

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON FEBRUARY 5, 2009

On the 5th day of February 2009, 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: Tom Amaral, Jason Darrow, Rory McNeil and David Simmen. Absent ó Jim Griffin.

Public comments: Pete LaFortune, Executive Director of the Yreka Chamber of Commerce addressed the Council to give his support to item No. 10 on the agenda to engage the services of a meeting facilitator to conduct a strategic planning session for the City Council and public prior to the budget cycle.

Donna Wilson addressed the Council to personally thank Council Member Simmen, Yreka Chamber Director Pete LaFortune, City Manager Brian Meek, and city staff for listening and responding to the citizens concerns with the downtown parking situation.

Adoption of Resolutions lifting two- hour parking restrictions:

- **Resolution No. 2761** Rescinding Resolution No. 2095 which restricted vehicle parking to two hours on both sides of South Street between S. Main Street and S. Broadway and Rescinding Resolution 2286 which restricted vehicle parking to two hours on the North side of South Street between Fourth Street and S. Broadway.
- **Resolution No. 2762** Rescinding the two hour vehicle parking restriction on the east side of Fourth Street from Jackson Street to Butte Street.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2761 and 2762 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Consent Calendar: Mayor Amaral 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 or audience wishes to remove an item for discussion:

- a. Approval of Minutes of the meeting held January 15, 2009 and the Special meeting held January 27, 2009.
- b. Approval of Warrant Listing dated January 30, 2009 and supplemental warrants dated February 5, 2009.

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

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

Mayor Amaral thereupon declared the motion carried.

Approval of Treasurer's Report to Council for the Month of December 2008 and the Budget to Actual Report through December 31, 2008.

Following Council discussion, Council Member Simmen moved to approve the Treasurer's Report and Budget to Actual Report as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Approval of Treasurer's Quarterly Report to Council dated December 31, 2008.

Following Council discussion, Council Member Simmen moved to approve the Treasurer's Quarterly Report as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Approval of Appointment of Peter O'Brien to the Historic District and Landmarks Commission.

Following Council discussion, Council Member Simmen moved to approve the appointment of Peter O'Brien.

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

Mayor Amaral thereupon declared the motion carried.

Approval of request for a Supplemental Appropriation to prepare Plans and Specifications for the Fall Creek Water Project Improvements.

Director of Public Works, Steve Neill, addressed the Council and audience to answer any questions regarding the proposed supplemental appropriation request. Mr. Neill reported to the Council that he is requesting a supplemental appropriation in the amount of \$1,026,000.00 from the Fall Creek Reserve Fund and the Davis-Grunsky Bond Fund to prepare plans and specifications for the Fall Creek Water Project Improvements as identified in the Water Master Plan and Utility Rate Study. Mr. Neill further reported that in order to be eligible for the Economic Stimulus Package that is currently being proposed by President Obama, we must expend the funds now to prepare the plans and specifications for a project that is "shovel ready" by June 2009.

Following Council discussion, Council Member Simmen moved to approve the supplemental appropriation in the amount of \$1,026,000.00 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Introduction of Ordinance No. 809 adopted for local agencies pursuant to Government Code Section 53097, relating to improvement standards for on-site and off-site improvements for roads, water, and storm drainage.

Following the reading of the title of the Ordinance and Council discussion, Council Member Darrow moved to waive the reading of the body of the Ordinance and to Introduce Ordinance No. 809 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Introduction of Ordinance No. 810 ó Amending certain sections of Title 13 of the Yreka Municipal Code relating to noncommercial signs and civic event signs.

City Attorney Mary Frances McHugh advised the Council of a few clarifications and changes that she recommends be made to the proposed ordinance.

Following the reading of the title of the Ordinance and Council discussion, Council Member Darrow moved to waive the reading of the body of the Ordinance and to Introduce Ordinance No. 810 as amended by the City Attorney.

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

Mayor Amaral thereupon declared the motion carried.

Approval of supplemental appropriation in an amount not to exceed \$2,000.00 for the purpose of engaging the services of a meeting facilitator to conduct a strategic planning session for the Council prior to the budget cycle for fiscal year 2009-2010, identify fund for payment, and authorize the City Manager to contract with a facilitator and schedule a Special City Council meeting for that purpose ó Council Member Darrow.

Following Council discussion, Council Member Darrow moved to approve the supplemental appropriation as submitted.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Darrow & Simmen. NAYS: Amaral & McNeil.

Mayor Amaral thereupon declared the motion as failed.

CLOSED SESSION:

1. Conference with Labor Negotiator

Agency negotiators: Brian Meek, Mary Frances McHugh
Employee Organization: Management Unit.

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. One case ó 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.

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

1. Conference with Labor Negotiator: Council gave direction to its labor negotiators.
2. Anticipated Litigation: Council received legal advice and gave instructions to its legal counsel.

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

Attest:

Tom Amaral, Mayor
Minutes approved by Council
Motion 2-19-09

Elizabeth E. Casson, City Clerk