

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON AUGUST 15, 2013

On the 15TH day of August 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 meetings held July 18, 2013 and August 1, 2013.
- b. Approval of Warrants issued from August 2, 2013 through August 15, 2013.
- c. Adopt Resolution No. 3031 Extending the Suspension of Section 13.76.010 of the Yreka Municipal Code, allowing Installation of Banners on Fairlane Road.
- d. Approval of utility account write-off of \$54,016 in fiscal year 2012-2013, including \$26,876.16 for the Pine Garden Apartments and \$4,945.52 for the Sunshine Apartments; and authorizing staff to administratively write-off those accounts under \$2,500.

Councilmember Foster requested item d be pulled for discussion.

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

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

Mayor Simmen thereupon declared the motion carried.

Approval of utility account write-off of \$54,016 in fiscal year 2012-2013, including \$26,876.16 for the Pine Garden Apartments and \$4,945.52 for the Sunshine Apartments; and authorizing staff to administratively write-off those accounts under \$2,500.

Finance Director Rhetta Hogan reported that the City has experienced an unprecedented number of properties in recent history that have gone through foreclosures, short sale and property repossession from lenders. The City has worked with the property owners to maintain their utility services during these difficult times, however the City has experienced some collection losses. Typically, the City writes off the losses in the normal course of business as the accounts become “uncollectable” and refers these to the credit bureau for possible future collections.

The City does not have a formal policy on the amounts that can be written off administratively. Because one of these is in excess of the \$25,000 liability claim authority granted jointly to the City Manager and the City Attorney, staff is requesting formal approval from the City Council.

Following Council discussion, Councilmember Foster moved to approve the utility account write-offs as submitted.

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

Mayor Simmen thereupon declared the motion carried.

PUBLIC HEARING – Consideration of an application for a Certificate of Public Convenience and Necessity for taxicab operation pursuant to Yreka Municipal Code Chapter 5.08 Taxicabs.

This being the time and date scheduled for the public hearing, Mayor Simmen opened the public hearing to the audience. There being no statements or comments, Mayor Simmen closed the public hearing and opened discussion to the Council.

Adopt Resolution No. 3030 issuing a Certificate of Public Convenience and Necessity for Taxicab operation pursuant to Yreka Municipal Code Chapter 5.08.

City Manager Steve Baker reported that currently there are no taxicabs licensed to operate within the City, the previous taxicab business closed in the fall of 2012. City Manager Baker further reported that Yreka Police Chief Brian Bowles has reviewed the application and is recommending approval.

City Attorney Dohn Henion recommended that the Resolution be amended to reflect that the approval for the Certificate of Public Convenience and Necessity for Taxicab operation pursuant to Yreka Municipal Code Chapter 5.08 is for a “non-exclusive” taxicab business.

Following Council discussion, Councilmember McNeil moved to adopt Resolution No. 3030 as amended.

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

Mayor Simmen thereupon declared the motion carried.

Adopt Resolution No. 3029 approving requests associated with Yreka Chamber of Commerce Special Event to be held on September 14, 2013 known as the “Sizzlin September Car Show and Shine”.

Following Council discussion, Councilmember Mercier moved to adopt Resolution No. 3029 as submitted.

Councilmember 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.

Adopt Resolution No. 3028 authorizing acquisition of equipment and execution of all necessary documents for acquiring equipment for the Public Works Department (Sewer Inspection Camera).

Director of Public Works, Steve Neill, reported to the Council that the City is facing significant challenges due to aging sewers, increasing maintenance, repair costs and mandatory improvements needed to comply with State regulations and third-party lawsuits. The financial impact that sewer backups and overflows may have on both the City and the customer, such as fines, property damage, third-party lawsuits, and lost time, are just some of the reasons it is in the City's best interest to purchase a new sewer inspection camera.

Public Works has researched and had demonstrations from several companies and has determined that a ROVVER X Basic Truck Package sewer inspection camera will best meet our needs. The sewer inspection camera is not available on the State Bid List, but Public Works has learned that it can be purchased through the Houston Galveston Area Council (H-GAC). We purchased the Sewer Vacuum Truck through this consortium in 2010, and numerous cities in California, including Anderson and Redding are also members of this consortium.

Director of Public Works Neill further reported that the purchase of the sewer inspection camera was approved by the City Council with the adoption of the FY 2013-2014 Budget, however, the Agreement with H-GAC requires Council authorization, and we are therefore asking that you adopt Resolution No. 3028 authorizing the acquisition of the equipment and authorizing the City Manager to execute all necessary documents.

Following Council discussion, Councilmember Mercier moved to adopt Resolution No. 3028 as submitted.

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

Mayor Simmen thereupon declared the motion carried.

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

Property:	307 North St., Yreka, CA
Third Party Negotiator:	Dieter D. Ruf Trust
City Negotiators:	City Manager and City Attorney
Under Negotiation:	Possible sale including price, terms of payment, or both

RETURN TO OPEN SESSION: Upon return to open session, City Manager Steve Baker reported out that the sale agreement to Dieter D. Ruf for \$150,000, approved by the City Council has been signed by both parties.

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

Attest:

David Simmen, Mayor
Minutes approved by Council
Motion September 5, 2013

Elizabeth E. Casson, City Clerk