

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON FEBRUARY 2, 2012

On the 2nd. day of February 2012, 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.

Mayor McNeil announced that she has received a request from the City Attorney to add two items to the agenda, which came to the staff's attention after the preparation and posting of the agenda.

Mayor McNeil stated that she would entertain a motion to add one item to the public portion of the agenda and one item to the closed session portion of the agenda, said items being:

Discussion/Possible Action – Adopt Resolution 2953 declaring intent to sell real property and fixing date for public hearing Assessor Parcel numbers 054-185-040, 050 & 060.

Addition to Closed Session: Conference with Legal Counsel – Pending Litigation (Gov Code Section 54956.9) – Secretarial Determination, Klamath Dams Facilities Removal EIS/EIR.

Need for immediate action: After the preparation and posting of the agenda, transaction documents were received relating to these two matters, and the City Attorney advised that there is a need for Council to take action before the next regularly scheduled Council meeting on February 16, 2012.

Following Council discussion, Council Member Foster moved to add the two items to the agenda as submitted by the City Attorney.

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.

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 January 19, 2012.
- b. Approval of Warrants issued from January 20 through February 2, 2012.
- c. Approval of Treasurer's Report and Budget to actual for the month of December 2011.
- d. Approval of Treasurer's Quarterly Investment Report dated December 31, 2011.

Council Member Bicego requested item 1c, be pulled for discussion.

Following Council discussion, Council Member Mercier moved to approve the items 1 a,b & d on the consent calendar as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Approval of Treasurer's Report and Budget to actual for the month of December 2011.

Following Council discussion, Council Member Bicego moved to approve the Treasurer's Report and Budget to actual for the month of December 2011 as submitted.

Council Member Simmen 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 2953 declaring intent to sell real property and fixing date for public hearing Assessor Parcel numbers 054-185-040, 050 & 060.

Following Council discussion, Council Member Simmen moved to Adopt Resolution No. 2953 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.

Approval of appointment of Melinda Haxby and Bethany Golly to the Yreka Volunteer Fire Department.

Following Council discussion, Council Member Bicego moved to approve the appointment of Melinda Haxby and Bethany Golly to the Yreka Volunteer Fire Department.

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.

Direction to City Attorney re Chapter 6.04 Yreka Municipal Code re Board of Health and Other Resolutions or Ordinances Making Designations of the County Health Officer for enforcement in the City of City Public Health ordinances and State Law relating to Public Health.

Following Council discussion, Council Member Simmen moved to direct the City Attorney to review existing City Ordinances and prepare an Ordinance Amending Chapter 6.04 regarding Board of Health and any other necessary resolutions or ordinances making designations of the County Health Officer for enforcement of public health matters in the City.

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.

Approval of all Warrants payable to Siskiyou County Economic Development Council from January 20, 2012 through February 2, 2012.

Council Member Mercier announced his recusal stating that he has a conflict of interest with the warrants listed by reason of his employment relationship with Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member Simmen moved to approve the warrants payable to Siskiyou County Economic Development Council as submitted.

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

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

CLOSED SESSION:

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 054-191-490
 Third Party Negotiator: Yreka Western Railroad
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.
2. Conference with Legal Counsel – Pending Litigation (Gov Code Section 54956.9) –
 Secretarial Determination, Klamath Dams Facilities Removal EIS/EIR.

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

Conference with Real Property Negotiator (Government Code Section 54956.8)

Property: Assessor Parcel No. 054-191-490

Third Party Negotiator: Yreka Western Railroad City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both. On Motion by Councilmember Mercier, second by Councilmember Simmen, the City Council gave direction to the Real Property Negotiator. The vote on the motion carried unanimously.

Conference with Legal Counsel - Pending Litigation (Gov Code Section 54956.9) – Secretarial Determination, Klamath Dams Facilities Removal EIS/EIR. On Motion by Councilmember Foster, second by Councilmember Mercier, the City Council authorized the Mayor to sign a letter joining the Comment Letter of the County of Siskiyou to the Overview Report on the Klamath Dams Secretarial Determination dated January 23, 2012. The vote on the motion carried unanimously.

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

Attest:

Rory McNeil, Mayor
Minutes approved by Council
Motion 2-16-12

Elizabeth E. Casson, City Clerk