

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON JUNE 16, 2011

On the 16th day of June 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 June 2, 2011.
- b. Adopt Resolution No. 2917 finding certain city vehicles and equipment as surplus property and authorizing sale by the City Manager.

Following Council discussion, Council Member Mercier 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: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2923 adopting the City of Yreka 2011 Urban Water Management Plan Update.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2923 as submitted.

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.

Budget Presentation - Finance Director:

- Adopt Resolution No. 2918 setting for the appropriations limit for the City of Yreka for Fiscal Year 2011-2012.
- Adopt Resolution No. 2919 adopting the budget for fiscal year 2011-2012.

Following Council discussion, Council Member Foster moved to adopt Resolutions No. 2918 & 2919 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 No. 2920 adopting the budget for fiscal year 2011-2012 Fund 30- all Measure H Special Tax Fund, Fund 03 – All the Volunteer Fire Department Benefit Fund, Fund 01-210-0000- all expenditures of Volunteer Fire Department.

Council Member Bicego announced his recusal, stating that he has a conflict by reason of his membership relationship with the Yreka Volunteer Fire Department and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2923 as submitted.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, 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. 2921 adopting the budget for Fiscal Year 2011-2012 fund 01-450-000-560-000 (Madrone Hospice).

Council Member Foster announced his recusal, stating that he has a conflict of interest by reason of his employment relationship with one of the proposed payees, namely, Madrone Hospice, and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2921 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.

Council Member Foster returned to his seat at the Council table.

Adopt Resolution No. 2922 adopting the budget for fiscal year 2011-2012 fund 01-090-0000-560-001 (Siskiyou County Economic Development Council).

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

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2922 as submitted.

Council Member Foster 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 returned to his seat at the Council table.

Introduction of Ordinance No. 826 amending sections 1.01.140 of Title 1, Chapter 1.01 violations and punishment, and amending Title 1, Chapter 1.04 to add Sections 1.04.070 and 1.04.080 and amending Title 1 of the Yreka Municipal Code to add Chapters 1.10 through 1.15 all relating to Administrative Enforcement of the Yreka Municipal Code.

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 submitted.

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 Warrants issued from June 3, 2011 through June 16, 2011.

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

Following Council discussion, Council Member Foster moved to approve the warrants 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 Members Foster and Mercier returned to their seats at the Council table.

CLOSED SESSION:

1. Conference with Labor Negotiator Government Code Section 54957.6 (a)
Agency negotiators: Steven Baker & 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. 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.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported Conference with Labor Negotiator-Government Code Section 54957.6(a) The Council added Assistant City Manager Liz Casson to the Negotiation team comprised of the City Manager and City Attorney by unanimous consent on motion of Councilmember Simmen, second Councilmember Bicego.

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

Attest:

Rory McNeil, Mayor
Minutes approved by Council
Motion 7-7-11

Elizabeth E. Casson, City Clerk