

YREKA CITY COUNCIL
AGENDA

June 19, 2014 – 6:30 P.M.

Yreka City Council Chamber 701 Fourth Street, Yreka, CA

The full agenda packet can be found on the City's website www.ci.yreka.ca.us/council

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.

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 meeting held June 5, 2014.
 - b. Approval/ratification of payments issued from June 6, 2014 through June 19, 2014.
 - c. Adopt Resolution approving requests associated with Special Event known as the Taste of Siskiyou to be held July 19, 2014.
 - d. Adopt Resolution approving requests associated with Special Event known as the Kids Block Party to be held August 2, 2014.
 - e. Adopt Resolution amending Resolution No. 2366 Establishing Compensation Rates for Firefighters on OES Strike Teams.
 - f. Adopt Resolution authorizing the expenditure of funds prior to the adoption of the Fiscal Year 2014-2015 Annual Budget.
2. Discussion/Possible Action – Proposed Adoption of a Resolution Calling for an Election on November 4, 2014 to Approve a One-Quarter of One Percent (0.25%) Transactions and Use (Sales) Tax to Improve the Quality of Life for Yreka Residents and a finding that the measure is not subject to CEQA.
3. 2014/2015 and 2015/2016 Budget Draft:
 - Brief Presentation by Finance Director.
 - Schedule Budget Study Workshop.
4. Discussion/Possible Action – Approval of Appointment of Patricia Schaefer to the Yreka Volunteer Fire Department.

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

Property: Portion of APN: 013-100-140
Third Party Negotiator: Fruit Growers Supply Co.
City Negotiators: City Manager
Under Negotiation: Possible lease/purchase, including price, terms of payment, or both.

2. 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 – 2 - 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.

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON JUNE 5, 2014

On the 5TH day of June 2014, 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, John Mercier and David Simmen. Absent – Rory McNeil.

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 meeting held May 15, 2014
- b. Approval/ratification of payments issued from May 16 through June 5, 2014.
- c. Direct City Manager review the City of Yreka Conflict of Interest Code as required by California Government Code Section 87306.5.

Following Council discussion, Councilmember Foster moved to approve the items on the consent calendar as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Adopt Resolution # 2014-22 authorizing execution of Memorandum of Understanding with the Siskiyou County Economic Development Council for Economic Development Services.

Tonya Dowse, Executive Director of the Siskiyou County Economic Development Council, addressed the Council to answer any questions regarding the proposed Memorandum of Understanding.

Following Council discussion, Councilmember Bicego moved to adopt Resolution No. 2014-22 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Acceptance of Treasurer's Report and Operating Budget of Revenue and Expenditures with Actual for the Month of April 2014.

Following Council discussion, Councilmember Bicego moved to accept the Treasurer's reports as submitted.

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

Mayor Simmen thereupon declared the motion carried.

CLOSED SESSION:

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 – 2 - 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: Upon return to open session, City Manager Baker reported out that no reportable action was taken in Closed Session.

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

Attest:

David Simmen, Mayor
Minutes approved by Council
Motion June 19, 2014

Elizabeth E. Casson, City Clerk

Accounts Payable

Computer Check Proof List by Vendor

User: lysandra
 Printed: 06/13/2014 - 10:56AM
 Batch: 00005.06.2014



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 3007	AMERIGAS			Check Sequence: 1	ACH Enabled: False
801764616	INV 801764616	128.08	06/20/2014	01-350-0000-518-002	
801764616	INV 801764616	294.60	06/20/2014	01-370-0000-518-002	
801764616	INV 801764616	294.60	06/20/2014	70-510-0000-518-002	
	Check Total:	717.28			
Vendor: 2211	APPLY-A-LINE INC			Check Sequence: 2	ACH Enabled: False
1058	INV 1058	190.25	06/20/2014	24-320-0000-416-001	
1058	INC 1058	1,161.56	06/20/2014	20-310-0000-420-002	
	Check Total:	1,351.81			
Vendor: 1080	ARAMARK UNIFORM SERVICES INC			Check Sequence: 3	ACH Enabled: False
506-2999223	INV 506-2999223	25.58	06/20/2014	01-350-0000-510-000	
506-3014046	INV 506-3014046	25.58	06/20/2014	01-350-0000-510-000	
506-3028916	INV 506-3028916	56.28	06/20/2014	01-350-0000-510-000	
506-3043658	INV 506-3043658	28.70	06/20/2014	01-350-0000-510-000	
506-3043658	CM 506-3043658	-28.70	06/20/2014	01-350-0000-510-000	
	Check Total:	107.44			
Vendor: 1496	BASIC DIMENSIONS			Check Sequence: 4	ACH Enabled: False
3837	INV 3837	2,802.31	06/20/2014	80-560-0000-450-009	
	Check Total:	2,802.31			
Vendor: 6021	BASIC LABORATORY INC			Check Sequence: 5	ACH Enabled: False
1404426	INV 1404426	96.00	06/20/2014	70-500-0000-420-006	
1404679	INV 1404679	96.00	06/20/2014	70-500-0000-420-006	
1404893	INV 1404893	96.00	06/20/2014	70-500-0000-420-006	
1405106	INV 1405106	96.00	06/20/2014	70-500-0000-420-006	

6/13/14 1-5

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	384.00			
Vendor: 1087	LIZ BOWEN			Check Sequence: 6	ACH Enabled: False
RFND DEPOSIT	RFND CLEANING 05/27/14	100.00	06/20/2014	01-480-0000-543-000	
	Check Total:	100.00			
Vendor: 1423	ALICE BRANDON			Check Sequence: 7	ACH Enabled: False
1806	INV 1806	42.50	06/20/2014	70-500-0000-420-006	
1818	INV 1818	8.00	06/20/2014	01-080-0000-516-000	
	Check Total:	50.50			
Vendor: 1053	CASCADE FIRE EQUIPMENT INC			Check Sequence: 8	ACH Enabled: False
58921	INV 58921	3,781.82	06/20/2014	01-210-0000-450-014	
58921	INV 58921	125.81	06/20/2014	01-210-0000-520-000	
	Check Total:	3,907.63			
Vendor: 3643	CITY OF YREKA - WATER DEPT			Check Sequence: 9	ACH Enabled: False
17694-003 6/14	ACCT 17694-003 6/14 FINAL	503.88	06/20/2014	01-420-0000-518-003	
	Check Total:	503.88			
Vendor: UB*00158	THOMAS CLARK			Check Sequence: 10	ACH Enabled: False
	Refund Check	6.00	06/20/2014	30-000-0000-950-000	
	Check Total:	6.00			
Vendor: 1081	COWLEY D & L INC			Check Sequence: 11	ACH Enabled: False
9597	INV 9597	1,268.50	06/20/2014	20-313-0000-416-000	
	Check Total:	1,268.50			
Vendor: 1093	DATA TICKET INC			Check Sequence: 12	ACH Enabled: False
53886	INV 53886	150.00	06/20/2014	24-200-0000-526-005	
	Check Total:	150.00			
Vendor: 2206	FLAG CENTER, THE			Check Sequence: 13	ACH Enabled: False
1115	INV 1115	97.91	06/20/2014	01-080-0000-516-000	
1116	INV 1116	51.18	06/20/2014	01-080-0000-516-000	
	Check Total:	149.09			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1912	G & G HARDWARE (FALL CREEK)			Check Sequence: 14	ACH Enabled: False
170138	INV 170138	85.97	06/20/2014	70-510-0000-420-000	
170227	INV 170227	46.19	06/20/2014	70-510-0000-420-000	
171450	INV 171450	49.35	06/20/2014	70-510-0000-420-000	
	Check Total:	181.51			
Vendor: 1132	CHRIS GAMACHE			Check Sequence: 15	ACH Enabled: False
06/20/14	CLOTHING ALLOW 6/14	90.00	06/20/2014	01-200-0000-510-000	
	Check Total:	90.00			
Vendor: 2023	GERARD PELLETIER TRANSFER (YPD)			Check Sequence: 16	ACH Enabled: False
1228	INV 1228 ACCT 930	5.00	06/20/2014	01-230-0000-518-004	
1680	INV 1680 ACCT 930	5.00	06/20/2014	01-230-0000-518-004	
	Check Total:	10.00			
Vendor: 2142	DOHN HENION			Check Sequence: 17	ACH Enabled: False
06/20/14	JUNE 2014 (2)	1,250.00	06/20/2014	01-040-0000-525-001	
	Check Total:	1,250.00			
Vendor: 1167	CLIFF KETTLE			Check Sequence: 18	ACH Enabled: False
7191	INV 7191	26.21	06/20/2014	01-080-0000-510-000	
7191	INV 7191	82.37	06/20/2014	01-400-0000-510-000	
7191	INV 7191	26.20	06/20/2014	20-390-0000-510-000	
7191	INV 7191	82.37	06/20/2014	20-310-0000-510-000	
7191	INV 7191	82.37	06/20/2014	24-320-0000-510-000	
7191	INV 7191	82.37	06/20/2014	70-500-0000-510-000	
7191	INV 7191	82.37	06/20/2014	70-510-0000-510-000	
7191	INV 7191	82.37	06/20/2014	80-550-0000-510-000	
7191	INV 7191	82.37	06/20/2014	80-560-0000-510-000	
	Check Total:	629.00			
Vendor: 1184	LEHR AUTO ELECTRIC INC			Check Sequence: 19	ACH Enabled: False
01097278	INV 01097278	7,854.85	06/20/2014	10-200-0000-650-000	
01097279	INV 01097279	422.04	06/20/2014	10-200-0000-650-000	
	Check Total:	8,276.89			
Vendor: 13Y6401	MEEK'S (FALL CREEK)			Check Sequence: 20	ACH Enabled: False
739305	INV 739305	13.38	06/20/2014	70-510-0000-420-000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
740645	INV 740645	37.54	06/20/2014	70-510-0000-420-000	
740704	INV 740704	20.92	06/20/2014	70-510-0000-420-000	
	Check Total:	71.84			
Vendor: 13Y6403	MEEK'S (PUBLIC WORKS)			Check Sequence: 21	ACH Enabled: False
67468	CM 67468	-15.00	06/20/2014	01-370-0000-521-000	
738416	INV 738416	15.14	06/20/2014	01-370-0000-521-000	
738938	INV 738938	35.09	06/20/2014	01-370-0000-521-000	
739369	INV 739369	23.39	06/20/2014	01-370-0000-521-000	
739442	INV 739442	56.19	06/20/2014	01-400-0000-416-000	
739657	INV 739657	46.20	06/20/2014	01-400-0000-416-000	
739912	INV 739912	15.34	06/20/2014	01-400-0000-416-000	
	Check Total:	176.35			
Vendor: 1621	MINER POWER			Check Sequence: 22	ACH Enabled: False
RFND 06/14/14	RFND 06/14/14 CANCELLED EVENT	400.00	06/20/2014	01-480-0000-870-000	
RFND 06/14/14	RFND 06/14/14 CANCELLED EVENT	-50.00	06/20/2014	01-480-0000-870-000	
	Check Total:	350.00			
Vendor: 1215	MUNNELL & SHERRILL			Check Sequence: 23	ACH Enabled: False
94327	INV 94327	160.44	06/20/2014	70-510-0000-420-000	
94328	INV 94328	113.16	06/20/2014	20-310-0000-416-001	
94328	INV 94328	113.16	06/20/2014	20-312-0000-450-000	
94328	INV 94328	113.16	06/20/2014	20-390-0000-516-000	
94328	INV 94328	113.16	06/20/2014	01-400-0000-416-000	
94328	INV 94328	226.33	06/20/2014	70-500-0000-422-000	
94328	INV 94328	226.33	06/20/2014	80-550-0000-516-000	
95464	INV 95464	11,616.45	06/20/2014	01-350-0000-450-000	
	Check Total:	12,682.19			
Vendor: 1944	PURR-ANGELS			Check Sequence: 24	ACH Enabled: False
RFND DEPOSIT	RFND CLEANING 06/07/14	100.00	06/20/2014	01-480-0000-543-000	
	Check Total:	100.00			
Vendor: 1362	ROSA RAMOS			Check Sequence: 25	ACH Enabled: False
RFND DEPOSIT	RFND CLEANING 06/07/14	41.25	06/20/2014	01-470-0000-543-000	
	Check Total:	41.25			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1515 RFND DEPOSIT	RED SCARF SOCIETY RFND CLEANING 05/18/14	100.00	06/20/2014	Check Sequence: 26 01-470-0000-543-000	ACH Enabled: False
	Check Total:	100.00			
Vendor: 2219 878346	PAUL RICKEY INV 878346	234.27	06/20/2014	Check Sequence: 27 01-400-0000-416-000	ACH Enabled: False
	Check Total:	234.27			
Vendor: 1934 RFND DEPOSIT	ROCKY MOUNTAIN ELK FOUNDATION RFND CLEANING 05/17/14	100.00	06/20/2014	Check Sequence: 28 01-480-0000-543-000	ACH Enabled: False
	Check Total:	100.00			
Vendor: 1574 RFND DEPOSIT	YMCA RFND CLEANING 05/09/14-05/12/14	100.00	06/20/2014	Check Sequence: 29 01-470-0000-543-000	ACH Enabled: False
	Check Total:	100.00			
	Total for Check Run:	35,891.74			
	Total of Number of Checks:	29			

