

**MINUTES  
MONTAGUE CITY COUNCIL  
TOWN HALL MEETING / PUBLIC HEARING  
THURSDAY, APRIL 10, 2014 – 6:00 PM**

**CALL TO ORDER**

**6:05 P.M.**

**ROLL CALL, Montague City Council:** Keller, Benson, Aiello, and Hammond  
**ABSENT** Robustellini  
**Montague Water Conservation District:** S. Sears, K. Smith, G. Hockaday, T. Allen, G. Black, H. Peters  
**CITY STAFF:** C. Tyhurst, J. Bray, D. Kincade, J. Sprague, Y. Rooker, D. Dunn  
**OTHERS:** B. Criss, Siskiyou County District 1 Supervisor, R. Quigley, Siskiyou County Office of Emergency Services, approximately 150 members of the public

**PUBLIC HEARING:** The purpose of the joint Town Hall Meeting with the City Council of the City of Montague and the Directors and staff of the Montague Water Conservation District was to provide the citizens an opportunity to ask questions, make their comments known and provide input about the drought conditions.

The purpose of the Public Hearing was to provide an opportunity for the public to react to the City Council's intention to proclaim a local emergency due to drought conditions and imminent threat of disaster in the City of Montague and to provide an opportunity for the citizens to present their respective needs regarding the emergency.

Mayor Keller opened the Town Hall Meeting/Public Hearing with the Pledge of Allegiance and announced that the City Council had scheduled an Emergency Meeting Friday, April 11, 2014 at 10:00 A.M. to discuss and determine the specifics of actions to be taken to implement water emergency measures.

She turned the meeting over to Tyhurst, the City's Water Supervisor, who introduced Gary Black from the Montague Water Conservation District (MWCD). He described the situation with Montague's water source, Lake Shastina, the lake behind the Dwinnell Dam, which the MWCD owns and uses to provide water to not only the City of Montague, but a number of agricultural ranches for irrigation through a series of unlined canals. He said that a week previously the lake had 8,938 acre-feet of water, whereas during the last significant drought year in 1977, the lake had 14,000 on the same date. The normal average is 35,000 acre-feet on April 1. Of that, 3,382 is reserved for Prior Rights, people who owned rights to the water before the construction of Dwinnell Dam. Another 2,250 is reserved for environmental water under a settlement between the MWCD and the Karuk Tribe/Riverkeeper. Part of the environmental water has already been released from Lake Shastina. Another 1,190 acre feet must be released between April 1 and June 2. There is a normal loss from evaporation and seepage of about 2,000 acre feet between now and October 1 and there is a requirement that there be 2,000 acre feet in storage on October 1. As a result of all these and deliveries through the canals to Montague, the MWCD will run out of water to deliver in August.

Black went on to say that the city's deliveries were the MWCD's #1 priority on a moral level, but that the city's purchases did not meet MWCD's budget and they have always depended on selling water to agricultural interests as their #1 financial priority. The MWCD's normal financial reserves have been depleted by the Karuk/Riverkeeper lawsuit and their only paid staff this year is part-time Lisa Faris.

Black then addressed ways of resolving the situation and what is currently being discussed at meetings with county and state officials, including the California Department of Public Health. The resolution currently regarded as most promising is adding a new point of diversion to release water to the Shasta River that would then be piped directly to Montague from a location closer to Montague. Financial assistance will be needed.

A member of the audience asked about obtaining water from Yreka. Tyhurst responded that water from Yreka would only be available when we run out of water. We already have a deal in place to truck water in from Yreka, but Yreka will not consider other options. We investigated many options with Yreka before we set out to construct a new water treatment plant, with no success because of various restrictions Yreka operates under.

Tyhurst also explained that the District is not a public agency and they cannot get emergency assistance from the state because their priority is for irrigation. The City, on the other hand, is running out of drinking water and we are getting lots of notice from the state and assistance in meetings this month.

In response to a question from the public about trucking in water from Yreka, Keller pointed out that it will mean bringing your own five-gallon buckets to a central location. The water will not be coming out of your tap.

Keller then spoke about the “Water Conservation Tips”, a handout available at the meeting. Because of the severity of the situation, the City Council would be discussing making them mandatory and penalty procedures at the special meeting the next morning, April 11, at 10:00 A.M.

In response to a question, Black affirmed that more water was going out than was coming in. He said that releases for environmental water (the Karuk/Riverkeeper settlement for the Coho) ends June 2. Benson said that Tristan Allen, an MWCD Director, has talked to the Karuk Tribe and they have refused to consider minimizing the environmental water requirement.

In response to another question from the public about private wells, Tyhurst made it clear that the City has no intention or any way to monitor anybody’s use of water from their own wells. (There has been a rumor around town that the City intended to restrict use of wells.) Apart from the requirement to have backflow prevention if you also have city water, people are free to use their own wells and Tyhurst suggested that well-owners might even find a way to help their neighbors. Later in the meeting it was pointed out that some lawns will be green this summer because those property owners have wells and that others should not jump to conclusions about those people not abiding by conservation requirements.

The discussion then turned to whether the City will monitor outside water use and how that monitoring would be done. Benson said that we are not going to drive around monitoring outside water usage; the City does not have the staff for that. The best, most effective and most equitable way is to monitor based on meter usage. There are various ways to establish penalties for excess water usage. Keller pointed out that the City cannot do a rate increase because of Proposition 218. Even if we wanted to, that process took many months the last time we did it, and we therefore could not raise the rates in time to make any difference this year. But the City can impose penalties during a water emergency situation and the details were going to be discussed at the meeting the next morning.

