

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON SEPTEMBER 4, 2014

On the 4TH day of September 2014, 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.

Presentation to Steve Neill in recognition of his retirement from city service.

Consent Calendar: Mayor Bicego 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/ratification of payments issued from August 22, 2014 through September 4, 2014.
- b. Approval of Minutes of the meeting held August 21, 2014.
- c. Adopt a Resolution of the Council of the City of Yreka establishing the City's intent to comply with the Affordable Care Act employer shared responsibility.

Following Council discussion, Councilmember McNeil moved to approve the items on the consent calendar as submitted.

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

Mayor Bicego thereupon declared the motion carried.

Adopt Resolution making necessary findings pursuant to Government Code Section 7522.56 for Post-Retirement Employment of Steve Neill and directing the City Manager to execute an agreement regarding such employment, together with any and all other necessary documents.

City Manager Steve Baker reported to the Council that Steve Neill, the City's Public Works Director and City Engineer, has recently retired. Staff has been considering various options for providing engineering and project management services in the interim, including contracting with other entities, contracting with a firm, and utilizing existing staff, while evaluating recruitment of a new public works director.

Yreka is a full service City that operates with less than 50 full time employees. The City does not have any staffing redundancy in highly skilled and specialized knowledge positions, like the Public Works Director and City Engineer.

The City has considered various options to insure that engineering and construction project management oversight continues on these projects without disruption to meet the City's needs. The most expedient and cost effective way to meet those urgent needs is to allow Mr. Neill to return to work as a retired annuitant immediately for the City. Government Code 7522.56(f) provides that a retiree is eligible for post-retirement employment without the 180-day wait

period, if it is urgent. A resolution of the City Council must certify the nature of the employment and that the appointment is necessary to fill a critically needed position before the 180 days has passed.

The City is currently in construction of several multimillion dollar capital projects (USDA financed wastewater system improvement project and State of California, Prop 40 Bond, River Parkways project) that benefit from Mr. Neill's intimate knowledge of these projects. Having Mr. Neill working as a retired CalPERS annuitant would give continuity to these large projects and could help avoid costly delays or mistakes from having his administrative project oversight. The nature of these construction agreements as well as the lending and granting agencies agreements, do not allow for the luxury of project delays due to staffing transition.

Following Council discussion, Councilmember Simmen moved to adopt the Resolution approving the post retirement employment of Steve Neill as submitted.

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

Mayor Bicego thereupon declared the motion carried.

Adopt Resolution to authorize the City Manager to award a construction contract including deductive alternate No. 1 to BK Construction in the amount of \$133,300 and execute contract agreements for the Community Theater Siding Replacement.

Administrative Assistant Jeannette Hook reported that the City recently went out to bid for the Community Theater Siding Replacement project, which will replace approximately 7800 sf of the siding with cement fiber siding which will make the structure much more resistant to insects, birds, and fire.

Staff is recommending that the Council adopt a Resolution to authorize the City Manager to award a construction contract in the amount of \$133,300 with the deductive alternate to BK Construction of Yreka. Awarding the contract with the deductive alternative would eliminate the siding replacement in the entry foyer, reduces the contract value by \$21,300, and provides approximately 13% for any contingencies that may arise during construction. Any remaining funds would then be used for several other small projects that are needed such as replacing the front and rollup doors and painting the foyer.

Joan Favero addressed the Council reporting that the Red Scarf Society has raised \$101,400 for the project between grants and community donations, and that Yreka Transfer has generously donated a "dumpster including 4 trips to the landfill" for the construction project.

Following Council discussion, Councilmember Mercier moved to adopt the Resolution awarding the contract in the amount of \$133,300 to BK Construction, with the deductive alternate, as submitted.

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

Mayor Bicego thereupon declared the motion carried.

Discussion of possibilities of obtaining a “first right of refusal” for the superior water rights on Fall Creek owned by Pacific Power (Councilmember Simmen).

Councilmember Simmen presented the Council with information regarding Fall Creek water rights and options.

Following Council discussion, it was the consensus of the Council to authorize the City Manager to begin the initial discussions with PacifiCorp.

ADJOURNMENT Mayor Bicego announced that the closed session has been pulled from the agenda. There being no further business before the Council the meeting was adjourned.

Attest:

Robert Bicego, Mayor
Minutes approved by Council
Motion 9-18-2014

Elizabeth E. Casson, City Clerk