completion of the above requirements and acceptance by the City Council, the candidate shall become a member of the Department.

**Section 7: Department Oath.** Each probationary member shall take the following oath, which shall be administered by the Secretary/Treasurer at the first regular meeting after the candidate becomes a member:

“I will support and abide by the Ordinances of the City of Yreka, and by the Constitution, Bylaws, rules and regulations of the Yreka Volunteer Fire Department. That while on active duty, I will respect and obey the lawful orders of my superior officers. I acknowledge that a violation of this oath, or any part thereof, shall be just cause for my dismissal from the Department.”

**Section 8: Probationary Member Requirements.** Every probationary member shall obtain during the probationary period:

- a) Class B non-commercial driver's license, with air brake endorsement.
- b) First Aid and CPR certification.

#### **ARTICLE IV STANDING COMMITTEES**

**Section 1: Titles.** The Standing Committees of the Department shall be:

- a) Finance Committee
- b) And any other committees deemed necessary by the Fire Chief and/or the Executive Committee.

**Section 2: Finance Committee.** It shall be the duty of the Finance Committee to examine and approve or disapprove all claims filed against the Department before payment is ordered, and to audit the accounts of the Secretary/Treasurer annually and when so ordered by the Fire Chief.

#### **ARTICLE V RESIGNATIONS AND LEAVES OF ABSENCE**

**Section 1: Resignation.** Any member may resign from the Department by submitting a written resignation to the Department. Such resignation shall become effective upon announcement to the Department and entry into the minutes. Before this time any resignation may be recalled.

**Section 2: Leaves.** Voluntary leaves of absence may be granted to members of the Department. A leave shall be limited to 6 months or less and may be renewed at the discretion of the Executive Committee. No more than 2 members

shall be on leave at any one time. Elected officers shall have a leave for a period not to exceed 2 months.

## **ARTICLE VI REIMBURSEMENT FOR EXPENSES**

**Section 1: Process.** All firemen shall be entitled to reimbursement from the Department for loss of damage to personal clothing and belongings sustained while on active duty, upon presentation of a claim therefore and approval by the Finance Committee. All claims for reimbursement for clothing lost or damaged shall be verified by an officer at the time of loss or damage. Other out-of-pocket expenses may be paid according to Departmental policies with adequate documentation of the expense.

## **ARTICLE VII AMENDMENTS TO BYLAWS**

**Section 1: Proposal Format.** All amendments to these Bylaws must be proposed in writing at a regular meeting.

**Section 2: Committee Review.** All amendments proposed shall be referred to the Executive Committee, which shall report to the next regular meeting.

**Section 3: Department Adoption.** Upon report of the Executive Committee, any amendments may be adopted by majority vote of the members present forming a quorum and, unless so adopted by such vote, shall be deemed lost.

**Section 4: Unfavorable Committee Review.** In the event that the Executive Committee does not issue a favorable report, the amendment submitted may be considered in committee of the whole, but may not be altered or changed without further reference to the Executive Committee.

**Section 5: City Adoption.** Unless otherwise provided in this amendment proposed or in these Bylaws or the Constitution, amendments of these Bylaws become effective upon adoption by the Department and upon approval of the City Council of the City of Yreka.

These Bylaws approved by majority vote of the members present forming a quorum

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Fire Chief

ATTEST:

\_\_\_\_\_  
Secretary/Treasurer

Approved by the City Council of the City of Yreka on 20\_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Manager

YREKA VOLUNTEER FIRE DEPARTMENT

# Certificate of Membership

Yreka, California \_\_\_\_\_ 20 \_\_\_\_\_

*To All Whom It May Concern:*

This certifies that \_\_\_\_\_

was duly elected an Active Member of the Yreka Volunteer Fire Department

on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

WITNESS our hands this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_, Fire Chief

ATTEST: \_\_\_\_\_, Secretary



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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To: Yreka City Council

Prepared by: City Clerk

Agenda title: Adopt Ordinance No. 833 amending Ordinance 831 regarding Section 11.01.080 of the Yreka Municipal Code in Title 11, Buildings and Construction.

Meeting date: December 20, 2012

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Discussion:

On November 15, 2012, the City Council adopted Ordinance No. 831, which adopted the current California Building Standards Codes. A typographical error was identified in new Section 11.01.080. To correct the error, City Attorney Mary Frances McHugh submitted Ordinance No. 833 for introduction by the Council at its meeting held December 15, 2012.