Accounts Payable

Void Check Proof List

User: lysandra
Printed: 06/13/2014 - 8:31AM



Account Number	Amount	Invoice No	Inv Date	Description	Reference	Task	Type	PONumber	Close PO?	Line Item
Vendor: 1031		CHRIS BETTS								
Check No: 103100		Check Date: 06/06/2014								
	80.00	TRNG 6/12-13	05/28/2014	TRNG 6/12-13 REDDING						0
01-200-6506-513-004										
Check Total:	80.00									
Vendor Total:	80.00									
Report Total:	80.00									

Ⓟ 6/13/14



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Adopt Resolution approving requests associated with Special Event known as the Taste of Siskiyou to be held July 19, 2014.
Meeting date: June 19, 2014

Discussion:

Kris Taylor has submitted the attached request for temporary street closure in association with the Special Event to be held on July 19, 2014 known as the Taste of Siskiyou.

Fiscal Impact: There will be labor costs incurred by the Public Works Department for extra trash removal and restroom maintenance due to the increased volume of users during the event.

Recommendation and Requested Action:

City staff has reviewed the request and recommends that the Council adopt Resolution approving the request for the event and setting the terms and conditions for same.

Approved by: _____

A handwritten signature in black ink, appearing to read "Steven Baker", written over a horizontal line.

Steven Baker, City Manager

Steve Baker
City Manager
701 Fourth St.
Yreka, CA. 96097

Dear Mr. Baker,

I am very excited to take this opportunity to introduce Shoppe Serendipity's, Taste of Siskiyou. This event is focused on the promotion of local (county and surrounding area) restaurants, catering businesses, and food and beverage producers. The Taste of Siskiyou is a high caliber, "celebration for your senses," event with food and beverage samplings as well as featuring some of the top local musicians and artists.

The Taste of Siskiyou was introduced in 2010 and warmly met by the community. The emphasis on area food and art was widely appreciated. The sense of community was strong as patrons strolled booths filled with delicious locally made foods and spirits, and enjoyed the various musical entertainment that morphed from one genre to the next. The plein air artists added the final touch to a full sensory experience.

2014 brings back the Taste of Siskiyou. I am confident that this event will benefit the community both in diversity and economically. This will also be an annual event that can potentially become a viable tourism attraction.

Along with benefitting the local businesses, the Taste of Siskiyou also benefits one of our local non-profits, Stable Hands by donating all of the ticket sales to their organization. This organization provides valuable equine therapy to our disabled children and veterans. In addition, multiple non-profits will represent Oregon Wineries and have the opportunity to benefit financially, assisting in their operations and programs offered.

The Taste of Siskiyou is scheduled for July 19th from 12:30-4:30pm. I request City Council permission to close the following streets for this event:

Broadway Street, from Miner to Butte and Center Street from Broadway Street to Main Street, Lane Street from 4th Street to Main, from the hours of 8am -6:00pm.

I also request that the City provide 22 event barricades for these closures; and the use of the cleaned public restrooms available at the (Liberty Arts) City corner park. I also request the sweeping of the streets prior to this event and weed eradication on the sidewalks if possible.

Proper licensing and permission from The Yreka Police Department and ABC will be obtained and produced to the City in a timely manner as well as proof of insurance required for the event.

I thank you for your consideration and your constant support for these community events.

Sincerely,
Kris Taylor
Taste of Siskiyou Event Coordinator
Shoppe Serendipity
213 S. Broadway
Yreka, Ca. 96097
842-1993

RESOLUTION NO. 2014-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH THE SPECIAL EVENT KNOWN AS THE
“TASTE OF SISKIYOU” TO BE HELD ON SATURDAY JULY 19, 2014.

WHEREAS, the city, a municipal corporation, is the owner of certain lands within the City of Yreka which are operated by the City as public municipal facilities, and,

WHEREAS, Kris Taylor DBA as Shoppe Serendipity (hereafter also referred to as “event sponsor”) desires to sponsor an event known as the “Taste of Siskiyou” event; and,

WHEREAS due to the proposed plan submitted for the event, the event sponsor has demonstrated that the following provisions of the Yreka Municipal Code [YMC] are not adversely implicated by this event:

Vehicle controls- YMC Chapter 10.73
Business license-YMC Section 5.04.
Sound Amplifying Devices-YMC Chapter 9.28
Temporary Signs-YMC Section 13.16.020.D

WHEREAS, in connection with this event, the event sponsor requests the use of the community event barricades, and the temporary closure of city streets.

WHEREAS, pursuant to Government Code Section 21101(e) the City Council has authority to designate by resolution a temporary closing of a through street where the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, the City Council finds that the temporary closing of city streets for the event is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, a permissive business license may be granted by the City Council for an event of this nature if the applicant demonstrates good moral character and, that issuance of the license will not be detrimental to the public peace, public health or public morals of the city, which tax is subject to an exemption if the applicant demonstrates that the activity is for charitable purposes or for exhibition on historical subjects whenever the receipts from the activity are to be appropriated for any benevolent purpose within the limits of the city.

WHEREAS, event sponsor has demonstrated to the City that the event will not disrupt traffic within the city beyond practical solution; will not interfere with access to fire stations and fire hydrants; the location of the special event will not cause undue hardship to adjacent businesses or residents; the event will not require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; and

Whereas, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action 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; and

WHEREAS, the City Council has determined it would be in the best interests of the City to approve and authorize the action outlined in this Resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YREKA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Council directs as follows:

a. On July 19, 2014 the following streets are ordered closed to through traffic between the hours of 8 am to 6 pm subject to the terms and conditions as set forth hereafter: a portion of South Broadway Street from Butte to Miner Street; a portion of Center Street from Broadway to Main; and a portion of Lane Street from Fourth to Main. Event Sponsor shall sign an Encroachment Agreement to that effect prior to any use.

b. Permission is hereby granted for the use the community 22 event barricades;

c. Vendors at the event will need to obtain daily business licenses for the event. Event sponsor will be responsible and hold harmless the City for acts of the vendors.

d. The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 and a certificate naming the City of Yreka as additional insured specific to the event dates and location shall be provided by the event sponsor in the amount set by the City's liability insurer, at least 1 week prior to the event.

e. The event sponsor is responsible to furnish, place and remove all necessary barricades, furnish, place and remove street closure signs, provide emergency access, cleanup all areas used. Event sponsor shall erect barricades to effectively and safely block traffic on the streets designated for closure. Event sponsor has permission to use the City's 22 "event barricades" and event sponsor will be responsible to procure the balance as needed to safely close the streets.

f. The event sponsor shall comply with all other City of Yreka ordinances; and, the event sponsor shall comply with such further conditions and requirements as may be set by the City Manager or his designee.

g. The event sponsor is responsible to personally contact each business that may be potentially affected by this street closure prior to the event.

h. The licensing for the tasting and or sale of wine and beer shall be at the discretion of the City of Yreka Chief of Police.

i. Permission is hereby granted for the placement of portable sanitation units on Fourth, Center and Lane Streets. Specific site location to be at the direction of the Public Works Maintenance Manager.

j. The event sponsor shall not place any paint on the street pavement, curb, gutter, and sidewalk. Any markings on the street pavement, curb, gutter, and sidewalk shall be of a temporary nature and shall be removed by the event sponsor within 7 days after the end of the event.

k. The event sponsor shall be charged for any services required by the Public Works Department in connection with this event. The Director of Public Works is directed prepare a Use and Encroachment Agreement to be signed by the Event Sponsor setting forth the terms of use in accordance with this Resolution.

Section 3. It is further resolved, If any section, subsection, part, clause, sentence or phrase of this Resolution 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 Resolution, 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. The City Manager, the Chief of Police, the Director of Public Works and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 5. The City Clerk of the City shall forward a copy of this Resolution to the event sponsor. This resolution shall take effect immediately upon its passage.

Passed and adopted this 19th day of June 2014, by the following vote:

AYES:
NAYS:
ABSENT:

David Simmen
Mayor

Attest: _____
Elizabeth E. Casson, City Clerk



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Adopt Resolution approving requests associated with Special Event known as the Kids Block Party to be held August 2, 2014.
Meeting date: June 19, 2014

Discussion:

Kris Taylor has submitted the attached request for temporary street closure in association with the Special Event to be held August 2, 2014 known as the Kids Block Party.

Fiscal Impact: There will be labor costs incurred by the Public Works Department for extra trash removal and restroom maintenance due to the increased volume of users during the event.

