

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

On the 15th day of September 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: Bryan Foster, Rory McNeil, and David Simmen. Absent – Robert Bicego and John Mercier.

Public Comments: Pete Senf addressed the Council on behalf of Siskiyou Lanes to request that a Street Light be placed at the intersection of Payne Lane and S. Oregon Street.

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 September 1, 2011.
- b. Approval of Warrants issued from September 2, 2011 through September 15, 2011.
- c. Approval of budget to actual and Treasurer's Report for the month of July 2011.

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

Mayor McNeil thereupon declared the motion carried.

PUBLIC HEARING – consider Introduction of Ordinance 817 initiated by the City of Yreka adding a new chapter 9.25 (Medical Marijuana Distribution Facilities) to Title 9 (Public Peace, Morals and Welfare) and a new chapter 16.100 (Medical Marijuana Distribution Facilities) to Title 16 (Zoning) and modifying Chapters 16.12 and 16.34 of the Yreka Municipal Code. This Ordinance proposes to define medical marijuana distribution facilities and prohibit such uses in all zoning districts of the City of Yreka.

City Attorney Mary Frances McHugh stated that the purpose of this Ordinance is not to intrude on the rights of medical marijuana recipients that exist under the Compassionate Use Act. It is directed toward distribution activities. City Attorney McHugh further stated that on September 1, 2011 Governor Jerry Brown signed into law Assembly Bill 1300 which confirms local governments have the authority to regulate or ban marijuana dispensaries within their borders.

This being the time and place set for the public hearing, Mayor McNeil opened the public hearing to the audience. There being no statements or comments from the audience, Mayor McNeil closed the public hearing.

Introduce Ordinance No. 817 adding a new Chapter 9.25 (Medical Marijuana Distribution Facilities) to Title 9 (Public Peace, Morals, and Welfare) and a new Chapter 16.100 (Medical

Marijuana Distribution Facilities) to Title 16 (Zoning) and Modifying Chapters 16.12 and 16.34 of the Yreka Municipal Code.

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 introduce the Ordinance 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.

Adopt Resolution No. 2930 authorizing the City Manager to award a construction contract and execute related documents for the Safe Routes to School Project.

Director of Public Works Steve Neill reported that the City was awarded \$400,000 from the California Safe Routes to Schools Program to finance improvements, which will provide safer routes for kids to walk and ride their bikes to school. The construction projects will be done on Evergreen Lane, Sherman, West Lennox, Gold and Middle Streets. The school routes project will include curb, gutter, sidewalk, paving, storm drain and handicap ramp improvements, as well as thermoplastic crosswalk striping and school zone warning lights.

In conclusion, Director of Public Works Neill requested that the Council adopt Resolution No. 2930 to authorize the City Manager to Award a construction contract to RB Aldrich Construction in the amount of \$410,544.75 for the Safe Routes to School Project.

Following Council discussion, Council Member Foster moved to adopt Resolution No. 2930 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2932 authorizing the City Manager to award a construction contract and execute related documents for the Greenhorn Creek Floodplain Restoration, Reduced Phase 1 project.

Director of Public Works Neill reported that construction of the improvements and related costs will be paid by contributions from Ducks Unlimited, the Shasta Regional Community Foundation, and the US Fish and Wildlife Service in the amount of \$220,000, plus approximately \$14,350 for the cost of repairing one abutment at the upper bridge that will be reimbursed by FEMA, and \$10,000 that is included in the City's approved FY 2011-2012 budget.

Director of Public Works Neill further stated that upon review of the bids received, it is staff's recommendation that the Council adopt Resolution No. 2932 to authorize the City Manager to award a construction contract to Hayes & Sons, Inc. in the amount of \$194,260.00 for the Greenhorn Creek Floodplain Restoration, Reduced Phase 1 Project.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2932 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.

Adopt Resolution No. 2931 authorizing the Mayor and the City Manager to prepare and execute response to the 2010-2011 Grand Jury Report and submit to the Superior Court as required by Penal Code Section 933.5(A).

Following Council discussion, Council Member Foster moved to adopt Resolution No. 2931 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Capital Projects:

Adopt Resolution No. 2933 Authorizing the City Manager to expend funds and award bid for the Police Station Electrical Project.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2933 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.

Provide direction on other capital projects on the unallocated list for one-time capital outlay Fiscal Year 2011-2012.

Following Council discussion, Council Member Simmen moved to authorize the City Manager to expend funds for the following projects as listed in the 2011-2012 Unallocated project list for One-Time Capital Outlay: Demolition of Miner Street Annex House, Community Center Dance Floor Repairs, Police Station Perimeter Fencing, preliminary engineering work for a new grease trap at the Community Center, Community Theater Breezeway Roof Supports and to work with

Splash on the bathhouse roofing at Ringe Pool and the Red Scarf Society on the siding on the west side of the Theater.

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.

City Manager Baker stated that once the cost estimates for the approved projects are finalized, the remaining appropriation requests will be brought back for Council consideration for prioritization and funding approval.

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

Attest:

Rory McNeil, Mayor
Minutes approved by Council
Motion 10-6-11

Elizabeth E. Casson, City Clerk