Recommendation and Requested Action:

That the Council waive the reading of the body of the Ordinance and Adopt Ordinance No. 833 as submitted.

Approved by: \_\_\_\_\_

  
Steven Baker, City Manager

Page 1 of 1

ORDINANCE NO. 833

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA  
AMENDING ORDINANCE 831 REGARDING SECTION 11.01.080 OF THE  
YREKA MUNICIPAL CODE IN TITLE 11, BUILDINGS AND CONSTRUCTION

BE IT ORDAINED by the City Council of the City of Yreka as follows:

SECTION 1. Section 3 of Ordinance 831 enacted on November 15, 2012, is amended as follows:

Section 11.01.080 of Chapter 11.01 of Title 11, Buildings and Construction, of the Yreka Municipal Code is amended to read as follows:

**11.04.080 11.01.080 Violations and penalties.**

A. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter.

B. Any person, firm, corporation or other entity which violates any of the provisions of this chapter including any of the codes adopted by reference, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specification of plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction shall be guilty of an infraction unless otherwise provided in this code.

C. Any person, firm, corporation or other entity which is guilty of an infraction under this chapter shall be punished by:

1. A fine not exceeding one hundred dollars for the first violation;
2. A fine not exceeding five hundred dollars for a second or subsequent violation ~~conviction~~ within one year.

Any failure to correct the condition for which the infraction is imposed within a period of seven days after the issuance of a citation, and for each seven day period thereafter may be treated as a separate and additional violation subject to the same penalties set forth herein.

In addition to the penalties set forth above, any violation beyond the third conviction within a one-year period or any willful violation of this section which creates an immediate threat to the health, safety or welfare of the members of the public or the occupants of any structure in violation of this section may be charged as a misdemeanor punishable as provided in Chapter 1.04.

D. In addition to the penalties set forth herein, any person, firm, corporation or other entity guilty of a violation of this chapter shall be liable for such costs, expenses and disbursements paid or incurred by the city in correction, abatement and prosecution of the violation.

SECTION 2. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section **15061(b)(3)** that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 3. If any section, subsection, part, clause, sentence or phrase of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

SECTION 4. MANDATORY DUTY SAVINGS CLAUSE. By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 5. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 6. POSTING AND PUBLICATION. The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance. If the charge for publication of the ordinance exceeds the customary rate charged by the newspaper for publication of private legal notices, the City Clerk is

directed to prepare, post and publish a summary of this ordinance as provided in Government Code Section 36933(c)(1).

SECTION 7. CODIFICATION. The City Clerk is directed and authorized to instruct the publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to Section 1.

SECTION 8. DISTRIBUTION. The City Clerk is directed to provide a copy of this Ordinance and Ordinance 831 to the State Building Commission.

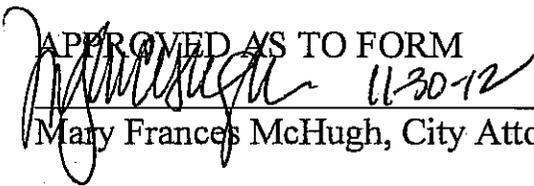
Introduced at a regular meeting of the City Council held December 6, 2012, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on December 20, 2012 by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
David Simmen, Mayor

ATTEST:

\_\_\_\_\_  
Liz Casson, City Clerk

APPROVED AS TO FORM  
 11-30-12  
\_\_\_\_\_  
Mary Frances McHugh, City Attorney



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CITY OF YREKA  
CITY COUNCIL AGENDA MEMORANDUM

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To: Yreka City Council  
Prepared by: Mary Frances McHugh, City Attorney  
AGENDA TITLE: Introduction of Ordinance 833 amending Ordinance 831 regarding Section 11.01.080 of the Yreka Municipal Code in Title 11, Buildings and Construction  
Meeting date: December 6, 2012

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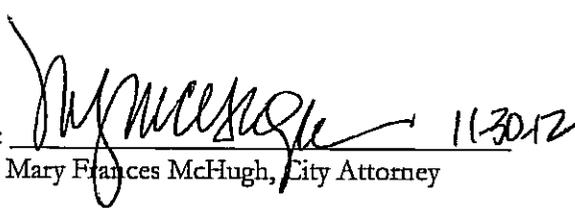
Recommendation and Requested Action:

Waive reading and introduce Ordinance 833.

Discussion: On November 15, 2012, the Council adopted Ordinance 831, which adopted the current California Building Standards Codes. After adoption, a typographical error was identified in new Section 11.01.080. The proposed changes are in italics. This ordinance will make the corrections.