Recommendation and Requested Action:

City staff has reviewed the request and recommends that the Council adopt the Resolution approving the request for the event and setting terms and conditions for same.

Approved by: _____

A handwritten signature in black ink, appearing to read "Steven Baker", written over a horizontal line.

Steven Baker, City Manager

To: Steve Baker
City Manager
701 Fourth Street
Yreka , CA. 96097

6/4/2014

Dear Mr. Baker,

I would like to take this opportunity to discuss the 6th Annual Kids' Block Party. This is a family-focused event that is traditionally held the first week in August and is scheduled to take place August 2, 2014, with times from 11-3pm.

The Kids' Block Party will have over 50 booths all focused on art, crafts, science, math, games and sports. All booths are free to the public with exception to only food vendors and specialty booths such as face painters and balloon artists.

This is a large scale event that has the continued support of Kiwanis, Forest Service, YPD, Siskiyou Sheriffs Office K9 Unit, Fish and Wildlife, YMCA, Yreka Resource Center, Siskiyou Head Start Programs, Siskiyou Art Bus and outlying businesses. The event also comes with major sponsorship from Scott Valley Bank. Over 300 people were in attendance last year and expectations are higher for this year's event as new attractions and advertising are added.

This business friendly event encourages a non-retail approach to exposure and business advertising.

Street closure is required for this event. I request City Council permission of the following streets to be closed from 6am-4:30 pm to allow for the entirety of the event to take place:

Broadway Street, from Miner St. to Butte St., Lane Street, from 4th Street to Main Center Street, from 4th Street to Main

For the safety of the participating community, I would also request the use of 22 barricades to block off the streets in use and for the streets to be swept the day prior to the event. The use of the cleaned public restrooms located at the (Liberty Arts) City Park.

Thank you for your consideration and your continued support. I appreciate all of the City of Yreka staff for their assistance helping these events become successful community events.

Sincerely,
Kris Taylor
Kids' Block Party Event Coordinator
Shoppe Serendipity
213 S .Broadway St. Suite B
Yreka, Ca. 96097 842-1993

RESOLUTION NO. 2014-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH THE SPECIAL EVENT KNOWN AS THE
“KIDS BLOCK PARTY” TO BE HELD ON SATURDAY AUGUST 2, 2014

WHEREAS, the city, a municipal corporation, is the owner of certain lands within the City of Yreka which are operated by the City as public municipal facilities, and,

WHEREAS, Kris Taylor DBA as Shoppe Serendipity (hereafter also referred to as “event sponsor”) and other local businesses desire to sponsor an event known as the “Kids Block Party” event; and,

WHEREAS due to the proposed plan submitted for the event, the event sponsor has demonstrated that the following provisions of the Yreka Municipal Code [YMC] are not adversely implicated by this event:

Vehicle controls- YMC Chapter 10.73
Business license-YMC Section 5.04
Sound Amplifying Devices-YMC Chapter 9.28
Temporary Signs-YMC Section 13.16.020.D

WHEREAS, the event sponsor requests the use of the community event barricades, and the temporary closure city streets; and,

WHEREAS, pursuant to Government Code Section 21101(e) the City Council has authority to designate by resolution a temporary closing of a through street where the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, the City Council finds that the temporary closing of city streets is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, a permissive business license may be granted by the City Council for an event of this nature if the applicant demonstrates good moral character and, that issuance of the license will not be detrimental to the public peace, public health or public morals of the city, which tax is subject to an exemption if the applicant demonstrates that the activity is for charitable purposes or for exhibition on historical subjects whenever the receipts from the activity are to be appropriated for any benevolent purpose within the limits of the city.

WHEREAS, event sponsor has demonstrated to the City that the event will not disrupt traffic within the city beyond practical solution; will not interfere with access to fire stations and fire hydrants; the location of the special event will not cause undue hardship to adjacent businesses or residents; the event will not require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the city; and

Whereas, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action 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; and

WHEREAS, the City Council has determined it would be in the best interests of the City to approve and authorize the action outlined in this Resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YREKA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Council directs as follows:

a. On August 2, 2014, the following city streets are ordered temporarily closed to through traffic between the hours of 6 am to 4:30 pm; subject to the terms and conditions as set forth hereafter: A portion of Broadway between Butte and Miner Street; a portion of Center Street from Fourth to Main Street, and a portion of Lane Street between Fourth to Main Street. Event sponsor shall sign an Encroachment Agreement to that effect prior to any use.

b. Permission is hereby granted for the placement of portable sanitation units on Center and Lane Streets. Specific site location to be at the direction of the Public Works Maintenance Manager.

c. Permission is hereby granted for the use the community event barricades.

d. Vendors at the event will need to obtain daily business licenses for the event. Event sponsor will be responsible and hold harmless the City for acts of the vendors.

e. The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 and a certificate naming the City of Yreka as additional insured specific to the event dates and location shall be provided by the event sponsor in the amount set by the City's liability insurer, at least 1 week prior to the event.

f. The event sponsor is responsible to furnish, place and remove all necessary barricades, furnish, place and remove street closure signs, provide emergency access, cleanup all areas used. Event sponsor shall erect barricades to effectively and safely block traffic on the streets designated for closure. City will provide event sponsor with 22 barricades and event sponsor will procure the balance.

g. The event sponsor shall not place any paint on the street pavement, curb, gutter, and sidewalk. Any markings on the street pavement, curb, gutter, and sidewalk shall be of a temporary nature and shall be removed by the event sponsor within 7 days after the end of the event.

h. The event sponsor shall comply with all other City of Yreka ordinances; and, the event sponsor shall comply with such further conditions and requirements as may be set by the City Manager or his designee.

i. The event sponsor is responsible to personally contact each business that may be potentially affected by this street closure prior to the event.

k. The event sponsor shall be charged for any services required by the Public Works Department in connection with this event. The Director of Public Works is directed prepare a Use and Encroachment Agreement to be signed by the Event Sponsor setting forth the terms of use in accordance with this Resolution.

Section 3: City Manager is hereby delegated the authority to review and approve or deny event sponsor's requests for participation by other City departments to be part of the event (such as a demonstration), and to fix such terms and condition upon any approval as the City Manager deems appropriate and in the interests of the City of Yreka.

Section 4. It is further resolved, If any section, subsection, part, clause, sentence or phrase of this Resolution 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 Resolution, 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 5. The City Manager, and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to effect the purposes of this Resolution and the transactions herein authorized.

Section 6. The City Clerk of the City shall forward a copy of this Resolution to the event sponsor. This resolution shall take effect immediately upon its passage.

Passed and adopted this 19th day of Jun, 2014, by the following vote:

AYES:
NAYS:
ABSENT:

David Simmen, Mayor

Attest: _____
Elizabeth E. Casson, City Clerk



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: B.J. Laustalot, Fire Chief
Agenda title: Adopt Resolution Amending Resolution No. 2366, Establishing Compensation Rates for Firefighters on OES Strike Teams.
Meeting date: June 19, 2014

Discussion:

Fire Department personnel are sometime requested to participate in fire strike team to fight fires (or other emergencies) in other areas of the state under an agreement with CalEMA and other agencies (e.g. CalFire). The firefighters sent on such strike teams are paid for their time according to a schedule established by the Siskiyou County Fire Chief's Association (SCFCA) and approved by CalEMA.

This compensation rate is updated from time to time. The last time the rate was formally approved by City Council as in August of 2001 by Resolution No. 2366, however, the rate was increased last year. This resolution is to adopt the current rates and to ratify last year's increase. This resolution also gives the City Manager the authority to set Yreka's rates equal to the rate set by the Siskiyou County Fire Chiefs Association (although for documentation purposes a new resolution may be needed for the state anyway).

The compensation rate as set by this Resolution is ratified effective with the most recent increase by the SCFCA, effective April 6, 2013.

Fiscal Impact:

There is not a direct fiscal impact. When the City's engines are dispatched under the CalEMA agreement, the City is paid for costs according to the CalFire schedule for that type of engine.

Recommendation:

That the City Council adopt the Resolution as submitted.

Approved by: _____

A handwritten signature in black ink, appearing to read "Steven Baker", written over a horizontal line.

Steven Baker, City Manager

RESOLUTION NO. 2014-
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
AMENDING RESOLUTION NO. 2366 ESTABLISHING COMPENSATION RATES
FOR FIREFIGHTERS ON OES STRIKE TEAMS

WHEREAS, the Office of Emergency Services (OES) of the State of California has established engine strike teams to abate vegetation fires within the State of California; and

WHEREAS, the Yreka Volunteer Fire Department wishes to participate in the OES Strike Teams that are formed in Siskiyou County as their services are sorely needed in times of local, regional, and national disasters; and

WHEREAS, the Siskiyou County Fire Chief's Association (SCFCA) has established a pay scale for strike team members; and

WHEREAS, the Yreka Volunteer Fire Department wishes to abide by the Fair Labor Standards Act.

NOW THEREFORE BE IT RESOLVED that the City of Yreka places strike team members on a 56 hours duty week; and

BE IT FURTHER RESOLVED by the City Council of the City of Yreka that compensation for the Yreka Volunteer Firefighters on OES Strike Teams shall be as follows:

	<u>Straight Time</u>	<u>Half-time</u>	<u>Total</u>
Strike Team Leaders	\$35.00 per hr.	\$17.50 per hr.	\$52.50 per hr.
Company Officer	\$30.00 per hr.	\$15.00 per hr.	\$45.00 per hr.
Firefighter	\$22.50 per hr.	\$11.25 per hr.	\$33.75 per hr.

BE IT FURTHER RESOLVED that the foregoing rates are ratified effective with the most recent increase by the SCFCA, effective April 6, 2013 and that the City Manager is authorized to increase rates in the future provided said rates have been established by the SCFCA.

This Resolution supersedes all other Resolutions and agreements adopted setting compensation rates for strike team members.

Passed and adopted this 19th day of June 2014, by the following vote:

AYES:

NAYS:

ABSENT:

David Simmen, Mayor

Attest: _____
Elizabeth E. Casson, City Clerk

RESOLUTION NO. 2366
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA ESTABLISHING
COMPENSATION RATES FOR FIREFIGHTERS ON OES STRIKE TEAMS

WHEREAS, the Office of Emergency Services (OES) of the State of California has established engine strike teams to abate vegetation fires within the State of California; and

WHEREAS, the Yreka Volunteer Fire Department wishes to participate in the OES Strike Teams that are formed in Siskiyou County; and

WHEREAS, their services are sorely needed in times of local, regional, and national disasters, and

WHEREAS, the Siskiyou County Fire Chief's Association (SCFCA) has established a pay scale for strike team members; and

WHEREAS, the Yreka Volunteer Fire Department wishes to abide by the Fair Labor Standards Act.

