

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON DECEMBER 15, 2011

On the 15th day of December 2011, 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, Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – None.

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 December 1, 2011.
- b. Approval of Warrants issued from December 2 through December 15, 2011.
- c. Adopt Resolution No. 2947 authorizing the formal dissolution of the Advisory Committee for the Development of Greenhorn Park and the Yreka Development Commission.
- d. Adopt Resolution No. 2949 adopting the 2012 meeting calendar for the Yreka City Council.
- e. Approval of 2010-2011 Closing Budget Amendments.
- f. Approval of Treasurer's Report and Budget to Actual dated November 2011.

Following Council discussion, Council Member Mercier moved to approve the items on the consent calendar as submitted.

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

Mayor McNeil thereupon declared the motion carried.

YCTV Channel 4:

- Presentation from Deborra Brannon, Executive Director of Siskiyou Media Council regarding proposal to manage and operate PEG access cable Channel YCTV4.
- Adopt Resolution No. 2945 authorizing the City Manager to enter into an agreement with Siskiyou Media Council to operate the Community Access Television capabilities for the City of Yreka.

Deborra Brannon, Executive Director of Siskiyou Media Council addressed the Council with a proposal to manage and operate the City of Yreka PEG access cable Channel YCTV4.

Following Council discussion, Council Member Bicego moved to adopt Resolution No. 2945 authorizing the City Manager to enter into an agreement with Siskiyou Media Council to operate the Community Access Television, YCTV Channel 4, for the City of Yreka.

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

Mayor McNeil thereupon declared the motion carried.

Annual Development Impact Fee Report:

Public Hearing – to solicit public comments regarding the City’s intention to adopt a Resolution to approve the Annual Development Impact Fee Report and Updating the City’s Capital Improvement Plan and Development Impact Fee Program.

This being the time and date scheduled for the public hearing, Mayor McNeil opened the public hearing to the audience.

Richard Handley addressed the Council in opposition to the Development Impact Fees.

There being no further statements or comments, Mayor McNeil closed the public hearing.

Adopt Resolution No. 2946 Approving the Annual Development Impact Fee Report and Updating the City’s Capital Improvement Plan and Development Impact Fee Program.

Following Council discussion, Council Member Mercier moved to adopt Resolution No. 2946 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2948 Approving the First Amendment to the Siskiyou Association of Governmental Entities’ Joint Powers Agreement and Bylaws.

Following Council discussion, Council Member Foster moved to adopt Resolution No. 2948 as submitted.

Mayor McNeil seconded the motion, and upon roll call, the following voted YEA: Bicego, Foster, McNeil, and Simmen. Nays: Mercier

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2943 Ordering that a Measure amending the Yreka Municipal Code to Allow the Keeping of Backyard Chickens be submitted to the voters at the General Municipal Election to be held on Tuesday June 5, 2012.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2943 as amended.

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

Mayor McNeil thereupon declared the motion carried.

City Manager Report:

City Manager Steve Baker gave the following report on the status of the Budget:

In June 2011, the City Council adopted a budget that projected a \$138,000 draw from reserves. At that time, the Council requested an update in December looking at the current year budget and the projections into the future. This is that report.

Subsequent to June 2011, the Council held a series of workshops on individual budget units for various city services to develop a better understanding of the city's functions so that thoughtful decision-making can be done.

Originally, we had budgeted conservatively based on the best information that we had, assuming that we would not receive from the State, the Citizen's Option for Public Safety (COP's) funds, which assists in funding front line law enforcement services. Subsequent to the adoption of the budget, the State released the COP's funding in the amount of \$100,000. The expected budget gap has now fallen to a level of approximately \$38,000 for the current fiscal year. Our largest revenue category, sales tax, is approximately 3% ahead of budget year to date, but it is too early to call that a trend. Hotel taxes are trending slightly lower than budgeted.

Next fiscal year, 2012-13, will continue to be a challenging year as expenses rise higher than the flat or declining revenues. It is too early for accurate estimates, but we anticipate about a 3% gap or approximately \$150,000.

Another horizon issue is that the streets and road funds have declined. Gas tax has declined a little, but local transportation funds that also fund transit have gone down, to the point where the city does not receive any funds. Sometime in 2013/2014, the city expects to expend existing street and road fund balances and will either need to use another funding source to keep the existing levels of street and road maintenance or decrease the amount of street maintenance the city currently does.

We will continue to work on balancing the budget for the long term.

CLOSED SESSION:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
Agency negotiators: Steven Baker, Liz Casson & Mary Frances McHugh.
Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association.
2. 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. Two cases – 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.

3. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported out the following:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
Agency negotiators: Steven Baker, Liz Casson & Mary Frances McHugh.
Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association. Councilmember Bicego absent. Council gave direction to the City's negotiators. No further reportable action was taken.
2. 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. two cases – 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.
Councilmember Bicego was absent. The Council conferred with its legal adviser. No further reportable action was taken.
3. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager.
Councilmember Bicego absent. Matter is continued to next regular meeting, January 5, 2012. No further reportable action.

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

Attest:

Rory McNeil, Mayor
Minutes approved by Council
Motion 1/5/12

Elizabeth E. Casson, City Clerk