

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON APRIL 16, 2020

On the 16TH day of April 2020, the City Council of the City of Yreka met in regular session, and upon roll call, the following were present: Deborah Baird, Joan Smith Freeman, Duane Kegg, Paul McCoy, and Norman Shaskey. Absent - None.

Mayor Freeman announced for the record: "It is 630 pm and I would like to make clear for the record of this meeting that this City Council meeting is being conducted pursuant to Governor Newsome's order N-33-20 via Webex and teleconference.

If a member of the public wishes to comment during either the general public comment or to comment on a specific agenda item, they may do so when requested at the appropriate time on the agenda, which I will announce. Comments will be limited to 3 minutes."

Consent Calendar: Mayor Freeman announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval/ratification of payments issued from April 3 through April 16, 2020.
- b. Approval of Minutes of the meeting held April 2, 2020.

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

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

Acceptance of the City of Yreka's Audited Financial Statement Fiscal Year 2018-2019.

The Council received a Memorandum from Finance Director Rhetta Hogan reporting that the Audit Debt and Investment Committee met March 26, 2020 to review the City's 2018-2019 audited financial statements prepared by Smith and Newell.

Highlights from the report state no significant audit findings. There were no findings in the auditor's report for compliance for the City's federal grant awards in the Schedule of Expenditures for Federal Awards through June 30, 2019. The single audit is required when federal expenditures exceed \$750,000, for federal grant awards. The City had \$2,453,452 in federal award expenditures in 2018-2019.

Following Council discussion, Councilmember Shaskey moved to accept the City's Audited Financial Statement for Fiscal Year 2018-2019 as submitted.

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

Adopt Resolution adopting a list of projects for Fiscal Year 2020-2021 Funded by SB1, The Road Repair and Accountability Act.

The Council received a memorandum from Public Works Director Matthew Bray reporting that Senate Bill 1 known as SB1, the Road Repair and Accountability Act of 2017 was passed by the State Legislature and signed into law by the Governor in April of 2017 in order to address the significant multi-modal transportation funding shortfalls statewide. The 2018 California Statewide Local Streets and Roads Needs Assessment found that the local streets and roads in Siskiyou County are, on average, in an “at-risk” condition.

The City has been allocated an estimated \$146,656 in Road Maintenance and Rehabilitation funds for fiscal year 2020-21. In order to accept these funds and fulfill accountability and transparency provision of SB1, a Resolution listing the potential projects is required before the list is submitted. Staff has created one project, the 2020 Strategic Paving, Preventive and Planning project to encompass the City’s priorities for the funds. This project will involve continuing to chip-seal various City streets with the goal of improving and maintaining as many City streets as possible in a “good” condition.

Following Council discussion, Councilmember McCoy moved to adopt the Resolution as submitted, “knowing that the plan may change”.

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

Authorize a Support Letter regarding SB 1169-School Threats.

The Council received a memorandum from Chief of Police David Gamache reporting that he has worked with other law enforcement agencies to help draft a bill that would deal with school threats made by email. This issue came up locally and has also impacted other agencies. Senator Brian Dahle has introduced such a bill. The official summary of the bill follows:

Existing law makes it a crime to willfully threaten to commit a crime that will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat and which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for own safety or for immediate family’s safety. Under existing law, this crime is punishable by imprisonment in a county jail for no more than one year for a misdemeanor, or by imprisonment in state prison for a felony.

This bill would make a person who, by any means, including, but not limited to, by means of an electronic act, willfully threatens unlawful violence to another person to occur upon the grounds of a school, as defined, with specific intent and under certain circumstances, and that threat creates a disruption at the school, guilty of a misdemeanor or felony punishable by imprisonment in a county jail for a specified term.

Following Council discussion, Councilmember McCoy moved to authorize the Mayor to execute the Support letter regarding SB 1169 as submitted.

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

Coronavirus Update : Discussion/Possible Action: Review and Continuation of Urgency Ordinance # 855 adopted 4-2-2020, Declaring a Local Emergency, and Authorizing the Participation in State and Federal Assistance Programs and the Temporary Waiver of: Equipment and Supplies Procurement Requirements, Utility Billing Practices, Human Resources Related Practices Which Are Each Deemed to be Arising From the Incidence of the Pandemic Relating to the Novel Coronavirus (Covid-19), and Setting Forth the Facts Constituting Such Urgency and Finding the Ordinance Exempt From CEQA Review.

Following Council discussion, it was the consensus of the Council that the findings contained in Ordinance 855 remain valid and that the public safety, health, and welfare justify its continuance for further review and consideration at its next regular session.

CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed, as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported to the City Clerk that the Closed Session was continued until Wednesday April 22, 2020 at 6:30 p.m. and due to the confidential teleconference used for the closed session, he was unable to report out to the public.

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

MINUTES OF THE CLOSED SESSION OF THE CITY COUNCIL OF THE CITY OF YREKA CONTINUED FROM APRIL 16, 2020 TO WEDNESDAY APRIL 22, 2020

On the 23RD day of April 2020, the City Council of the City of Yreka met to continue the Closed Session held on April 16, 2020, and upon roll call, the following were present: Deborah Baird, Joan Smith Freeman, Duane Kegg, Paul McCoy, and Norman Shaskey. Absent - None.

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 – 1 - The names of the parties are not disclosed, as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported that on motion of Councilmember McCoy, seconded by Mayor Pro-Tempore Kegg, if in the event that the City of Yreka and the California Department of Fish and Wildlife are not able to reach a stipulation for the allocation of Fall Creek Water, by May 5, 2020, the City Council authorizes submission of a Petition of Reconsideration of the State Water Board EIR. On a roll call vote, the motion passed unanimously.

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

Attest:

Joan Smith Freeman, Mayor
Minutes approved by Council
Motion May 7, 2020

Elizabeth E. Casson, City Clerk