NOW THEREFORE BE IT RESOLVED that the City of Yreka places strike team members on a 56 hours duty week; and

BE IT FURTHER RESOLVED by the City Council of the City of Yreka that compensation for the Yreka Volunteer Firefighters on OES Strike Teams shall be as follows:

	<u>Straight Time</u>	<u>Half-time</u>	<u>Total</u>
Strike Team Leaders	\$22.50 per hr.	\$11.50 per hr.	\$34.00 per hr.
Company Officer	\$18.50 per hr.	\$9.25 per hr.	\$27.75 per hr.
Firefighter	\$16.50 per hr.	\$8.25 per hr.	\$24.75 per hr.

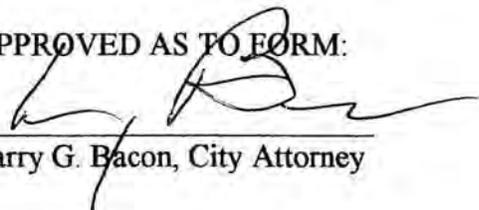
Passed and adopted this 2nd day of August 2001, by the following vote:

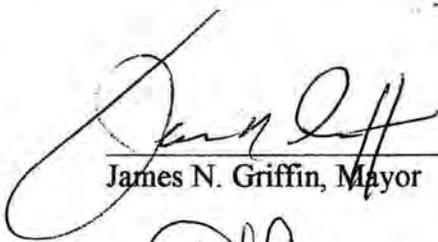
AYES: BENNETT, GRIFFIN, HARMS, McNEIL & VEALE

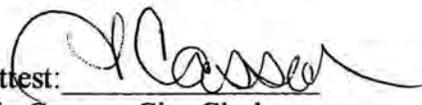
NAYS: NONE

ABSENT: NONE

APPROVED AS TO FORM:


Larry G. Bacon, City Attorney


James N. Griffin, Mayor

Attest: 
Liz Casson, City Clerk



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Rhetta Hogan, Finance Director
Agenda title: Adopt a Resolution Authorizing the Expenditure of Funds Prior to the Adoption of the Fiscal Year 2014-2015 Annual Budget
Meeting date: June 19, 2014

Discussion:

This evening, the City's proposed budget is being distributed to the City Council for initial discussion and review. Adoption of the City's annual budget will be scheduled for an action item on July 17, 2014. This resolution is for that interim period, as the City will have expenses related to on-going services, programs and projects. The attached resolution will authorize such on-going expenses.

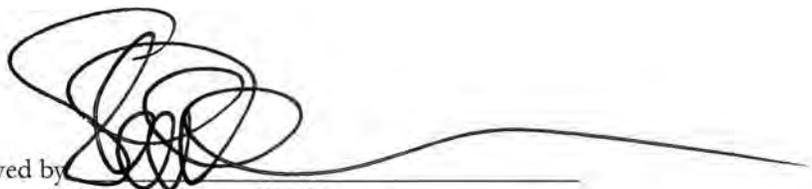
Fiscal Impact:

The final fiscal impact will be determined when the budget is adopted.

Recommendation and Requested Action:

Adopt a Resolution Authorizing the Expenditure of Funds Prior to the Adoption of the Fiscal Year 2014-2015 Annual Budget.

Approved by _____


Steven Baker, City Manager

RESOLUTION NO. 2014-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
AUTHORIZING THE EXPENDITURE OF FUNDS PRIOR TO
ADOPTION OF THE FISCAL YEAR 2014-2015 ANNUAL BUDGET

WHEREAS, the City of Yreka Budget for the Fiscal year 2014-2015 has not been approved; and

WHEREAS, the City's daily operations require the expenditure of funds for usual and necessary expenditures including, but not limited to, expenditures for contract services previously authorized by the City Council.

NOW ,THEREFORE, BE IT RESOLVED that the City Council of the City of Yreka authorizes the City Manager to approve expenditures of funds for usual and necessary expenditures, including those previously approved by the City Council prior to the 2014-2015 Budget adoption.

Passed and adopted this 19th day of June 2014, by the following vote:

AYES:

NAYS:

ABSENT:

David Simmen, Mayor

Attest: _____
Elizabeth E. Casson,
City Clerk



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council

By: David Simmen, Mayor

Title: Proposed Adoption of a Resolution Calling for an Election on November 4, 2014 to Approve a One-Quarter of One Percent (0.25%) Transactions and Use (Sales) Tax to Improve the Quality of Life for Yreka Residents and a finding that the measure is not subject to CEQA.

Date: June 19, 2014

Recommended Action:

1. Adopt the resolution by a 2/3 vote of all members of the Council (i.e. 4 votes).
2. Designate Mayor David Simmen as well as any other interested councilmember to author the ballot argument in favor of the measure. The designation will be inserted into the adopted resolution.

Background:

A group of citizens has been meeting in an effort to create a funding mechanism to support the organizations that improve and implement the quality of life in Yreka and to do this in such a way that it also stimulates Yreka's business community to enrich and create vitality in the City of Yreka. Initially, we were planning to place this measure on the ballot as an initiative through a voter petition, however, the statute allowing for local sales tax measures requires a four-fifths vote of the City Council (as opposed to other initiatives requiring the Council to either adopt the initiative or place it on the ballot). Upon learning of this requirement, the citizens group voted to request that the City Council place the Quality of Life Stimulus Measure on the ballot for voter consideration.

Ballot Measure Language

The attached resolution proposes to place on the November ballot an ordinance that would implement a local sales tax (transactions and use tax), in the amount of (0.25) percent. This will be a special tax, legally restricting the funds generated from the tax to the purposes set forth in the measure. Passage requires a two-thirds vote of the electorate, and the City Council must determine by a two-thirds vote to place it on the ballot. The question to be placed before the voters is:

<p>Quality of Life Stimulus Measure</p> <p>To improve the Yreka's Quality of Life shall a sales tax within the City of Yreka be added of one-quarter of one percent, net of City Reimbursement, be paid into a special Quality of Life Stimulus Fund or account designed for use by an independent nonprofit oversight board solely for 1) Advancing Culture, the Arts and Entertainment thereby stimulating business; and/or 2) Advancing Education and Youth Activities in the City of Yreka thereby stimulating business; and 3) Costs and expenses incurred to operate the independent nonprofit oversight board together with the payment of its debt service, capital outlays, operating expenses and personnel and benefit costs with annual reporting and expiring in six years?</p>	<p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
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The ordinance attached to the resolution, Exhibit A, at Section 350.030(A)(11), provides for mandatory audits, and community oversight and reporting, through the formation of a private nonprofit corporation with appointment of a governing board consisting of Yreka residents and business representatives appointed by the City Council. Its budget is subject to the City Council's approval. The tax will automatically expire in six years.

Transactions and Use Tax:

In California there are approximately 100 cities and counties with local sales tax measures, and many more special districts and counties. In fact, 90% of the State's population resides in at least one district that has a local sales tax (transactions and use tax). This additional tax revenue stays in each city, and **cannot be taken by the County or State.**

As explained in more detail below, sales tax is paid by purchasers of retail taxable goods from businesses located in Yreka. Thus, the tax is imposed on purchasers of goods, whether Yreka residents or not. In this way the tax burden is not imposed exclusively on Yreka residents. Local sales tax measures have enjoyed recent popularity because the cost increment is low, it is not a property-based tax, out-of-town visitors share in the cost, and the sales tax is not applied to groceries or prescription medication.

Statutory authority to schedule an election for a special tax is set forth in the State Revenue and Taxation Code, section 7285.91, which provides:

As an alternative to the procedure set forth in Section 7285.9, the governing body of any city may levy, increase, or extend a transactions and use tax for specific purposes. The tax may be levied, increased, or extended at a rate of 0.125 percent, or a multiple thereof, for the purpose for which it is established, if all of the following requirements are met:

(a) *The ordinance proposing that tax is approved by a two-thirds vote of all members of the governing body and is subsequently approved by a two-thirds*

- vote of the qualified voters of the city voting in an election on the issue.*
- (b) The transactions and use tax conforms to the Transactions and Use Tax Law Part 1.6 (commencing with Section 7251).*
- (c) The ordinance includes an expenditure plan describing the specific projects for which the revenues from the tax may be expended.*

Although referred to as a "local sales tax" throughout this staff report, this revenue source is formally known as a "transactions and use tax" in State law. A transaction and use tax is imposed on the same goods and merchandise as sales tax; however, a sales tax (formally known in State law as a Bradley Burns sales and use tax) is allocated to the jurisdiction where the sale is negotiated or the order for the sale is taken. A transactions and use tax, on the other hand, is allocated to the City where the goods are delivered or placed into use. Merchandise purchased in a "walk-in" retail store is assumed by the state to be used within the city in which the store is located, unless the retailer is asked to ship the merchandise outside the city as part of the sale or it is a motor vehicle that can be driven away. For sales contracts that require shipment of merchandise, the local sales tax (transactions and use tax) is levied for the city to where the merchandise is shipped. A similar situation exists with vehicles that require registration: the local sales tax (transactions and use tax) of the city in which the vehicle is registered applies, regardless of where it was purchased.

If this local revenue measure passes, Yreka will enter into two contracts with the State: the first to set up the tax and the second for ongoing administration. The tax will not be operative until the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance at the election. This means that a tax passed in November, 2014, would not be imposed and collected until the beginning of the second quarter of the year on April 1, 2015.

Three potential types of tax measures could bring in the necessary revenue: a local sales tax, an increase in the utility user's tax, or a parcel tax. For the following reasons, a sales tax is considered to be the best approach:

Participant Diversity:

Sales tax is paid on a wide variety of goods, excluding (primarily) groceries and medicine. It is therefore a highly diversified source of revenue. A sales tax would be paid by a wide variety of individuals, including residents, local businesses, and workers in the City, and individuals from outside the City who purchase taxable goods in the City. Sales tax on motor vehicle purchases would be paid only by individuals registering the vehicle in Yreka, regardless of where the vehicle was purchased. The sales tax would be paid by the highest number of payers relative to other revenue options such as a parcel tax or increase in the utility user's tax, and therefore has the most participant diversity of the three options.

Impact on Low/Fixed Income:

A sales tax increase would be paid only by purchasers of taxable goods in Yreka. Because low income and fixed income individuals spend a large proportion of their incomes on non-taxable goods and services, a sales tax increase would not have as significant an impact on these individuals. Further, many purchases subject to sales

tax are discretionary purchases, allowing low and fixed income individuals to minimize the impact of the new tax.

Impact on Business Community:

A sales tax increase would have a low impact on the business community, as the tax would be paid by purchasers of taxable goods rather than the business itself. Most office and service businesses would see little impact except for their own purchases of taxable goods in Yreka. Anecdotal data from other California counties where city sales tax measures have been adopted indicates these measures had virtually no impact on the retail sales volumes in those cities, when comparing periods prior to and after adoption of a sales tax.

