

Corey Middleton, Mayor
Paul McCoy, Mayor Pro tempore
Colleen Baker, Councilmember
Drake Davis, Councilmember
Duane Kegg, Councilmember



Jason Ledbetter, City Manager
Rhetta Hogan, Asst. City Manager and Clerk
Emily Aldrich, Finance Director
Matthew Bray, Public Works Director
John Elsnab, Human Resources Director
Mark Gilman, Police Chief
Dohn Henion, City Attorney
Jerry Lemos, Fire Chief
Juliana Lucchesi, Planning Director

YREKA CITY COUNCIL MEETING MINUTES

March 21, 2023

Closed Session 5:30 PM

Regular Session: 6:30 PM

Yreka City Council Chamber, 701 Fourth Street, Yreka, CA

Phone 530-841-2386, Facsimile 530-842-4836, email: cityclerk@ci.yreka.ca.us

Regular Meetings of the Yreka City Council are held the 1st and 3rd Tuesday of every month.
The full agenda packet can be found on the City's website: www.ci.yreka.ca.us/AgendaCenter

1. 5:30PM CALL TO ORDER:

Mayor Middleton called the meeting to order at 5:30PM. Councilmembers Baker, Davis, Kegg, McCoy and Middleton were present.

2. PUBLIC COMMENT ON CLOSED SESSION:

There were none.

3. CLOSED SESSION:

The City Council will recess to Closed Session to discuss the following item(s). At the conclusion of the Closed Session, Open Session will reconvene and reportable action, if any, will be announced:

a. **Conference with Legal Counsel – Anticipated Litigation (§ 54956.9)**

Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – One (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).

Councilmember Davis voluntarily recused himself from closed session at 5:40PM.

City Council gave direction for settlement authority to City's legal representatives pursuant to the written agreement for settlement in a civil administrative matter.

MOTIONED: Councilmember Kegg

SECONDED: Councilmember Baker

AYES: Councilmembers Baker, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0-

4. 6:30PM CALL TO ORDER REGULAR SESSION AND PLEDGE OF ALLEGIANCE:

The regular meeting was called to order at 6:30PM, Councilmembers Baker, Davis, Kegg, McCoy and Middleton were present.

5. SPECIAL PRESENTATIONS AND/OR ANNOUNCEMENTS:

This time slot is for informational presentations, appointments, or awards to be presented by the City Council or to the City Council.

Recognition of Lt. Ray Boutin and the Shop with a COP program

6. PUBLIC COMMENTS:

Public participation is welcomed and invited at all City Council meetings. This time is set aside for residents to address the City Council on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda. If your comments concern an item noted on the Regular Agenda, please address the Council when that item is open for public comment.

The City requests that persons addressing the City Council refrain from making personal, slanderous, profane, or disruptive remarks.

Councilmembers, when recognized by the Mayor, may ask questions of presenter but no action may be taken by the City Council during the public comment section of the meeting. Under the Brown Act, the City Council is prohibited from discussing or taking action on any item not listed on the posted agenda.

This time is set aside for residents to address the City Council on matters listed on the Consent Agenda as well as other items not included on the Regular Agenda. If your comments concern an item noted on the Regular Agenda, please address the Council when that item is open for public comment.

- Please speak into the microphone from the podium. The podium electronically adjusts up and down to accommodate speaker. *(Should you need an additional special accommodation, e.g., remote microphone, please notice the City Clerk prior to the start of meeting for arrangements).*
- Please state your name for the record prior to providing your comments.
- Please address the Council as a whole.
- If you have documents to present, please provide a minimum of seven (7) copies.
- Please limit your remarks to five (5) minutes.

Public comments period is **not** intended to be a “Question and Answer” period or conversations with the Council or City staff.

Public comment Tad White, Mark Atwood, Louise Gliatto, and Jerry Stacher.

7. PUBLIC COMMENT FOLLOW-UP:

This is the time for City Council or the City Manager to respond to public comments and may direct staff to prepare a report or place an item on a future agenda.

Councilmember Kegg asked for future agenda item where he be allowed to share information on community efforts with the Continuum of Care and Homeless Coalition, and what the future holds for helping out the Homeless community.

8. CONSENT AGENDA:

All matters listed under the consent agenda are considered routine and non-controversial and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion,

- a. Approval/ratification of payments issued from February 27, 2023, through March 12, 2023.
- b. Approval of Minutes of the Regular Meeting held March 7, 2023.
- c. Approval of Minutes of the Special Meeting held March 10, 2023.
- d. Cash Balances, Budget to Actual and Fiscal Performance Reports for February 2023.
- e. Continuation of Urgency Ordinance #864: Fireworks.
- f. Waive Full Text Reading of All Ordinances on the Agenda. Ordinances shall be introduced and adopted by title only.

Recommended City Council Action: Motion to Adopt the Consent Agenda of the City Council of the City of Yreka as presented.

There was no public comment.

Motion to Adopt the Consent Agenda of the City Council of the City of Yreka as corrected for the minutes of March 7, 2023, where Councilmember Baker was typed as Councilmember Baird on a motion.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Kegg

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0

Council agenda 11.b. was presented after the 8.a.-e. Consent Agenda. The City Council resumed the meeting back to old business 9.a.

9. OLD BUSINESS

City Manager

- a. **Agenda Title:** Support State Legislation to Revise the Boundaries of the Sierra Nevada Conservancy Region to include all Areas and Watersheds of Siskiyou and Modoc Counties.

Recommended City Council Action: Motion to Adopt Resolution 2023-12 to Support State Legislation to Revise the Boundaries of the Sierra Nevada Conservancy Region to include all Areas and Watersheds of Siskiyou and Modoc Counties.

There was no public comment.

Motion to Adopt Resolution 2023-12 to Support State Legislation to Revise the Boundaries of the Sierra Nevada Conservancy Region to include all Areas and Watersheds of Siskiyou and Modoc Counties.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Baker

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0

Public Works

- b. **Agenda Title:** Award Professional Services Agreement with ORW for Architecture and Engineering Services for the City Hall ADA Remodel Project.

Council authorized staff to advertise a Request for Proposals (RFP) for architecture and engineering design and construction management services for the City Hall ADA Remodel Project. While the first

advertisement in June 2022 received no submissions, the second posting in December 2022 resulted in three proposals. After reviewing the proposals and additional cost breakdowns from the proposers, it was determined that ORW Architecture, Inc. from Medford, OR is best suited to provide these services. The scope of work in this proposal includes finalizing the City's conceptual design; preparing the plans, specifications, and estimates for the bid documents; answering bidder questions throughout the bidding phase; and providing construction management and support during the City Hall remodeling process.

Recommended City Council Action: Motion to Authorize the City Manager and staff to execute a Professional Services Agreement with ORW Architecture, Inc. for Design and Construction Management Services for the City Hall ADA Remodel Project.

Public Comment was heard from Tad White and Debbie Baird.

Motion to Authorize the City Manager and staff to execute a Professional Services Agreement with ORW Architecture, Inc. for Design and Construction Management Services for the City Hall ADA Remodel Project.

MOTIONED: Councilmember Kegg

SECONDED: Councilmember McCoy

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0-

Planning Director

c. **Agenda Title:** Pro-Housing Designation Program

The City Council requested to revisit the Pro-Housing Designation (from December 20, 2022). The Prohousing Housing Designation identifies local policies that jurisdictions are adopting to address housing needs and affordability and identifies State programs and grants for which Prohousing designated jurisdictions should receive preference or additional points. City Staff are requesting City Council review the proposed activities to achieve a Pro Housing Designation and authorize the submittal of the application to HCD.

Recommended City Council Action: Motion to approve Resolution 2022-59 A Resolution of the City Council of the City of Yreka Authorizing Application To and Participation In The Prohousing Designation Program

Public comment was heard from Cindy Hammer, Quintin Gaddy, Diane Collier, and Debbie Baird.

Motion to approve Resolution 2022-59 A Resolution of the City Council of the City of Yreka Authorizing Application To and Participation In The Prohousing Designation Program.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Kegg

AYES: Councilmembers Kegg, McCoy, and Middleton

NOES: Councilmember Baker and Davis

ABSENT: -0-

Councilmember Baker requested that her comment go on record, "reason she is voting no is that as the ProHousing Designation is not a state mandated program and wanted to make it clear to everyone here that she (Councilmember Baker) is not antihousing".

10. PUBLIC HEARINGS:

Public Hearing Protocol:

- i. Mayor will describe the purpose of the Public Hearing.
- ii. City Staff will provide the Staff Report.
- iii. City Staff will respond to questions from the City Council.
- iv. Mayor will open the Public Hearing.
- v. Public wanting to comment will come to the podium, provide the City Clerk with their name and address, and provide their comments.
- vi. Mayor will close the Public Hearing.
- vii. City Council will deliberate and act on the item.

Meeting was recessed for a break at 8:21PM and reconvened at 8:36PM.

Finance Director/Fire Chief

- a. **Agenda Title:** Updating the City’s Capital Improvement Plan and Development Impact Fee (Rate) for Public Safety – Fire.

The City’s fire development impact fee for capital needs was updated and fee structure evaluated. Mitigation fees are needed to cover the impacts from new development (construction) within the boundaries of the City of Yreka to the Fire Department. The study recommends increasing the fee from \$35 flat rate to \$2.03 per building square foot, in accordance with the Fire Development Impact Fee nexus study prepared by PFG Capital, dated February 2023. Study is available at City Hall and online: <http://ci.yreka.ca.us/DocumentCenter/View/1373/2023-Yreka-Fire-Mitigation-Impact-Fee-Study>

Recommended City Council Action: Motion to approve City Council Resolution 2023-15 approving the Development Impact Fee Report and Updating the City’s Capital Improvement Plan for Public Safety - Fire and Development Impact Fee (Rate) Program.

Public comment was heard from Lorenzo Love.

Motion to approve City Council Resolution 2023-15 approving the Development Impact Fee Report and Updating the City’s Capital Improvement Plan for Public Safety - Fire and Development Impact Fee (Rate) Program.

MOTIONED: Councilmember Baker

SECONDED: Councilmember Davis

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0-

11. NEW BUSINESS

City Manager/Planning Director

- a. **Agenda Title:** Vacant Land Survey and Homekey Feasibility Study – Presentation and Discussion

City Staff in coordination with Housing Tools (City Consultant) have prepared an initial vacant land inventory of private properties that are eligible for state tax rebates and grants for multi-unit housing projects. The document also includes a feasibility study of two hotel properties that could be sites for the future HomeKey program. This item will review next steps for the vacant land survey and ask direction from City Council on the preferred HomeKey site.

Public comment was heard from Louise Gliatto and Diane Collier.

Council agenda 11.b. was presented after the 8.a.-e. Consent Agenda. The City Council resumed the meeting back to old business 9.a.

City Manager

- b. **Agenda Title:** Proclamation Recognizing April 2023: The Siskiyou Child Abuse Prevention Council Collaborative Proclamation.

Proclaims April as Child Abuse Prevention and Sexual Assault Awareness Month—as well as April 15th–21st, 2023 as Week of the Young Child. We call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in efforts to support families, thereby preventing child abuse and strengthening families in the communities in which we live.

Recommended City Council Action: Motion to Approve the Proclamation Recognizing April 2023: The Siskiyou Child Abuse Prevention Council Collaborative Proclamation.

Michelle O’Gorman and Ms. Potts presented.

Motion to Approve the Proclamation Recognizing April 2023: The Siskiyou Child Abuse Prevention Council Collaborative Proclamation.

MOTIONED: Councilmember Davis

SECONDED: Councilmember Kegg

AYES: Councilmembers Baker, Davis, Kegg, McCoy, and Middleton

NOES: -0-

ABSENT: -0-

City Manager

- c. **Agenda Title:** Resolution 2023-16 of the City Council of the City of Yreka Authorizing State of California Local Jurisdiction Cannabis Retail Access Grant Program Funding.

The California Legislature has appropriated funds for award by the California Department of Cannabis Control to eligible local jurisdictions to develop and implement a cannabis retailer licensing program, and has a plan to develop and implement a program to issue permits to commercial cannabis retail businesses, and has determined that it will use grant funds from the Department of Cannabis Control to establish a local cannabis retailer licensing program as described in its application for grant funds.

Recommended City Council Action: Motion to Approve 2023-16 of the City Council of the City of Yreka Authorizing State of California Local Jurisdiction Cannabis Retail Access Grant Program Funding.

Public comment was heard from Louise Gliatto, Dawnmarie Autrey, Rob O’Gorman, and Jerry Stacher.

Motion to Approve 2023-16 of the City Council of the City of Yreka Authorizing State of California Local Jurisdiction Cannabis Retail Access Grant Program Funding.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Kegg

AYES: Councilmembers Kegg, McCoy, and Middleton

NOES: Councilmember Baker and Davis

ABSENT: -0-

City Attorney/City Manager

- d. **Agenda Title:** Introduction of Ordinance 874, an ordinance of the City Council of the City of Yreka, California adding chapter 9.70 to the Yreka Municipal Code entitled “Personal Fireworks Prohibited” and Finding the Ordinance Exempt from CEQA.

Recommended City Council Action: City Council consider public comment and, upon motion, introduce the Ordinance 874, approving and adopting “Personal Fireworks Prohibited” and Finding the Ordinance Exempt from CEQA. Following motion, pass the ordinance to a subsequent meeting for the consideration of the ordinance’s adoption.

Public comment was heard from Tad White.

A motion was made to amend the ordinance to include the written comments received from Councilmember Davis to allow for the use of safe and sane fireworks in the ordinance and bring back for introduction.

MOTIONED: Councilmember Baker

SECONDED: Councilmember Davis

AYES: Councilmembers Baker and Davis

NOES: Councilmember Kegg, McCoy and Middleton

ABSENT: -0

Motion that the City Council consider public comment and, upon motion, introduce Ordinance 874, approving and adopting “Personal Fireworks Prohibited” and Finding the Ordinance Exempt from CEQA. Following motion, pass the ordinance to a subsequent meeting for the consideration of the ordinance’s adoption.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Kegg

AYES: Councilmembers Kegg, McCoy, and Middleton

NOES: Baker and Davis

ABSENT: -0-

12. CITY MANAGER/STAFF REPORTS:

City Manager and Staff may make brief announcements or reports at this time.

- 3/17 PW Director, Matt Bray, PW Manger Ben Miller and City Manager Ledbetter met with Brian Meek at the stone entrance to Miner Street Park to discuss restoring the archway, a historic that was part of the fair San Francisco World’s fair in early 1900’s. The restoration is being funded by the Yreka Enrichment Committee.
- 3/16 City Manager toured the encampment on campus drive with the Fire and Police Chiefs, Mayor, Mayor Protempore, County Representatives as well as other YPD officers, strategizing for fire season prior to the shelter’s scheduled opening and post opening. The fire line will be brought down further from the hill.
- 3/9 YPD Chief, Finance Director and City Manager met with representatives from Walmart and their cart retrieval company to discuss retrieval and regroup in a few weeks to see how the retrieval program is working.
- 3/15 Local school Grades 2-4 came to Council Chambers to meet with the planning director for a general plan function for parks master planning. Councilmember McCoy also attended.
- 3/16 Mayor ProTempore McCoy and Councilmember Kegg 5 met with County staff to discuss the possibility of an encampment grant opportunity for pallet shelters, as the County is considering going after an encampment grant that would focus on cleaning up the camp on Campus.

- Kiwanis Easter egg hunt is scheduled for 4/8 at Miner Street Park, \$500 donation.

13. MAYOR/COUNCILMEMBERS REPORTS, STATEMENTS AND REQUESTS:

AB 1234 Conference and Meeting Report (verbal, if any) *(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)*

Councilmember McCoy sat in on the state committee meeting of the California League of Cities and commented on the pension funding horizon issues facing the City (as other entities), that will require more money to cover retirement costs (of the City's pension plans).

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

14. ADJOURNMENT:

The meeting was adjourned at 11:21PM



Corey Middleton, Mayor
Minutes approved by City Council,
Motion on April 4, 2023



Rhetta Hogan, City Clerk