

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 7, 2010

On the 7th day of October 2010, 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: Robert Bicego, Rory McNeil, John Mercier and David Simmen. Absent – Bryan Foster.

Consent Calendar: Mayor McNeil 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 September 16, 2010.
- b. Approval of Warrants issued from September 17, 2010 to October 7, 2010.
- c. Adopt Resolution No. 2882 approving requests associated with Yreka Chamber of Commerce Special Events to be held on November 27 and December 3, 2010.
- d. Approval of budget to actual and Treasurer's Report for the month of August.

Council Member Bicego requested item 1a be removed for discussion.

Following Council discussion, Council Member Simmen moved to approve the items b – d on the consent calendar as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Approval of the minutes of the meeting held September 16, 2010

Council Member Bicego requested that the minutes be amended to reflect that he was absent from the September 16, 2010 City Council meeting “due to being out of the area on City of Yreka Business”, and moved that the minutes be approved as amended.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Introduce Ordinance No. 822 amending Title 8 of the Yreka Municipal Code, Dogs, Section 8.08.060 – Penalty for Delinquency.

City Attorney Mary Frances McHugh reported that upon further review, she has amended Ordinance No. 822 deleting the proposed amendment to Section 8.08.050 relating to the age limit for license and registration of dogs, as our current Ordinance complies with State Law. Therefore, the Ordinance to be considered for introduction would only amend Yreka Municipal Code Section 8.08.060 – Penalty for Delinquency.

Following the reading of the title of the Ordinance and Council discussion, Council Member Bicego moved to waive the reading of the body of the Ordinance and to introduce the Ordinance as amended.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2878 adopting the budget for fiscal year 2010-2011.

Adopt Resolution No. 2879 setting forth the appropriations limit for the City of Yreka for fiscal year 2010-2011.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2878 and 2879 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2883 – Adopting the Budget for Fiscal Year 2010-2011 Fund 30-all Measure H Special Tax Fund, Fund 03- all the Volunteer Fire Department Benefit Fund, Fund 01-210-000 All Expenditures of the Yreka Volunteer Fire Department.

Council Member Bicego recused himself and left the Council Chamber stating that he had a conflict of interest arising from a membership relationship with the Yreka Volunteer Fire Department.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2883 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried. Council Member Bicego returned to his seat at the Council table.

Adopt Resolution No. 2884 – adopting the Budget for Fiscal Year 2010-2011 Fund 01-450-0000-560-000 Madrone Hospice.

Following Council discussion, Council Member Mercier moved to adopt Resolution No. 2884 as submitted.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2885 in Support of Proposition 22, the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

Following Council discussion, it was the consensus of the Council to table this Resolution to the October 21 City Council meeting.

Appointments to City Committees and Commissions.

- Collier Interpretive and Information Center Agency
- Airport Commission
- Investment and Audit Committee

Following Council discussion, Council Member Simmen moved to approve the appointments of:

Rory McNeil to the Collier Interpretive and Information Center Agency, with Bryan Foster as the Alternate; Bryan Foster to the Airport Commission; and David Simmen to the Investment and Audit Committee.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Bicego, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

City Manager's Report

Draft Strategic Goals and Workplan – Discuss, Provide Direction, Schedule Workshop as Needed.

Following Council discussion, it was the consensus of the Council to schedule another workshop tentatively for Tuesday October 26, 2010 from 5 p.m. to 7 p.m. contingent upon the availability of Council Member Bryan Foster.

CLOSED SESSION:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
 Agency negotiators: Steven Baker and Mary Frances McHugh
 Employee Organizations: Yreka City Employees Association
2. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: APN# 053-672-500 & 510 (1391 Montague Rd)
 City Negotiators: City Manager and City Attorney
 Third Party Negotiator: Gary and Danna Truttman
 Under Negotiation: Possible purchase including price, terms of payment, or both.

3. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 013-100-140 & 013-110-130
 Third Party Negotiator: Hi-Ridge Lumber Company
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible Purchase - including purchase price and terms

4. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c). Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case – names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City’s ability to conclude existing settlement negotiations to its advantage.

5. Pending Litigation Government Code § 54956.9(a) – Conference with Legal Counsel: – Tulelake Irrigation District v. All Persons Having or Claiming, etc., et al., Superior Court, State of California, County of Siskiyou, Case number SCCVPT 10-0463.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported that there was no reportable action.

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

Attest:

 Rory McNeil, Mayor
 Minutes approved by Council
 Motion 10-21-10

 Elizabeth E. Casson, City Clerk