

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON JUNE 2 , 2011

On the 2nd day of June 2011, the City Council of the City of Yreka met in the City Council Chambers of said City in special 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 May 19, 2011.
- b. Adopt Resolution No 2916 approving requests associated with the Elks Motorcycle Ride Event to be held September 17, 2011.

Council Member Foster requested item 1b be pulled for discussion.

Following Council discussion, Council Member Mercier moved to approve the minutes 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.

Resolution No 2916 approving requests associated with the Elks Motorcycle Ride Event to be held September 17, 2011.

Jim Milne, Leading Knight for the Yreka Lodge No. 1980 Order of Elks, addressed the Council to answer any questions regarding the proposed event.

Following Council discussion, Council Member Foster moved to adopt Resolution No. 2916 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.

Ordinance No. 824 repealing Ordinances 41, 59, 91, 523, 672, and amending certain sections of Title 9, Chapter 9.48 miscellaneous offenses and Title 8 Chapter 8.12.

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 adopt the Ordinance 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 Ordinance No. 825 amending certain sections of Chapter 2.28 of Title 2 of the Yreka Municipal Code relating to the City of Yreka Fire Department.

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

Following the reading of the title of the Ordinance and Council discussion, Council Member Simmen moved to waive the reading of the body of the Ordinance and to adopt the Ordinance 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.

Approval of Warrants issued from May 19, 2011 through June 2, 2011.

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

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

City Attorney Mary Frances McHugh announced that with the recusal of three Council Members, the Council no longer has a quorum, and therefore a random draw would need to be made to determine which Council Member would be selected as a voting member to attain a quorum.

Council Member Foster was selected. Council Members Bicego & Mercier recused themselves and left the Council Chambers.

Following Council discussion, Council Member Simmen moved to approve the warrants as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Council Members Bicego and Mercier returned to their seats at the Council table.

**CLOSED SESSION:**

1. Conference with Real Property Negotiator (Government Code Section 54956.8)
 

Property:	City Owned Parking Lot Fourth Street
City Negotiators:	City Manager and City Attorney
Third Party Negotiator:	Administrative Office of Courts
Under Negotiation:	price and terms, including possible donation.
  
2. Pending Litigation: Government Code § 54956.9(a) City of Yreka v. Ken Salazar, Secretary of the Interior, etc., et al., United States District Court, Eastern District of California Court No. 2:10-cv-01734-WBS .

**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:

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 Rory McNeil, Mayor  
 Minutes approved by Council  
 Motion 6-16-11

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 Elizabeth E. Casson, City Clerk