Impact on Residential Community:

A sales tax would have a medium to low impact on residents. It would apply only to taxable purchases and not to mortgage, other debt payments, utilities, services, medicine and most grocery purchases, which make up the majority of resident spending. Individuals purchasing a vehicle that is registered in Yreka would pay the increased tax, regardless of whether the vehicle was purchased in Yreka or another city.

Election Procedures:

Submission of Ballot Arguments

Deadlines established by the Siskiyou County Clerk/Registrar of Voters require that arguments for or against *the* measure must be submitted by time fixed by that Election's Official. Arguments may not exceed three hundred (300) words, and cannot be signed by more than five (5) persons.

Council Preparation of Argument In Support of Measure

Under Elections Code section 9282, a ballot argument on this city council-submitted measure may be authored by the city council, or any members of the council authorized by that body, or any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations. The City Council is asked to designate, by motion, Mayor David Simmen and any other interested councilmember to author the ballot argument in support of the measure. The argument may not exceed three hundred (300) words. The councilmember(s) selected may solicit additional signatories, not to exceed five total signatories.

Impartial Analysis

The City Attorney will prepare an impartial analysis of the measure, not to exceed 500 words *in* length, showing the effect of the measure on the existing law and the operation of the measure, and transmit the impartial analysis to the Elections Division.

Roles and Limitations During Ballot Measure Campaign Period

The City can provide educational materials to the public, informing them about the Measure. But the City cannot expend any time, money or effort advocating a position

supporting passage of the ballot measure. Council members and staff can work on the campaign on their own time and at their own expense, provided it is made clear that they are doing so on their own time and not with City resources.

Fiscal Impact:

The Siskiyou County Clerk/Registrar of Voters estimates the cost of adding this measure to the November 4, 2014 General Election to be approximately \$800. This expense will be reimbursed to the City when the measure passes. If the measure fails the city will bear this expense. The Finance Director currently estimates that a one-quarter cent sales tax would raise approximately \$400,000 to \$450,000 per year to improve the Quality of Life in Yreka.

CEQA Compliance:

Approval of this Resolution to place on the ballot a special tax that will provide funding for 1) business stimulation, 2) advancing culture, the arts and/or entertainment; and 3) advancing education and youth activities, is exempt from the California Environmental Quality Act under CEQA Guidelines § 15061(b)(3), in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. In addition, the activity is not a project under CEQA pursuant to Guidelines Section 15378(b)(5): Organizational or administrative activities of nonprofit organizations will not result in direct or indirect physical changes in the environment.

The resolution directs the City Clerk to ensure that a notice of exemption is filed immediately with the County Clerk.

Approved by: _____


Steven Baker, City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
CALLING FOR AN ELECTION ON NOVEMBER 4, 2014 TO APPROVE A
ONE-QUARTER OF ONE PERCENT (0.25%) TRANSACTIONS AND USE
(SALES) TAX TO IMPROVE THE QUALITY OF LIFE FOR YREKA
RESIDENTS AND A FINDING THAT THE MEASURE IS NOT SUBJECT TO
CEQA**

RECITALS

WHEREAS, The Quality of Life Stimulus Measure has been proposed to fund and support organizations that improve and implement the quality of life in Yreka, stimulating the business community to enrich and create vitality in the City of Yreka; and

WHEREAS, a majority of Yreka's sales tax is paid by people coming to local destinations and the proposed revenue measure would ensure that these out-of-town shoppers who use our local services such as streets, sidewalks, parks and police protection, pay their fair share and is not a property tax; and

WHEREAS, the tax to be submitted to the voters, if approved, would be imposed on retail transactions involving and use of personal property. The tax rate would be one quarter of one percent (.25%) of the sales price of the property. The tax revenue would be collected by the State Board of Equalization and remitted to the City. The tax shall be approved if the measure receives at least a 2/3 affirmative votes of the qualified electors of the city; and

WHEREAS, Elections Code Sections 9219 and 9282 set forth the procedures for arguments in favor of or in opposition of any City measure; and

WHEREAS, Elections Code Sections 9220 and 9285 set forth the procedures for rebuttal arguments; and

WHEREAS, the City Council finds that under CEQA Guidelines 15060(c)(2) and 15378, subdivisions (2) and (4) of subdivision (b), this tax does not constitute a project under CEQA and therefore review under CEQA is not required.

BE IT RESOLVED BY THE COUNCIL OF YREKA as follows:

SECTION I. The foregoing Recitals are true and correct and are hereby adopted by the City Council.

SECTION II. Pursuant to California Constitution Article XIII C, Section 2;

Government Code Section 53724; and Elections Code Section 9222, the City Council of the City of Yreka hereby calls an election at which it shall submit to the qualified voters of the City, a measure that, if approved, would adopt a temporary special transactions and use tax, as authorized by Revenue and Taxation Code section 7285.9. This measure shall be designated by letter by the Siskiyou County Elections Department. Pursuant to Election Code Section 10400 *et seq.*, the election for this measure shall be consolidated with the established election to be conducted on November 4, 2014.

SECTION III. The ordinance authorizing the general tax to be approved by the voters pursuant to Section II is as set forth in Exhibit A attached hereto. The City Council hereby approves the form of the ordinance, and its submission to the voters of the City at the November 4, 2014 election, as required by Revenue and Taxation Code section 7285.9, subject to the approval of at least 2/3 of the qualified Yreka city voters voting on the measure at the election called by the adoption of this resolution. The entire text of the ordinance, attached hereto as Exhibit A, shall be made available to the public upon request. The ordinance specifies that the rate of the transactions tax shall be one-quarter percent of one percent (.25%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the City; it specifies that the rate of the use tax shall be one-quarter percent of one percent (.25%) of the sales price of tangible personal property stored, used or otherwise consumed in the City. The State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City.

SECTION IV. The proposed transactions and use tax ordinance shall be submitted to the voters on the ballot in the form of the following question:

<p>Quality of Life Stimulus Measure</p> <p>To improve the Yreka's Quality of Life shall a sales tax within the City of Yreka be added of one-quarter of one percent, net of City Reimbursement, be paid into a special Quality of Life Stimulus Fund or account designed for use by an independent nonprofit oversight board solely for 1) Advancing Culture, the Arts and Entertainment thereby stimulating business; and/or 2) Advancing Education and Youth Activities in the City of Yreka thereby stimulating business; and 3) Costs and expenses incurred to operate the independent nonprofit oversight board together with the payment of its debt service, capital outlays, operating expenses and personnel and benefit costs with annual reporting and expiring in six years?</p>	<p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
---	--

SECTION V. The official ballot to be used at said election shall conform to the laws of the State of California with relation thereto.

SECTION VI. The City Attorney shall prepare an impartial analysis of the ballot measures not to exceed five hundred words in length showing the effect of the measures on the existing law and the operation of the measure.

SECTION VII. The deadline for filing arguments for and against the ballot measure with the Siskiyou County Clerk/Registrar of Voters shall be within the deadline set by the Siskiyou County Clerk/Registrar of Voters and the argument shall not exceed 300 words in length. Rebuttal arguments shall be filed with the Siskiyou County Clerk/Registrar of Voters and shall not exceed 250 words in length. The Mayor is hereby authorized to prepare a written argument in favor of the proposed ordinance, not to exceed 300 words. At the Mayor's discretion, the argument may also be signed by bona fide associations or by individual voters who are eligible to vote. Pursuant to Section 9285 of the California Elections Code, when the Siskiyou County Clerk/Registrar of Voters has selected the arguments for and against the measure, which will be printed and distributed to the voters, the Siskiyou County Clerk/Registrar of Voters shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument, which it seeks to rebut.

SECTION VIII. The City Council authorizes the Registrar of Voters to consolidate this election with the established election on November 4, 2014 for the ease and convenience of the registered voters and to take advantage of any cost savings possible by such consolidation.

SECTION IX. The City Clerk may request the assistance of the County of Siskiyou Election Department in regard to said General Municipal Election, as the City Clerk deems necessary, and the City shall pay the incurred cost of such assistance.

SECTION X. In accordance with Section 12111 of the Elections Code and Section 6061 of the Government Code, the City Clerk is hereby authorized and directed to cause notice of the measure to be published once in a newspaper of general circulation, circulated in the City of Yreka and hereby designated for that purpose by the Council of Yreka. The City Clerk may request that the Siskiyou County Clerk/Registrar of Voters prepare and publish the required notice.

SECTION XI. The election on the measure set forth in Sections III and IV of this resolution shall be held and conducted, the votes canvassed and the returns made, and the results ascertained and determined as provided for herein. In all particulars not prescribed in this resolution, the election shall be held as prescribed in the Elections Code of the State of California. The Board of Supervisors of the County of Siskiyou is authorized to canvas the returns of that election with respect to the votes cast in the City of Yreka and certify the results to the City Council. At the next

regular meeting of the City Council occurring after the returns of the election have been canvassed and the certification of the results to the City Council, the City Council shall cause to be entered in its minutes a statement of the results of the election.

SECTION XII. The City Manager is hereby authorized and directed to expend the necessary funds to pay for the City's cost of placing the measure on the election ballot.

SECTION XIII. This Resolution shall be forthwith entered upon the minutes of this Council and kept and maintained by the City Clerk of Yreka.

SECTION XIV. The City Clerk is hereby authorized and directed to certify to the due adoption of this Resolution and to transmit a copy hereof so certified to the Board of Supervisors and the Registrar of Voters of Siskiyou County.

PASSED AND ADOPTED this 19th day of June, 2014, by the following vote:

AYES:

NOES:

ABSENT:

David Simmen, Mayor

Attest: _____
Liz Casson, City Clerk

5 **AN ORDINANCE OF THE CITY OF YREKA IMPOSING A LOCAL TRANSACTIONS**
6 **AND USE TAX TO IMPROVE THE QUALITY OF LIFE IN YREKA**

7 Recitals

8 WHEREAS, the City Council, on the behest of its residents, desires to place a
9 Transactions and Use (Sales) Tax Ordinance, as authorized by Revenue and Taxation Code
10 section 7285.9 and attached hereto as Exhibit A, as a measure before the voters at the November
11 4, 2014 general election. Such tax shall be a special tax, intended to Improve the Quality of Life
12 here in Yreka with the revenues of which shall only be used to fund 1) Business Stimulation, 2)
13 Advancing Culture, the Arts and Entertainment; and 3) Advancing Education and Youth
14 Activities in the City of Yreka and 4) reimburse the City of Yreka for its costs incurred in the
15 administration of this program.

16 WHEREAS, all funds from this local revenue measure are required to stay in Yreka to
17 improve our quality of life and stimulate business and cannot be taken by the State or county.
18 Fiscal accountability will be ensured by requiring independent citizens' oversight, mandatory
19 financial audits, and yearly reports to the community;

20 WHEREAS, the tax, if approved, would be imposed on the sale of tangible personal
21 property and the storage, use, or other consumption of such property. The tax revenue would be
22 collected by the State Board of Equalization and remitted to the City.