Attachments: A copy of the City Attorney Advice Memo regarding Ordinance 831.

Approved by: \_\_\_\_\_

  
Mary Frances McHugh, City Attorney



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**CITY OF YREKA**  
**CITY COUNCIL AGENDA MEMORANDUM**

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**TO:** Yreka City Council  
**PREPARED BY:** Steve Baker, City Manager  
**AGENDA TITLE:** **DISCUSSION/ POSSIBLE ACTION – ADOPTION OF RESOLUTION**  
3006 Authorizing the Listing of 307 North Street and Related Actions  
**MEETING DATE:** DECEMBER 20, 2012

Discussion: The City has requested proposals for the sale of the North Street Apartments at 307 North Street from local brokers. Three brokers responded (the proposals are attached) and two were judged to be responsive. Both brokers were well qualified and experienced in the local market. Both have outlined how they would market the project.

Staff has performed a preliminary environmental assessment of this action and, pursuant to California Environmental Quality Act (CEQA) Guidelines, section 15061 (b) (3), has determined with certainty that there is no possibility that this action may have a significant effect on the environment, because it is merely a change of ownership. Therefore, this action does not constitute a project for CEQA purposes. However, even if this action does constitute a project for CEQA purposes, it is exempt pursuant to CEQA Guidelines Section 15312 (Class 12 Categorical Exemption), regarding the sale of surplus government property, and none of the exceptions to Categorical Exemptions set forth in CEQA Guidelines Section 15300.2 are applicable. Accordingly, it is recommended that the City Council make these findings.

It is additionally recommended that the City Council find that it is in the common interest that the City list the property for sale and to eventually sell it on such terms that the City Council subsequently determines fair and reasonable.

Ray Singleton of Minton Hometown Properties has proposed a fee schedule of 6%, while Chris Kutzkey of Coldwell Banker has proposed a 10% commission (although both have indicated that these commissions are negotiable).

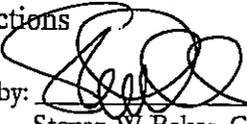
Staff is recommending selection of Ray Singleton of Minton Hometown Properties. The listing agreement will be for up to six months and be approved by the City Attorney.

The resolution also authorizes additional actions relating to disclosures and sale required repairs.

Fiscal Impact: The fiscal impact of broker selection will depend on the final selling price for the property.

Recommendation and Requested Action:

That the City Council adopt Resolution 3006 Authorizing the Listing of 307 North Street and Related Actions

Approved by:   
Steven W. Baker, City Manager

RESOLUTION NO. 3006

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA authorizing the sale of 307 North Street, engagement of a real estate broker and related actions

WHEREAS, The City of Yreka owns 307 North Street, also known as the North Street Apartments (Assessor's Parcel Number 053-361-110), and

WHEREAS, the City Council finds that it is in the common interest to sell the North Street Apartments and its appurtenant personal property located at 307 North Street, Yreka, California, and to engage the services of a licensed real estate broker to promote the property's eventual sale, and

WHEREAS, the City Council finds, pursuant to the California Environmental Quality Act (CEQA) Guidelines, section 15061(b)(3), determines that no possibility that the mere change of ownership of this property may have a significant effect on the environment. Accordingly, the listing this property for sale and its eventual change of ownership does not constitute a project for CEQA purposes. However, even if this action did constitute a project for CEQA purposes, it is exempt pursuant to CEQA Guidelines Section 15312 (Class 12 Categorical Exemption) set forth in CEQA guidelines Section 15300.2.

WHEREAS, the City has solicited proposals from real estate brokers and has selected Minton Hometown Properties as the listing agent as this agent is both qualified and the most economical alternative.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Yreka that the City Manager is authorized to execute an Exclusive Authorization and Right to Sell agreement with Minton Hometown Properties as the listing broker for a term of six months, subject to the City Attorney's approval of the form of said agreement, and

BE IT FURTHER RESOLVED that the City Manager is further authorized to execute any other disclosures and notices customarily provided to purchasers of commercial real property and to make any minor modifications to the premises required for its sale such as smoke detectors and water heater bracing.

Passed and adopted this 20th day of December 2012, by the following vote:

AYES:  
NAYS:  
ABSENT:

APPROVED AS TO FORM:

\_\_\_\_\_  
DOHN R. HENION,  
City Attorney

\_\_\_\_\_  
David Simmen, Mayor

Attest: \_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk