

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
Andrew Jared, City Attorney
Jerry Lemos, Fire Chief
Juliana Lucchesi, Planning Director

YREKA CITY COUNCIL MEETING MINUTES

April 18, 2023, 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. 6:30PM CALL TO ORDER REGULAR SESSION AND PLEDGE OF ALLEGIANCE:

2. 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.

3. 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.
- 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 was heard from resident from Mt. Shasta, Elizabeth Taylor, Steve Radford, Tad White

4. 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.

5. 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 March 27, 2023, through April 09, 2023.
- b. Approval of Minutes of the Regular Meeting held April 4, 2023.
- c. Acceptance of the City of Yreka’s Audited Financial Statements for Fiscal Year 2021-22.
- d. Cash Balances, Budget to Actual and Fiscal Performance Reports for March 2023.
- e. Adopt Resolution 2023-19 to include Uniform Allowance for Public Safety Classifications of Unrepresented Employees.
- f. Continuation of Urgency Ordinance #864: Fireworks.
- g. 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.

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

MOTIONED: Councilmember Kegg

SECONDED: Councilmember Baker

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

NOES: -0-

ABSENT: -0-

6. OLD BUSINESS

City Manager

- a. **Agenda Title:** Legal Services Agreement for Special Counsel Retainer Services for City Attorney Dohn Henion.

City Attorney Dohn Henion is retiring as the City’s Legal Counsel at the end of April 2023 after eleven years of distinguished service. The proposed contract facilitates the transition to new legal counsel after April 30, 2023.

Recommended City Council Action: Motion to Authorize the City Manager and staff to execute a Legal Services Agreement with Dohn Henion for Special Counsel Retainer Services.

There was no public comment.

Motion to Authorize the City Manager and staff to execute a Legal Services Agreement with Dohn Henion for Special Counsel Retainer Services.

MOTIONED: Councilmember Davis

SECONDED: Councilmember Kegg

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

NOES: -0-

ABSENT: -0-

7. **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.*

City Manager/Fire Chief

- a. **Agenda Title:** Second Reading of Ordinance 874 “Personal Fireworks Prohibited”.

At the February 21, 2023, City Council meeting, direction was given to the City Attorney to draft an ordinance banning the sale and use of fireworks within city limits. The City Attorney prepared 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”. The ordinance was introduced on March 21, 2023, passed, and moved to a second reading and public hearing. The ordinance allows for use of fireworks at supervised public display permitted events (e.g. pyrotechnic shows and displays at the fairgrounds or casino).

Recommended City Council Action: Conduct a public hearing, consider and move to Adopt 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.

Public comment from Brian Favero, Richard Rolzinski, and Dawnmarie Autrey.

Motion to Adopt 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.

MOTIONED: Councilmember McCoy

SECONDED: Councilmember Kegg

AYES: Councilmembers Kegg, McCoy, and Middleton

NOES: Councilmember Baker, Davis

ABSENT: -0-

- b. **Agenda Title:** Resolution 2023-20 Liability for Response Costs - Fireworks

Within Ordinance 874, pursuant to Chapter 9.70.050 Liability for Response Cost, the City would recover the fully burdened cost of police, fire, code enforcement or other City personnel required to deal with the violation, the cost of seizure and disposal of the illegal fireworks, and attorney fees for any and all notices, meetings, or administrative or court proceedings to enforce this ordinance.

Recommended City Council Action: Motion to adopt Resolution 2023-20 Establishing Fees Relating to the Violation of Use of Personal Fireworks Pursuant to Ordinance 874, Liability for Response Costs Fireworks.

Public comment from Susan.

Motion to adopt Resolution 2023-20 Establishing Fees Relating to the Violation of Use of Personal Fireworks Pursuant to Ordinance 874, Liability for Response Costs Fireworks.

MOTIONED: Councilmember Kegg

SECONDED: Councilmember McCoy

AYES: Councilmembers Kegg, McCoy, and Middleton

NOES: Councilmember Baker and Davis

ABSENT: -0-

8. **NEW BUSINESS**

City Manager

- a. **Agenda Title:** Issuance of Public Safety Ballot Measure Civic Engagement, Polling and Initiative Language Request for Proposal.

The City of Yreka is seeking qualified consultants, political strategists, community organizing, or civic engagement firms for the polling and engagement strategy needed to support a ballot measure or property assessment that will generate revenue to maintain and improve public safety initiatives within the City of Yreka.

Recommended City Council Action: Motion to Adopt Resolution 2023-21 Authorizing the City Manager to issue a Request for Proposal/Qualifications for Public Safety Ballot Measure Civic Engagement, Polling and Initiative Language and Designating Proceeds from Small Cities Organized Risk Entities' one-time dividend of \$80,650 (from real property and general liability policies) to the project.

Motion to Adopt Resolution 2023-21 Authorizing the City Manager to issue a Request for Proposal/Qualifications for Public Safety Ballot Measure Civic Engagement, Polling and Initiative Language and Designating Proceeds from Small Cities Organized Risk Entities' one-time dividend of \$80,650 (from real property and general liability policies) to the project.

MOTIONED: Councilmember Baker

SECONDED: Councilmember Davis

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

NOES: -0-

ABSENT: -0-

9. **CITY MANAGER/STAFF REPORTS:**

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

City Manager Ledbetter announced the first meeting for the communications ad hoc meeting will be May 11, 2023, at 6PM. The CDBG Planning Grant for the Firehall is progressing should have a contract in front of City Council for consideration in May.

10. **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.)*

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

Councilmember Baker, Davis enjoyed the LOLA meeting in Weed.
Councilmember Baker attended LAFCO worked on the budget.

Councilmember Kegg, the planned Continuum of Care meeting in April was cancelled, the next Continuum of Care meeting is scheduled for May.

Councilmember Kegg would like to reschedule his presentation on the point in time count from May 2 to May 16, 2023.

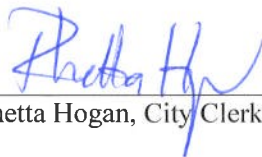
Councilmember McCoy would like to address the code of conduct follow-up at a future meeting.

11. ADJOURNMENT:

The meeting was adjourned at 8:39 PM.



Corey Middleton, Mayor
Minutes approved by City Council,
Motion on May 16, 2023



Rhetta Hogan, City Clerk