23 WHEREAS, the transactions and use tax to be submitted to the voters is a special tax that
24 may only be used for the purposes specified in the ordinance. It shall be approved if the measure
25 receives at least a two-thirds vote of city residents voting at the consolidated general election to
26 be held on November 4, 2014.

27 THE PEOPLE OF THE CITY OF YREKA DO ORDAIN AS FOLLOWS:

28 SECTION 1. Chapter 3.50 is hereby added to the Yreka Municipal Code to
29 read as follows:

30 "3.50.010. Title. This ordinance shall be known as the **City of Yreka Quality of Life**
31 **Transactions and Use Tax Ordinance.** The City of Yreka hereinafter shall be called "City."
32 This ordinance shall be applicable in the incorporated territory of the City.

33 3.50.020. Use of Tax Proceeds and Expenditure Plan. All proceeds of the tax levied and
34 imposed hereunder, net of City Reimbursement, shall be accounted for and paid into a special
35 Quality of Life Stimulus Fund or account designed for use by an independent nonprofit oversight
36 board only for 1) Advancing Culture, the Arts and Entertainment thereby stimulating business;
37 and/or 2) Advancing Education and Youth Activities in the City of Yreka thereby stimulating
38 business; and 3) Costs and expenses incurred to operate the independent nonprofit oversight
39 board together with the payment of its debt service, capital outlays, contract services, operating
40 expenses and personnel and benefit costs.

41 City Reimbursement means reimbursement to the City of Yreka for all its direct and
42 indirect costs expended towards preparation of this measure, election related costs,
43 administration of the Authority and for capital outlays, operating expenses and personnel and
44 benefit costs relating to the Authority and collection of the sales tax revenue.

45 The foregoing is intended to constitute an "expenditure plan" describing the specific
46 projects for which the revenues from the tax may be expended as required by Cal Revenue and
47 Taxation Code § 7285.91.

48 3.50.030. Composition, Duties and Responsibilities of the Quality of Life Stimulus
49 Authority.

50 A. The Quality of Life Stimulus Authority shall:

- 51 1. Be referred to the Quality of Life Stimulus Authority ("QOLSA" or
52 "Authority").
- 53 2. Be created by the City of Yreka as a nonprofit corporation for the purpose of
54 overseeing the expenditures of Sales Tax revenues, net of city expense
55 reimbursement, that is generated when this ordinance become operative.
- 56 3. Have the duty and responsibility to monitor, evaluate and take corrective
57 action relating to the performance of any and all contracts and grants
58 authorized by the Board.

- 59 4. Be deemed to be a “legislative body” within the definition of Cal Gov’t Code
60 § 54952(c)(1)(A). As such, it shall be subject to the Brown Act to the same
61 extent that a “legislative body” is subject to the Brown Act (Cal Gov’t Code §
62 54950, et seq.).
- 63 5. Be subject to the Public Records Act to the same extent that a “local agency”
64 is subject to the Public Records Act (Cal Gov’t Code § 6250 et seq.).
- 65 6. Be governed by the QOLSA Board of Directors (the “Board”)
- 66 7. Annually propose its budget to the Yreka City Council for approval. The City
67 Council shall have the discretion to modify the proposed budget and approve
68 its own version of the budget. The Board shall not make any appropriations
69 that do not conform with the approved budget.
- 70 8. Adopt an investment policy and the policy’s content and modification is
71 subject to the review and approval of the Yreka City Council.
- 72 9. Shall make report of its activities to the Yreka City Council not less than
73 annually. Additional reports may be made from time to time as the
74 circumstances require or as the City Council directs. Said reports shall
75 contain, but not be limited to, proposed plans and status of existing plans,
76 programs, contracts and such other subjects.
- 77 10. Have the City of Yreka’s Treasurer as the Authority’s Treasurer. The treasurer
78 is designated as the depository of the Authority to have custody of all the
79 money from whatever source, and as such to have the treasurer’s powers,
80 duties and responsibilities with respect thereto. With the consent of the City
81 Council, the treasurer’s powers, duties and responsibilities may be assigned to
82 a third party.
- 83 11. Have the same contract auditor that the City of Yreka engages from time to
84 time for its annual audit. The Authority shall be audited on an annual or
85 biannual basis as may be directed by the Yreka City Council.
- 86 12. Procure Officers & Directors, volunteers, employment practices, fidelity as
87 well as such other forms of insurance and bonds as the Board directs.
- 88 B. The Authority’s Governing Board shall:
- 89 1. Have a governing board consisting of five (5) members comprised of
90 residents or persons having businesses within the City of Yreka (the “Board”).

- 91 2. Of the members first appointed, three shall be appointed for terms of two
92 years and two for three years. Their successors shall be appointed for terms of
93 three years. In no case shall any Governing Board member serve more than
94 two terms. A member who is appointed to fill a partial term that is less than 2
95 years shall be allowed to serve for 2 full terms in addition to the time served
96 during the partial term.
- 97 3. Serve at the pleasure of the Yreka City Council whom shall have the
98 discretion to terminate any appointment of any Board member by majority
99 vote of the City Council without cause.
- 100 4. Serve without compensation, except that they shall be reimbursed for
101 authorized travel and other expenses directly related to the work of the
102 Authority.
- 103 5. Designate a President, Vice-President and Secretary.
- 104 6. Have the Secretary, or designee, keep minutes of each meeting and draft and
105 post the Authority's agenda. The minutes of the open session of all meetings
106 of the Board shall be kept by the Secretary and shall, as soon as possible after
107 each meeting, but in no case more than seven (7) days after such meeting,
108 forward draft minutes to each Board member, Yreka's City Manager and City
109 Clerk as well as the minutes that are approved by the Board.
- 110 7. Be prohibited from acting in any commercial activity directly or indirectly
111 involving the committee, such as being a consultant or vendor to the
112 committee during their tenure on the Board. Board members shall not have a
113 direct commercial interest or employment with any public or private entity
114 that receives sales tax funds authorized by the voters in this ordinance.

115 3.50.030. Operative date. "Operative Date" means the first day of the first calendar
116 quarter commencing more than 110 days after the adoption of this ordinance, the date of such
117 adoption being as set forth below.

118 3.50.040. Purpose. This ordinance is adopted to achieve the following, among other
119 purposes, and directs that the provisions hereof be interpreted in order to accomplish those
120 purposes:

- 121 A. To impose a retail transactions and use tax in accordance with the

122 provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and
123 Taxation Code and Section 7285.91 of Division 2 which authorizes the City to adopt this tax
124 ordinance which shall be operative if two-thirds of the electors voting on the measure vote to
125 approve the imposition of the tax at an election called for that purpose.

126 B. To adopt a retail transactions and use tax ordinance that incorporates
127 provisions identical to those of the Sales and Use Tax Law of the State of California
128 insofar as those provisions are not inconsistent with the requirements and limitations contained
129 in Part 1.6 of Division 2 of the Revenue and Taxation Code.

130 C. To adopt a retail transactions and use tax ordinance that imposes a tax and
131 provides a measure therefore that can be administered and collected by the State Board of
132 Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible
133 deviation from, the existing statutory and administrative procedures followed by the State Board of
134 Equalization in administering and collecting the California State Sales and Use Taxes.

135 D. To adopt a retail transactions and use tax ordinance that can be
136 administered in a manner that will be, to the greatest degree possible, consistent with the provisions
137 of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the
138 transactions and use taxes, and at the same time, minimize the burden of record keeping upon
139 persons subject to taxation under the provisions of this ordinance.

140 3.50.050. Contract with State. Prior to the operative date, the City shall contract with the
141 State Board of Equalization to perform all functions incident to the administration and operation of
142 this transactions and use tax ordinance; provided, that if the City shall not have contracted with the
143 State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such
144 a case the operative date shall be the first day of the first calendar quarter following the execution
145 of such a contract.

146 3.50.060. Transactions tax rate. For the privilege of selling tangible personal property at
147 retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the
148 rate of 0.25% of the gross receipts of any retailer from the sale of all tangible personal property
149 sold at retail in said territory on and after the Operative Date of this ordinance.

150 3.50.070. Place of sale. For the purposes of this ordinance, all retail sales are consummated
151 at the place of business of the retailer unless the tangible personal property sold is delivered by the
152 retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-
153 state destination. The gross receipts from such sales shall include delivery charges, when such
154 charges are subject to the state sales and use tax, regardless of the place to which delivery is made.
155 In the event a retailer has no permanent place of business in the State or has more than one place of
156 business, the place or places at which the retail sales are consummated shall be determined under
157 rules and regulations to be prescribed and adopted by the State Board of Equalization.

158 3.50.080. Use tax rate. An excise tax is hereby imposed on the storage, use or other
159 consumption in the City of tangible personal property purchased from any retailer on and after
160 the operative date of this ordinance for storage, use or other consumption in said territory at the
161 rate of 0.25% of the sales price of the property. The sales price shall include delivery charges
162 when such charges are subject to state sales or use tax regardless of the place to which delivery is
163 made.

164 3.50.090. Adoption of provisions of state law. Except as otherwise provided in this
165 chapter and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2
166 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section
167 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of
168 this ordinance as though fully set forth herein.

169 3.50.100. Limitations on adoption of State law and collection of use taxes. In adopting
170 the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

171 A. Wherever the State of California is named or referred to as the taxing agency,
172 the name of this City shall be substituted therefor. However, the substitution shall not be made
173 when:

174 1. The word "State" is used as a part of the title of the State Controller,
175 State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the
176 Constitution of the State of California;

177 2. The result of that substitution would require action to be taken by or
178 against this City or any agency, officer, or employee thereof rather than by or against the State

179 Board of Equalization, in performing the functions incident to the administration or operation of
180 this Ordinance.

181 3. In those sections, including, but not necessarily limited to sections
182 referring to the exterior boundaries of the State of California, where the result of the substitution
183 would be to:

184 a. Provide an exemption from this tax with respect to certain sales,
185 storage, use or other consumption of tangible personal property which would not otherwise be
186 exempt from this tax while such sales, storage, use or other consumption remain subject to tax by
187 the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

188 b. Impose this tax with respect to certain sales, storage, use or other
189 consumption of tangible personal property which would not be subject to tax by the state under
190 the said provision of that code.

191
192 4. In Sections 6701, 6702 (except in the last sentence thereof),
193 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

194 B. The word "City" shall be substituted for the word "State" in the phrase
195 "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in
196 Section 6203.

197 3.50.110. Permit not required. If a seller's permit has been issued to a retailer under
198 Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be
199 required by this chapter.

200 3.50.120. Exemptions and exclusions.

201 A. There shall be excluded from the measure of the transactions tax and the use
202 tax the amount of any sales tax or use tax imposed by the State of California or by any city, city
203 and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the
204 amount of any state-administered transactions or use tax.

