

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON MAY 5, 2016

On the 5TH day of May 2016, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Deborah Baird, Bryan Foster, Joan Smith Freeman, John Mercier and David Simmen Absent - None.

Mayor Mercier announced that the closed session has been pulled from the agenda.

Consent Calendar: Mayor Mercier 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 April 21, 2016.
- b. Approval/ratification of payments issued from April 22 through May 5, 2016.
- c. Adopt Resolution approving requests associated with the Siskiyou County Law Enforcement and Veterans Memorial Association event to be held on Saturday July 9, 2016 known as the "Hot Rods for Heroes" car and motorcycle show.

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

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

Mayor Mercier thereupon declared the motion carried.

Workshop: Discussion/Direction to Staff: Regulation of Marijuana Cultivation.

City Manager Steve Baker reported that the City Council has discussed the regulation of medical marijuana a number of times over the last six months as new legislation passed by the State of California, among other things, clarified the City's ability to regulate marijuana.

The new legislation sets up a state regulatory structure that will be and timelines for creating various regulations and licensing requirements. These are expected to evolve over the next two years. In addition, the Siskiyou County adopted more restrictive regulations regarding the cultivation of medical marijuana in the unincorporated areas of the County. These actions are the subject of a referendum on the June 2016 ballot and therefore have not yet gone into effect. If the County's proposed regulations that ban outdoor cultivation are upheld by the voters, there could be greater probability that outdoor marijuana grows could occur in the City limits.

There are also various initiatives proposed for the November 2016 ballot that if enough signatures are received and the initiative(s) approved by California voter, would allow the recreational use of marijuana.

In short, the landscape for regulating marijuana has changed and will change in the future, perhaps dramatically.

Staff believes that the most critical need at this point is to determine the City's regulation of marijuana cultivation. Staff previously drafted alternative ordinances to regulate indoor and outdoor cultivation of marijuana; however, when state law was changed to eliminate a deadline for initiating local regulation of marijuana cultivation, consideration of those ordinances was tabled. The Council subsequently held a workshop about marijuana regulation in general.

The major decisions that need to be made regarding cultivation are:

1. Whether to allow outdoor cultivation, and if allowed, what limits on the number of plants or square footage of cultivation.
2. Whether to allow indoor cultivation, and if allowed, what limits on the number of plants or square footage of cultivation.
3. The regulatory structure, including appeals and penalties for violating the limits set for items 1 or 2 above.

One other issue that is on the horizon is distribution of medical marijuana. Deliveries are allowed unless they are expressly prohibited by local ordinance. The City may adopt such an ordinance with the exception that be cannot prohibit a delivery service from passing through Yreka to a delivery location outside its boundaries.

The format for this agenda item is a workshop, followed by Council discussion. Staff is requesting that City Council, after the workshop, provide broad direction on the development of an ordinance that would regulate cultivation in the city limits. Using the existing draft ordinances as a template, Council may also want to address any specific concerns with the language in those ordinances

Following Council discussion, it was the consensus of the Council to direct the City Manager to prepare an Ordinance prohibiting all cultivation of marijuana within the City Limits.

Discussion/Direction to Staff: Limiting the Sale of City of Yreka Water – Councilmember Freeman.

Councilmember Freeman discussed the concept of limiting bulk water sales from the water dispenser located at 195 Greenhorn Road, to only households within the greater Yreka area investigating a token process at City Hall upon proof of address.

Following Council discussion, it was the consensus of the Council to direct the City Manager to explore the options and to report back to Council at a later meeting.

Discussion/Direction to Staff: Yreka Police Building – Councilmember Simmen and Mayor Mercier.

Mayor Mercier and Councilmember Simmen presented the Council with an alternative option for the Yreka Police Station, which proposes to build a new structure utilizing the “design build” concept, on City owned property located on Moonlit Oaks with a total budget of approximately \$3,400,000.00.

Councilmember Simmen stated that this concept could be funded by a sales tax measure to be placed on the November ballot adding a ¼% sales tax that would sunset in 5 years, use of 50% of the Crandall Funds, and use of the proceeds from the sale of the property on Fairlane Road. Councilmember Simmen further stated that the Yreka Police Station Tax Measure would probably only be viable if the current Siskiyou County Tax Measure for the Jail is defeated on June 7.

Following Council discussion, it was the consensus of the Council to table this matter until after the June 7, election.

City Treasurer’s Report: Discussion/Possible Action – Acceptance of:

- a) Cash Balances Report – March 2016
- b) Quarterly Treasurer’s Investment Report – 3rd Quarter Fiscal Year 2015/2016
- c) Budget of Revenue and Expenditures with Year to Date Actuals through March 2016
- d) Quarterly Fiscal Performance Report – 2nd Quarter Fiscal Year 2015/2016

Following Council discussion, Councilmember Simmen moved to accept the Treasurer’s reports as submitted.

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

Mayor Mercier thereupon declared the motion carried.

Mayor Mercier stated that he would like to take this time to note the passing of Former Director of Public Works, LeRoy Manley, who gave 24 years of dedicated service to the City of Yreka and our community.

Councilmember Simmen stated the he would like to see a plaque placed at the spillway bridge in Greenhorn Park in recognition of LeRoy Manley’s dedicated service to the City.

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

Attest:

John Mercier, Mayor
Minutes approved by Council
Motion May 19, 2016

Elizabeth E. Casson, City Clerk