

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON FEBRUARY 7, 2008

On the 7TH day of February 2008, the City Council of the City of Yreka met in the City Council Chamber of said City in regular session, and upon roll call, the following were present: Tom Amaral, Grace Bennett, Jim Griffin, Eric Harms, and Rory McNeil.
Absent . None.

Mayor McNeil announced that City Attorney Mary Frances McHugh would be participating in the City Council Meeting via conference phone.

Public Comments: Jack Smith of Jacksonville Oregon addressed the Council regarding the possibility of a reclamation project in Greenhorn Park.

PUBLIC HEARING . To consider the adoption of an ordinance extending the duration of the City's temporary Interim Ordinance adopted pursuant to Government Code Section 65858, Relating to Improvement Standards for Water, Wastewater and Storm Drainage for an additional 10 months and 15 days pursuant to Government Code Section 65858.

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

Adoption of Ordinance No. 802 entitled "An Interim Urgency Ordinance of the City of Yreka, Adopted Pursuant to Government Code Section 65858, Relating to Improvement Standards For Water Wastewater And Storm Drainage.

Following the reading of the title of the Ordinance and Council discussion, Council Member Amaral moved to waive the reading of the body of the ordinance and to adopt Ordinance No. 802 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

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 or audience wishes to remove an item for discussion. The reading of the full text of all Resolutions will be waived unless a Council Member requests otherwise:

- a. Approval of Minutes of the meeting held January 17, 2008.
- b. Approval of Warrant Listing dated January 31, 2008 and supplemental warrants dated February 7, 2008.
- c. Adoption of Resolution No. 2686 Designating Municipal Parking Facility.

d. Adoption of Resolution No. 2687 Accepting conveyance . Schoonmaker.

Council Member Amaral requested that items c and d be pulled from the consent calendar for discussion.

Following Council discussion, Council Member Amaral moved to approve the minutes as corrected and the warrant listing and supplemental as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Adoption of Resolution No. 2686 Designating Municipal Parking Facility.

Council Member Amaral requested clarification on the purpose of the Resolution. City Attorney Mary Frances McHugh stated that the City Hall parking lot had been inadvertently omitted when the City adopted Resolution No. 2496 which identified the City owned parking lots and municipal parking facilities. City Attorney McHugh further stated that the adoption of this Resolution would not affect the current parking arrangement the City has with Jackson Street School.

Following Council discussion, Council Member Amaral moved to adopt Resolution No. 2686 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Adoption of Resolution No. 2687 accepting Deed of Eric Schoonmaker for the Yreka Creek Greenway.

Council Member Amaral expressed concerns as to whether the property has been cleaned up and if there are any environmental concerns.

City Attorney McHugh stated that many of the parcels we have been acquiring for the Greenway Project have had industrial uses in the past and that the City's acquisition of the property would be ~~as is~~ as is+.

Following Council discussion, Council Member Amaral moved to adopt Resolution No. 2687 accepting the property from Schoonmaker.

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

Mayor McNeil thereupon declared the motion carried.

Adoption of Ordinance No. 801 Amending Portions of the Yreka Municipal Code, Chapter 10.40, Stopping, Standing or Parking Restricted or Prohibited, and Chapter 10.60 Municipal Off-Street Parking.

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. 801 as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Adoption of Resolution No. 2682 . Civil Penalties for Parking Violations.

Following Council discussion, Council Member Amaral moved to adopt Resolution 2682 increasing all penalties currently set at \$10 and \$15 to \$35.00 and leaving the \$100 and \$250 fees unchanged.

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

Mayor McNeil thereupon declared the motion carried.

Adoption of Resolution 2688 to adopt procedures for the purpose of conducting all proceedings required by Article XIID of the California Constitution for Consideration of a proposed Waste Management and Disposal Fee Increase, and set Public Hearing.

Following Council discussion it was the consensus of the Council to table this Resolution until the February 21, 2008 Council meeting.

Approval of Treasurer's Quarterly Investment Report Dated December 31, 2007 and Treasurer's Monthly Report the City Council dated December 2007.

Following Council discussion, Council Member Bennett moved to approve the Treasurer's Quarterly Investment Report and the Treasurer's Monthly Report as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Authorize City Manager to negotiate a contract for Professional Services to develop a City Website consistent with the terms of the staff's recommended outline of service, to be funded utilizing Workforce Housing Reward Grant funds . contract # 04-WFH-074.

Following Council discussion, Council Member Harms moved to authorize the City Manager to negotiate and execute a contract for professional services and all other necessary documents to develop a City Website.

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

Mayor McNeil thereupon declared the motion carried.

Approval of Budget Revision Requests . Finance Director

- Approval of Supplemental Appropriation in the amount of \$10,000 . Wastewater Treatment Plant Effluent Disposal Area Dike Repairs.
- Approval of Supplemental Appropriation in the amount of \$35,000 - Park Maintenance.
- Approval of Supplemental Appropriation in the amount of \$50,000 to cover additional 05FEMA Storm Repairs in Greenhorn Park.

Following Council discussion, Council Member Amaral moved to approve the supplemental appropriations as submitted.

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

Mayor McNeil thereupon declared the motion carried.

Direction to staff . Establish Policy for naming parks and placement of donated memorial benches, trees, etc.

Following Council discussion, it was the consensus of the Council to table this item until such time as the GPD committee has developed a draft policy for Greenhorn Park.

Direction to City Attorney . Proposed Amendment to Curfew Ordinance.

Chief Brian Bowles addressed the Council explaining the need for the amendment to our current curfew ordinance.

Following Council discussion, Council Member Amaral moved to authorize the City Attorney to continue to explore the situation and to proceed with the preparation of two separate Ordinances for Council consideration relating to a day curfew and a night curfew.

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

Mayor McNeil thereupon declared the motion carried.

Direction to staff: Proposed Klamath Basin Restoration Agreement Council Member Bennett.

- Report from City Attorney regarding status of matter and possible effects upon City interests.
- Authorize preliminary public comment by the City on the Klamath Basin Restoration Agreement to FERC at its February 19, 2008 Public Hearing.
- Authorize such other necessary action as appears appropriate in the circumstances.

Rick Butler addressed the Council to express his concerns with the proposed agreement.

Following Council discussion, Council Member Amaral moved to authorize Mayor McNeil and Council Member Bennett to work with staff to create a letter for the Mayor's signature on behalf of the City Council expressing our concerns.

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

Mayor McNeil thereupon declared the motion carried.

Closed Session:

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

Property: A. P. No. 53-681-070.
 City Negotiators: City Manager and City Attorney
 Third Party Negotiator: Siskiyou County Tax Collector/ Hi Ridge
 Under Negotiation: Possible purchase including price, terms of payment, or both.

2. Anticipated Litigation. Government Code § 54956.9(C) Conference with Legal Counsel whether, based on existing facts and circumstances, the Council will decide whether to initiate litigation. One Case - Name of case not disclosed; to do so would jeopardize City's ability to conclude existing settlement negotiations to its advantage.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney McHugh reported that the Council received legal advice and gave direction to its real property negotiators. In addition the City Council authorized the City Attorney to take all steps necessary to protect the interests of the City of Yreka in that matter known as LA Times

v. Commission on Peace Officer Standards and Training, Superior Court of California, County of Sacramento, Case No. 03CS01077 on motion by Griffin, seconded by Bennett and carried unanimously.

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

Attest:

Liz Casson, City Clerk

Grace Bennett, Temporary Presiding Officer
Minutes approved by Council
Motion 2-21-08