The City is not going to water any parks this year and the kids will be playing ball in the dirt because the ballfields will not be irrigated. The municipal pool will be open because it is a public benefit, but we will be looking into ways of decreasing showering.

A lively discussion ensued about water use at the rodeo grounds and spraying for dust control. One of the water conservation tips prohibits using City water for dust control. The Shasta Valley Community Club,

which runs the rodeo, pays for its water usage and the City has no intention of curtailing drinking water for horses and livestock. The City will talk to the Shasta Valley Community Club.

Tyhurst then explained that the Water Conservation Tips were originally intended to be voluntary, but the state funding agencies will not think the City is serious if no mandatory restrictions have been put into place. We will be basing that on winter usage because those are the low usage months of the year without outdoor watering. The discussion the next day will be about making the mandatory restrictions work.

In response to a question about getting a new water supply, Tyhurst and Black talked about putting Montague's water into the river, which is one-to-one delivery, as opposed to delivering through canals, which is twenty-to-one delivery because of the loss of water to evaporation and leakage. Other options are lining the main canal and transfers, which are groundwater contributions to the main canal. Tyhurst talked about wells and that the City had investigated the local aquifer and determined years ago (before the institution of the new water rates in 2009-2010 and the start of the new water treatment plant) that there was insufficient water for the needs of the City from a well. He also referred to the difficulty Montague's founding fathers had in drilling a well during the City's startup days in 1887. He discussed a good well in Big Springs and Yreka water from Fall Creek, but there are legal and other issues. Eighty years ago Montague decided that MWCD was the best option, and the water the District has provided us has not failed over the years until this drought.

Black was asked if we will have the same problem next year and responded that because of the Karuk/Riverkeeper settlement, we will continue to have problems with water delivery.

A member of the public said that if the rodeo couldn't spray down dust and the residents wash cars, the Fire Department should not wash their trucks eight times a week. Keller called Fire Chief Vela to the stand, who responded that they had already cut back and will be going to Yreka to wash the fire trucks. Washing out hoses is different and is necessary after a fire. He also said that other Fire Departments in the county have been notified and will not use our hydrants unless they absolutely need to.

Another member of the public commented about 4WD and off-road vehicles and the fire danger from ATV use. Keller responded that the Code Enforcement Officer does weed abatement to reduce fire danger and she and the Sheriff's Department can be contacted to take care of ATV nuisance/dangers.

Keller explained that setting a cap on water use will be the subject of the next day's meeting and that, along with a penalty structure, will be discussed the next day and cannot be answered at this meeting. She said residents will be notified by letter and on the website and facebook. A resident can contact City Hall to find out their usage, but can also look at their own meter. She asked Rooker to explain the several parts of the water charges customers pay and Hammond explained that cost-of-living increases are built into the water rates indefinitely. Several people commented about being on fixed incomes.

A question was asked about the City charging for water if we do not get through this year and have to get our water out of a truck. Will we be billed for water from the truck? Will we have to pay our water bills even if we're not getting water out of the tap? Keller said we don't have those answers yet. Hammond commented that he thought the charges for water were to maintain the system, which would still need to be done even without current water deliveries. Keller later said that customers will pay all of the bill except usage.

Tyhurst said that with the MWCD delivering one irrigation only and Montague down to absolute minimum use (based on winter usage of 100,000 gallons/day), we can run out of water by August 1. With no irrigation water delivered at all, but with our residents at normal usage (summer usage has run 450,000 gallons/day), we will run out of water by July 1. The period of time without any water should end by October 1, 2014, the date that the MWCD will be permitted to release water.

A member of the public commented that it was a shame the whole community was not at the meeting to hear all this and to learn about the drought and the seriousness of the situation. She talked about 500 customers and 1500 people in the community and only 150 people show up for the Town Hall Meeting.

The discussion then turned to re-using gray water, its advantages and how to use it in yards. Someone asked about obtaining a special release from gray water requirements and Ron Quigley from the Office of Emergency Services responded that Mike Crawford in the County Building Department has gray water solutions.

In response to a question about Payse wells, Black explained that they were in Big Springs, not in Montague.

A resident stated that if she lost her lawn but still had water in her house, that was okay; we all have to work together. But another resident spoke of the investment people have in their landscaping to increase their property values after the loss in property values of the last few years.

In summary, the general tenor of the meeting was positive, with cooperation between the City and its residents in this emergency evident.

Keller brought the Town Hall Meeting to a close after an hour and called the City Council's Special Meeting to order at 7:08 P.M.

### **SPECIAL MEETING**

The purpose of the Special Meeting was discussion/possible action to approve Resolution No. 14-01, A Resolution of the City Council of the City of Montague Proclaiming a Local Emergency due to Drought Condition and Imminent Threat of Disaster in the City of Montague.

Keller referred to the City Council's authority under the California Emergency Services Act, Article 14, Section 8630 to proclaim a local emergency.

### **AGENDA:**

1. Discussion/possible action to approve Resolution No. 14-01, A Resolution of the City Council of the City of Montague Proclaiming a Local Emergency due to Drought Condition and Imminent Threat of Disaster in the City of Montague.

She asked for a motion to read by the resolution by title only. Hammond so moved and Benson seconded. Ayes, all.

Hammond then moved to approve Resolution 14-01. Benson seconded. Ayes, all.

**ADJOURN:** 7:10 P.M.

**ATTEST:**

**CITY OF MONTAGUE:**

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Janie Sprague, City Clerk

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Jayne Keller, Mayor