

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON DECEMBER 4, 2008

On the 4<sup>TH</sup> day of December 2008, 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: Tom Amaral, Jim Griffin, Rory McNeil and David Simmen. Absent ó Jason Darrow.

PUBLIC HEARING- to consider whether it is in the public interest and convenience for the City to sell the real property commonly known as 350 N. Foothill Drive, Yreka.

This being the time and date set for the public hearing, Mayor Amaral opened the public hearing to the audience.

Eddie Harris, Ken Rogers, and Don Pollard addressed the Council requesting clarification on the terms of the transfer of the real property to the YMCA.

There being no further comments or statements from the audience, Mayor Amaral closed the public hearing.

PUBLIC HEARING ó to solicit citizen input regarding the intention of the City of Yreka to apply for the Department of Housing and Community Development 2008-2009 funding cycle of the California Community Economic Enterprise Fund Component of the State Community Development Block Grant Program's Economic Development Allocation in an amount up to \$300,000. Eligible activities include small business loan programs, and microenterprise technical assistance and lending activities.

This being the time and date set for the public hearing, Mayor Amaral opened the public hearing to the audience.

Monique Dixon, Program Manager for the Siskiyou County Economic Development Council addressed the audience and Council regarding the proposed CDBG grant application stating that "this project proposal seeks to expand the activities of the commercial kitchen facilities from the production and sales of food products grown, made, or processed in Yreka and the surrounding portions of Siskiyou County to additionally include training, classes, business outreach, technical support and microenterprise loans for the food-hospitality industry as a whole. This project will provide necessary workforce training and technical assistance and thereby reduce overhead costs for businesses and allow their businesses to grow, creating more jobs."

There being no further comments or statements from the audience, Mayor Amaral closed the public hearing.

Adoption of Resolution No. 2746 authorizing the sale of real property located at 350 N. Foothill Drive, Yreka.

Following Council discussion, Council Member Griffin moved to adopt Resolution No. 2746 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Adoption of Resolution No. 2748 approving an application and contract execution for funding from the Economic Development Allocation of the State Community Development Block Grant (CDBG) Program and authorizing the execution of a Grant Agreement and any amendments thereto with the State of California for the purposes of this grant.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2748 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Consent Calendar: Mayor Amaral 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 or audience wishes to remove an item for discussion:

- a. Approval of Minutes of the meeting held November 20, 2008.
- b. Approval of Warrant Listing dated November 26, 2008 and supplemental warrants dated December 4, 2008.

Following Council discussion, Council Member Griffin 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: Amaral, Griffin, McNeil & Simmen.

Mayor Amaral thereupon declared the motion carried.

Approval of Treasurer's Report for the Month of October 2008.

Following Council discussion, Council Member Griffin moved to approve the Treasurer's Report for the Month of October 2008 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Adoption of Ordinance No. 807 amending section 1.24.010 of Chapter 1.24 of the Yreka Municipal Code relating to City Council Regular Meetings.

Following the reading of the title of the Ordinance and Council discussion, Council Member Griffin moved to waive the reading of the body of the Ordinance and to adopt Ordinance No. 807 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Acknowledge receipt of the General Plan Housing Element ó 2007 Annual Report.

Following Council discussion, Council Member Simmen moved to acknowledge receipt of the General Plan Housing Element 2007 Annual Report.

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

Mayor Amaral thereupon declared the motion carried.

Adoption of Resolution No. 2735 establishing fees relating to Yreka Volunteer Fire Department Call out Fees Pursuant to Ordinance No. 804.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2735 as submitted.

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

Mayor Amaral thereupon declared the motion carried.

Approval of the re-appointments of Stephanie Vanden Broeck and Maytha Reather to 3-year terms on the Historic District and Landmarks Commission.

Following Council discussion, Council Member Simmen moved to approve the appointments of Stephanie Vanden Broeck and Maytha Reather.

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

Mayor Amaral thereupon declared the motion carried.

Yreka Development Commission:

- Appointment of Council Members Jason Darrow and David Simmen to the Yreka Development Commission.
- Direction to Staff - prepare an Ordinance for Council consideration to establish the Yreka Development Commission as a standing commission.

Following Council discussion, Council Member Amaral moved to appoint Council Members Jason Darrow and David Simmen to the Yreka Development Commission and to direct the City Attorney to report back to Council by January 15, 2009 with a draft Ordinance to establish the Yreka Development Commission as a standing commission.

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

Mayor Amaral thereupon declared the motion carried.

#### CLOSED SESSION:

1. Anticipated Litigation. Government Code Section 54956.9(b)(3)(E) and (c).  
Conference with Legal Counsel, a point has been reached where, in the opinion of the Council on the advice of its legal counsel, based on existing facts and circumstances, there is significant exposure to litigation against the City and the Council is deciding or will decide whether to initiate litigation, due to a statement threatening litigation made outside an open and public meeting on a specific matter within the responsibility of the Council. One case ó names of parties are not disclosed since it is believed the facts which may result in litigation are not yet be known to the potential litigant(s), which facts need not be disclosed, and, to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.
2. Conference with Labor Negotiator: Government Code § 54957.6 (a)  
Agency negotiators: Brian Meek, Mary Frances McHugh  
Employee Organizations: Yreka Police Administrative Unit; Management Unit; and Confidential Unit.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)  
Property: Facilities, property and legal rights located to city of Yreka diversion  
City Negotiators: City Manager and City Attorney  
Third Party Negotiator: PacifiCorp  
Under Negotiation: Possible purchase including price, terms of payment, or both.

**RETURN TO OPEN SESSION:** Upon return to open session, City Attorney McHugh reported the following:

As to item no. 1 - Anticipated litigation ó no action taken.  
As to item no. 2 - Yreka bargaining units ó Council gave direction to its labor negotiators.  
As to item no. 3 - PacifiCorp Real Property ó On motion by Simmen, second by Griffin, carried unanimously by vote of McNeil, Simmen, Griffin and Amaral, Councilmember

Darrow being absent, the Council authorized the mayor to sign a letter to PacifiCorp Energy indicating an expression of interest in PacifiCorp's Facilities at Fall Creek and associated superior water rights held by PacifiCorp.

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

Attest:

\_\_\_\_\_  
Elizabeth E. Casson,  
City Clerk

\_\_\_\_\_  
Tom Amaral, Mayor  
Minutes approved by Council  
Motion 12-18-08