205 B. There are exempted from the computation of the amount of transactions tax

206 the gross receipts from:

207 1. Sales of tangible personal property, other than fuel or petroleum
208 products, to operators of aircraft to be used or consumed principally outside the county in which
209 the sale is made and directly and exclusively in the use of such aircraft as common carriers of
210 persons or property under the authority of the laws of this State, the United States, or any foreign
211 government.

212 2. Sales of property to be used outside the City which is shipped to a point
213 outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his
214 agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the
215 purposes of this paragraph, delivery to a point outside the City shall be satisfied:

216 a. With respect to vehicles (other than commercial vehicles) subject
217 to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the
218 Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code,
219 and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the
220 Vehicle Code by registration to an out-of-City address and by a declaration under penalty of
221 perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of
222 residence; and

223 b. With respect to commercial vehicles, by registration to a place of
224 business out-of-City and declaration under penalty of perjury, signed by the buyer, that the
225 vehicle will be operated from that address.

226 3. The sale of tangible personal property if the seller is obligated to
227 furnish the property for a fixed price pursuant to a contract entered into prior to the operative
228 date of this ordinance.

229
230 4. A lease of tangible personal property which is a continuing sale of
231 such property, for any period of time for which the lessor is obligated to lease the property for an
232 amount fixed by the lease prior to the operative date of this ordinance.

233 5. For the purposes of subparagraphs (3) and (4) of this section, the sale
234 or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract

235 or lease for any period of time for which any party to the contract or lease has the unconditional
236 right to terminate the contract or lease upon notice, whether or not such right is exercised.

237 C. There are exempted from the use tax imposed by this ordinance, the storage,
238 use or other consumption in this City of tangible personal property:

239 1. The gross receipts from the sale of which have been subject to a
240 transactions tax under any state-administered transactions and use tax ordinance.

241 2. Other than fuel or petroleum products purchased by operators of
242 aircraft and used or consumed by such operators directly and exclusively in the use of such
243 aircraft as common carriers of persons or property for hire or compensation under a certificate of
244 public convenience and necessity issued pursuant to the laws of this State, the United States, or
245 any foreign government. This exemption is in addition to the exemptions provided in Sections
246 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

247 3. If the purchaser is obligated to purchase the property for a fixed
248 price pursuant to a contract entered into prior to the operative date of this ordinance.

249 4. If the possession of, or the exercise of any right or power over, the
250 tangible personal property arises under a lease which is a continuing purchase of such property
251 for any period of time for which the lessee is obligated to lease the property for an amount fixed
252 by a lease prior to the operative date of this ordinance.

253 5. For the purposes of subparagraphs (3) and (4) of this section, storage,
254 use, or other consumption, or possession of, or exercise of any right or power over, tangible
255 personal property shall be deemed not to be obligated pursuant to a contract or lease for any
256 period of time for which any party to the contract or lease has the unconditional right to
257 terminate the contract or lease upon notice, whether or not such right is exercised.

258 6. Except as provided in subparagraph (7), a retailer engaged in business
259 in the City shall not be required to collect use tax from the purchaser of tangible personal
260 property, unless the retailer ships or delivers the property into the City or participates within the
261 City in making the sale of the property, including, but not limited to, soliciting or receiving the
262 order, either directly or indirectly, at a place of business of the retailer in the City or through any

263 representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of
264 the retailer.

265 7. "A retailer engaged in business in the City" shall also include any
266 retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing
267 with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section
268 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5
269 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use
270 tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the
271 City.

272 D. Any person subject to use tax under this ordinance may credit against that
273 tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or
274 retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and
275 Taxation Code with respect to the sale to the person of the property the storage, use or other
276 consumption of which is subject to the use tax.

277 3.50.130. Amendments. All amendments subsequent to the effective date of this chapter
278 to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and
279 which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation
280 Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation
281 Code, shall automatically become a part of this chapter, provided however, that no such
282 amendment shall operate so as to affect the rate of tax imposed by this chapter.

283 3.50.140. Enjoining collection forbidden. No injunction or writ of mandate or other legal
284 or equitable process shall issue in any suit, action or proceeding in any court against the State or
285 the City, or against any officer of the State or the City, to prevent or enjoin the collection under
286 this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any
287 amount of tax required to be collected.

288 SECTION 2. Mandatory Duty Savings Clause. By the use of such words as "shall" and
289 "must" herein the City Council does not intend to create a mandatory duty upon the city. In
290 imposing duties in this ordinance the City is assuming an undertaking only to promote the
291 general welfare. It is not assuming, nor is it imposing on its officers and employees, an

292 obligation for breach of which it is liable in money damages to any person who claims that such
293 breach proximately caused injury.

294 SECTION 3. Independent Organization. This ordinance is not intended to be a joint
295 exercise of powers agreement. The creation of the Authority shall not create Joint Powers
296 between QOLSA and the City of Yreka. Although the Authority is classified as a legislative
297 body due to the manner of its formation, it is not a public entity. Sharing of tort liability as
298 defined by Gov't Code § 985.2 is not contemplated and each party assumes full liability imposed
299 upon it or upon any of its officers, agents, or employees by law, for injury caused by a gross
300 negligent or wrongful act or omission occurring in the performance of their respective duties to
301 the same extent that such liability would be imposed in the absence of Section 895.2 of said
302 Code.

303 SECTION 4. Severability. If any section, subsection, part, clause, sentence or phrase of
304 this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional
305 by a decision of any court of competent jurisdiction, the validity of the remaining portions of this
306 Ordinance, the application thereof, shall not be effected thereby but shall remain in full force and
307 effect, it being the intention of the City Council to adopt each and every section, subsection, part,
308 clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence
309 or phrase or the application thereof is held to be invalid or unconstitutional.

310
311 SECTION 5. Effective Date. This ordinance shall take effect thirty days after its final
312 adoption by the Yreka City Council by a two-thirds vote, or upon adoption by a two-thirds vote
313 of the electorate of the ballot measure described in Section IV of the Yreka City Council
314 Resolution, whichever date is later, provided that the ordinance shall only take effect if Quality
315 of Life Stimulus measure is approved by both the Yreka City Council and the electorate.

316 SECTION 6. Sunset Date. This ordinance shall expire six (6) years from its Operative
317 Date unless otherwise extended by voter approval.

318 SECTION 8. Implementing Ordinances. Upon approval of this measure by the
319 voters, the City of Yreka shall, in addition to the local rules required to be provided pursuant
320 to this ordinance, adopt implementing ordinances and rules and take such other actions as
321 may be necessary and appropriate to carry out its responsibilities.

322 SECTION 9. Publication. Within 15 days of its passage, this ordinance shall be
323 published with the names of the Councilmembers voting for and against the same in a newspaper
324 of general circulation in the County of Siskiyou. The publication shall include the votes of the
325 City Council members voting to place this ordinance on the ballot.

326 SECTION 10. Codification. The City Clerk is directed and authorized to instruct the
327 publisher of the City of Yreka Municipal Code that codification of this Ordinance is limited to
328 Section 1.

329 SECTION 11. Execution. The Mayor and City Clerk are authorized to subscribe this
330 ordinance where indicated below to evidence its approval by the voters of the City.

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David Simmen, Mayor

ATTEST:

Liz Casson, City Clerk

Exhibit "A"
To Ordinance of the City of Yreka Imposing a Local
Transactions and Use Tax to improve the
Quality of Life in Yreka

California Revenue and Taxation Code Section 7285.9:

The governing body of any city may levy, increase, or extend a transactions and use tax for general purposes at a rate of 0.125 percent or a multiple thereof, if the ordinance proposing that tax is approved by a two-thirds vote of all members of that governing body and the tax is approved by a majority vote of the qualified voters of the city voting in an election on the issue. The governing body may levy, increase, or extend more than one transaction and use tax under this section, if the adoption of each tax is in the manner prescribed in this section. The transactions and use tax shall conform to Part 1.6 (commencing with Section 7251).

*Key Dates For Local Offices
November 4, 2014 General Election
Prepared by: Colleen Setzer, Siskiyou County Clerk*

Note: "E-" refers to the number of days before the election.

<i>Date 2014</i>	<i>Activity</i>
July 2 E-125	Deadline for each jurisdiction to submit a resolution calling the election and requesting consolidation with the Statewide General Election. Resolutions must be submitted to the County Clerk's Office and Siskiyou County Board of Supervisors.
Jul 14 – Aug 8 E-113 to E-88	Candidate filing period. During this time period, candidates for local offices must file a Declaration of Candidacy and other required paperwork with the County Clerk's Office.
Jul 14 E-113	Deadline for local jurisdictions to submit a resolution to place a local measure on the ballot. Resolution must be submitted to the County Clerk's Office.
Aug 14 E-82	Randomized alpha draw to determine the order in which candidate names for each office will be printed on the ballot.
Sep 8 – Oct 21 E-57 to E-14	Write-In Candidate filing period. Write-in candidates for local offices must file a Declaration of Write-In Candidacy and other required paperwork with the County Clerk's Office.
Sep 5 – Sep 20 E-60 to E-45	Time frame for the County Clerk's Office to deliver ballots to military voters, their dependents, and US citizens residing outside the US.
Sep 25 – Oct 14 E-40 to E-21	Time frame to mail out county sample ballot booklets.
Oct 6 – Oct 28 E-29 to E-7	Vote-by-mail ballots can be requested and mailed during this time period.
Week Oct 6	Siskiyou County Clerk's Office will begin mailing vote-by-mail ballots.
Oct 20 E-15	Last day to register to vote for the election.
Oct 29 – Nov 4 E-6 to E-0	Vote-by-Mail ballots available in the County Clerk's Office only.
Oct 28 – Nov 3 E-7 to E-1	County Clerk's Office will process returned vote-by-mail ballots.
Nov 4 E-0	Election Day. Polls are open from 7 a.m. - 8 p.m. Vote-by-mail ballots must be turned into the Clerk's Office or to a polling place no later than 8 p.m. Election Results will be available after 8:15pm at www.sisqvotes.org
Nov 6 E+2	Official Canvass begins.
Dec 2 E+28	Last day to certify local election results.

STATEMENT OF REASONS

In an effort to fund and support the organizations that improve and implement the quality of life in Yreka and to do this in such a way that it also stimulates our business community to enrich and create vitality in the City of Yreka, we undertake the task of creating and proposing a "Quality of Life Stimulus Measure".

We believe that the community leaders who give of themselves, volunteering a portion of their lives by advancing their passion, is one of the greatest strengths of Yreka. Whether it is the dedication to improving a ball field for our youth or bringing to our City new forms of entertainment and culture we applaud the efforts of these groups and individuals. Now it is time to provide adequate funding and support for their effort.

In addition to this, we also understand that without jobs, commerce and industry we would not have the money or vitality to enjoy all of the amenities that are provided to us. We therefore propose as an action to the funding of our Nonprofits, that this funding be structured to filter through into the business sectors of Yreka; encouraging entrepreneurship, employment and investment in our downtown and regional centers.

