

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON MARCH 7, 2013

On the 7<sup>TH</sup> day of March 2013, 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 Simmen 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 February 21, 2013.
- b. Approval of Warrants issued from February 22, 2013 through March 7, 2013.
- c. Authorize Mayor to present a Proclamation congratulating the Citizen of the Year at the Banquet to be held March 21, 2013.
- d. Acknowledge receipt of General Plan Housing Element 2012 Annual Report.
- e. Approval Treasurer's Report to Council for the month of January 2013 and Budget of Revenue and Expenditures with Actuals through January 31, 2013.

Council Member Bicego requested items 1 d & e be pulled for discussion.

Council Member Foster announced his recusal 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 and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member McNeil moved to approve items a, b & c on the consent calendar as submitted.

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

Mayor Simmen thereupon declared the motion carried. Council Member Foster returned to his seat at the Council table.

Acknowledge receipt of General Plan Housing Element 2012 Annual Report.

Council Member Bicego asked for a clarification on the report.

Approval Treasurer's Report to Council for the month of January 2013 and Budget of Revenue and Expenditures with Actuals through January 31, 2013.

Councilmember Bicego asked City Treasurer Rhetta Hogan to give a status report on the City's expenditures and revenues.

Following discussion regarding the Housing Element Report and the report from Treasurer Hogan, Councilmember Bicego moved to acknowledge receipt of the General Plan Housing

Element 2012 Annual Report and to direct the submittal to the state; and to approve the Treasurer's Report and Budget to Actual for the month of January as submitted.

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

Mayor Simmen thereupon declared the motion carried.

Installation of Banners on Fairlane Road.

Following Council discussion, it was the consensus of the Council to direct the City Manager and City Attorney to continue to research the matter and to report back to Council with their recommendation.

Request to determine City Council interest in studying a Sports Complex in Yreka.

Following the presentation by Council Member Bicego and Council discussion, Council Member Mercier moved to direct staff to gather information on the feasibility of a Sports Complex in Yreka.

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

Mayor Simmen thereupon declared the motion carried.

Schedule special meeting on March 21, 2013 @ 5 p.m., to replace the regularly scheduled meeting scheduled to begin at 6:30 p.m. – Mayor Simmen.

Mayor Simmen stated he has been asked to make a presentation at the Citizen of the Yreka dinner which is also scheduled for March 21, and wanted to know if the Council members would be willing to hold a special meeting in place of the regularly scheduled meeting to allow the Council to attend the Citizen of the Year event.

Following Council discussion, it was the consensus of the Council to hold the regularly scheduled meeting on March 21, 2013.

Approval of all Warrants payable to Siskiyou County Economic Development Council from February 22, 2013 through March 7, 2013.

Council Member Mercier announced his recusal 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, Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Councilmember McNeil moved to approve the warrants as submitted.

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

Mayor Simmen thereupon declared the motion carried. Councilmember Mercier returned to his seat at the Council table.

**CLOSED SESSION:**

1. Conference with Legal Counsel - Anticipated Litigation  
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).
2. Pending Litigation: Conference with Legal Counsel pursuant to Government Code§ 54959.9 - On the Matter of City of Yreka v. Kimberlee Abbott., et al., Siskiyou County Superior Court Case No.11-1001.

**RETURN TO OPEN SESSION:** Upon return to open session, City Attorney Dohn R. Henion reported out the following:

Closed Session Item No. 2: City Attorney Henion reported that the Council met in closed session with its attorney and gave direction to the City Attorney. In the event that the direction becomes formally concluded, the action will be disclosed to any person upon inquiry. Council Member Mercier recused himself, did not participate and left the chambers during the discussion of Item No.2.

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

Attest:

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Robert Bicego, Mayor Pro-Tempore  
Minutes approved by Council  
Motion March 21, 2013

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Elizabeth E. Casson, City Clerk