By increasing the quality of life for ourselves and our children we make Yreka a better place to live; a place where others would also want to live. This increase in quality creates long term prosperity; as a result, there will be additional house construction, rental units full to capacity and owners upgrading and improving their properties. By hosting events and attractions, we "invite" guests to come to our City and enjoy the qualities we have to offer. These events bring money and business activity into our community. Business must be proactive in its desire to benefit from this population increase, by being aware of the activity and giving our guests every opportunity to take advantage of their products and services.

The economy is seeing signs of a rebound with new commercial business activity; let's take advantage of this energy. It is hard to have great accomplishments without hard work and taking some risks, we have to be willing to do both.

This is our chance to create positive change for Yreka. We're inviting you to join us in enriching Yreka and the lives of the people who call it home; bringing back the "golden days" of vitality and excitement. Let's pass this Measure!

QUALITY OF LIFE STIMULUS MEASURE
(INFORMATION ABOUT THE TAX INCREASE)

Create a sales tax increase of a quarter of one cent. (.25%)

Six year expiration date

Math:

There are 3,181 households¹ in the City of Yreka (including apartments). These households earn a median income² of \$31,054 annually. The amount of this income that is spent on taxable items, excluding groceries and medical supplies, is 23%³. This tells us that each household in the City of Yreka contributes \$7,142 (\$31,054 times .23%). If we increase this contribution by .25%, the amount of the tax increase would be \$17.86 (\$7142 times .0025) per household annually. The tax increase contribution for all households in Yreka would be \$56,813 annually. The City of Yreka has annual revenues of \$1,809,268⁴ from sales tax; if we increased this number by the quarter cent tax increase (\$1,809,268 times .25) we get an increase in revenue from this measure of \$452,317 and the great thing about this is that Yreka Taxpayers are only paying \$56,813 of this increase. This means that most of the money paid for the sales tax increase comes from people who live outside of Yreka, our neighbors, or people who shop and by gas passing through our City. The Yreka Taxpayers pay only 12% of the tax increase (\$56,813 divided by \$452,317). For every one dollar that we put into the pot, outside sources put in eight dollars; this makes for a pretty good investment.

Tax Rate by Year, 2015 (7.75%), 2016 (7.75%), 2017 (7.5%)⁵, 2018-2021 (7.5%), 2022 (7.25%)⁶, in six years, we help balance the California budget and invest almost three million dollars into the Yreka economy; because both the State sales tax and the Quality of life taxes will expire we end up with a lower sales tax in the end.

Other Communities tax rate, the California State average for sales tax is 8.4%. Mt. Shasta is at 7.75% and Weed has on the November ballot a measure to raise theirs to 7.75%, Williams 8%, Arcata 8.25%, Trinidad 8.25%, Clearlake 8% and Lakeport 8%.

¹ Department of Commerce, U.S. Census Bureau

² Department of Commerce, U.S. Census Bureau

³ California State Board of Equalization

⁴ City of Yreka

⁵ Expiration of the State of California Sales Tax Initiative

⁶ Expiration of the Quality of Life Stimulus Measure



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E-mail: lnixonlaw@gmail.com



June 4, 2014

Yreka City Council
701 Fourth Street
Yreka, California 96097

Re: Quality of Life Stimulus Ordinance

Dear Members of the Yreka City Council:

I am writing to you in my capacity as President of the Yreka Chapter of the Women In Business Network ("WIBN"), a tax-exempt nonprofit business league made up of Yreka women business entrepreneurs and professionals. This letter is to express WIBN's support **in favor** of the Quality of Life Stimulus Ordinance (the "QLSO") to come before the City Council at its June 19, 2014, meeting and later before Yreka voters on the November ballot.

WIBN believes that increased quality of life generates increased business activity and economic prosperity, and vice versa, for all citizens. We believe the dedicated funds generated by the QLSO, as administered by the QLSO Board through our local nonprofit organizations in accordance with the objectives and procedures set forth in the QLSO, represent an exceptionally innovative and promising method of achieving business stimulation, and advancing culture, arts, entertainment, and youth education and activities for our community.

In addition to the broader public benefit of the QLSO, WIBN members perceive personal benefit from two perspectives. First, as members of a local nonprofit organization, we would contemplate submitting an application to host a large business expo in Yreka. It would be a similar but widely expanded version of the smaller ones we have conducted in the past, with regionally based speakers on salient business topics relevant to northern California and southern Oregon businesses. Such an event would bring enhanced revenue to local hotels, restaurants, shops, and recreation venues.

Second, as individual business owners and business professionals, we will heartily welcome the increased revenues from visitors who come to Yreka to experience the events and projects enabled with the special QLSO funds.

We urge you approve the QLSO for the November ballot. Thank you in advance for your consideration.

Very truly yours,

Yreka Chapter – Women In Business Network

By: 

Lisa L. Nixon, President

Yreka City Council

I support the quality of life stimulus initiative.

Regards,
Nancy Bacon

Please include in the Council Members packet of information if possible:

I would like to personally support the upcoming Quality of Life Stimulus Measure! I believe this could be a very positive move on the part of Yreka, and hope that the Council will support this issue and place it on the November ballot.

Thank you very much,

Claudia East

June 12, 2014

Yreka City Council
City Hall,
Yreka, CA 96097

Dear Yreka City Council:

On June 19th, we favor a "Yes" vote by the Council for the Quality of Life Stimulus Measure for the November ballot. At least it is a try to help nonprofits with the hope of stimulating the economy. The majority of the funds gained by the ¼% sales tax, if passed, will come from money spent in Yreka from visitors.

Sincerely yours,

Domenic and Joan Favero
824 Knapp Street
Yreka, CA 96097

Att: City Council of Yreka, CA

Dear Council members, I am writing in support of placing the "Quality of Life Stimulus Initiative" on the November ballot. Your vote is critical in supporting this project which will contribute to the many groups that benefit Yreka. I have worked for three non profits in the area and have seen close hand how inconsistent funding can derail the most deserving projects. Funding based on project efficacy rather than just throwing money at a situation allows for more local control and demands responsibility to local oversight. This is an important opportunity for Yreka and I ask for your support.

thank you,

Peter LaFortune

to Chief of Police - Brian B 5/10/14

I wrote to Don & Sam
Mayor on the increase of $\frac{1}{4}\%$ sales
tax - I'm for $\frac{1}{2}\%$ increase
it $\frac{1}{4}\%$ is for the Fire + Police
depts - Without Police + Fire protection
how is the City going to be better
Yes we have a number of problems
but I do not want to see our
Police + Volunteer Fire Dept.
struggle - Sincerely Don & Tom Callison



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Rhetta Hogan, Finance Director 
Agenda title: Brief discussion of the City of Yreka's 2014-2016 Biannual Budget
Meeting date: June 19, 2014

Discussion:

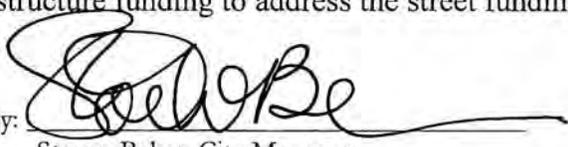
City staff is pleased to briefly discuss and distribute this evening to the Council and citizens the 2014-16 Draft Biannual Budget (available <http://ci.yreka.ca.us/city-government/finance>). Staff is recommending setting a time and date for a workshop to answer questions and discuss further detail the budget with the City Council prior to its adoption at the next regular scheduled Council meeting on July 17, 2014.

General operating fund revenues from taxes and fees are expected to increase in both 2014-15, and in 2015-16 from the 2013-14 operating budget. Expenses however, are anticipated to increase at a slightly faster pace than those revenues in 2014-2015, but balance out in 2015-16 assuming sales and property tax growth projections hold firm. The general operating fund makes use of \$36,887 from the budget stabilization fund in 2014-15, however it is expected to repay back \$15,732 in 2015-2016.

General capital outlay funds contemplate the remodeling of the new police station in 2014-15, and using one time revenues from SCORE and other sources for capital outlay of equipment and vehicles.

Crandall and Stewart donated funds expenditures cover the community theatre siding project and assume continued allocations through the mini grant project for Miner Street improvements.

Road and street funds are expected to deplete projected street fund reserves by the end of 2014-15. It is unknown, and not projected, whether any additional funding from the local transportation fund will be made to local cities for streets funding in 2014-15 and 2015-16. The streets budget in 2015-16, has a shortfall of \$217,812 that will need to come from other available reserve funds. The City will be working with the City Council on infrastructure funding to address the street funding gap.

Approved by: 

Steven Baker, City Manager

Special revenue funds are on track for landfill access and the fire tax special assessment for debt servicing and capital reserves. Development fees remain subsidized at the 50% discounted level.

The water and wastewater enterprise funds revenues are projected flat, as the water and wastewater rate study presented in June 20, 2013, was not accepted. At that time Council requested a suspension on any further rate increases for these utilities. No rate increases are incorporated into the budget, whereas expenses have been budgeted to meet the operating, debt servicing and capital outlay required. The contribution to reserves continues however the reserves are not growing at the targeted level of major infrastructure replacement project, e.g. tank replacement costs.

Recommendation and Requested Action:

Brief discussion of the City of Yreka's 2014-2016 biannual budget and setting a time and date for a workshop to answer questions and discuss further details of the budget with the City Council prior to the next regular scheduled Council meeting on July 17, 2014.

MEMORANDUM

CITY OF YREKA



To: City Council
From: BJ Laustalot, Fire Chief
Re: Recruitment and Recommendation Checklist for Appointment of Candidate,
Name: Trish Schaefer
Date: 6-10-14 PATRICIA SCHAEFER

I certify this candidate has completed all of the following steps in connection with their application.

- Chief Memo regarding Application process
- Candidate Application

- Background Investigation (prior to Fire Department approval)
 - City of Yreka External Background check form
 - Authorization to Procure and Election to Receive/Not Receive Copy of Consumer Report
 - Certification to Consumer Credit Agency (*Fire Chief signs*)
 - City of Yreka Internal Background check form
 - DMV driver record information and report

- Health and Safety Screening (prior to City Council appointment)
 - Essential Functions and Work Conditions of Firefighter
 - Certificate of Physician (*Physician signs*)
 - Health Screen Questionnaire
 - OSHA Respirator Questionnaire
 - Candidate's Release for Pre-Appointment Agility Test (*Fire Chief also signs*)
 - Fire Chief Certification of Candidate Agility Test (*Fire Chief signs*)
 - Live Scan Fingerprint Screening
 - Drug Screening (*Fire Chief notes date and time, and also signs*)
 - Department Recommendation of Appointment and Approval (*Fire Chief signs before scheduling City Council appointment*)

I recommend that the City Council approve the appointment of this candidate to the Yreka Volunteer Fire Department:



BJ Laustalot, Fire Chief