

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON AUGUST 21, 2008

On the 21<sup>st</sup> day of August 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: Jason Darrow, Jim Griffin, Rory McNeil and David Simmen. Absent ó Tom Amaral.

Mayor Pro-Tempore Griffin announced that the Council received a request to add one item to the agenda which came to the staff's attention after the preparation and posting of the agenda. Said item being "Adoption of Resolution No. 2729 approving and authorizing acquisition and execution of all necessary documents for acquiring and financing of Financial Software for the City of Yreka."

Following Council discussion, Council Member McNeil moved to add the item to the agenda as item # 17.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

**PUBLIC COMMENTS:** Louise Gliatto addressed the Council requesting that the City of Yreka encourage all businesses and residents to display our flag on September 11 in remembrance of the 7<sup>th</sup> anniversary of 9-11.

**PUBLIC HEARING** ó to solicit comments from the public regarding the City's intention to apply to the California Department of Housing and Community Development (CDBG) for 2008/2009 Planning and Technical Assistance (PTA) grants in an amount not to exceed \$140,000.00. Under the General Allocation portion, the City intends to apply for \$35,000 to initiate a program to provide to low-income residents low-flow toilets, shower devices and water conservation education; and \$35,000 to provide a preliminary architectural design study for the rehabilitation of Ringe Pool. Under the Economic Development Allocation, the City intends to apply for \$35,000 to study urban blight in Yreka and \$35,000 for micro-enterprise business training and assistance for business development.

This being the time and date set for the Public Hearing, Mayor Pro-Tempore Griffin opened the public hearing to the audience.

Monique Dixon, Program Manager of the Siskiyou County Economic Development and City Finance Director Rhetta Hogan addressed the audience to explain the proposed grant applications and to answer any questions.

There being no further statements from the audience, Mayor Pro-Tempore Griffin closed the public hearing.

Adoption of Resolution No. 2726 approving two applications for funding and the execution of grant agreements and any amendments thereto from the Planning and Technical General Allocation of the State CDBG Program.

Mayor Pro-Tempore Griffin announced that staff has submitted an amendment to the Resolution for Council consideration requesting approval for only one grant application under the General Allocation of the State CDBG Program.

Mayor Pro-Tempore Griffin stated that the original Resolution was amended deleting the application for Ringe Pool as it was deemed ineligible at this time.

Following Council discussion, Council Member McNeil moved to adopt amended Resolution No. 2726 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption of Resolution No. 2727 approving two applications for funding and the execution of grant agreements and any amendments thereto from the Planning and Technical Economic Allocation of the State CDBG Program.

Following Council discussion, Council Member McNeil moved to adopt Resolution No. 2727 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Consideration of Request of Yreka Transfer for a Rate Increase for Residential Customers.

Following Council discussion, Council Member Simmen moved to direct staff to prepare a Resolution authorizing the increase, for consideration at the next City Council meeting.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption of Resolution No. 2722 Approving requests associated with the Yreka Chamber of Commerce Special Event to be held on Saturday September 13, 2008, known as the Septemberfest.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2722 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption of Resolution No. 2728 approving the Master Agreement, Administering Agency, State Agreement for State Funded Projects, Agreement Number 00176S, between the City and the State of California, and authorizing the City Manager to execute the Master Agreement and Program Supplements on behalf of the City.

Following Council discussion, Council Member McNeil moved to adopt Resolution No. 2728 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Introduction of Ordinance No. 804 amending Section 2.28.070 of Chapter 2.28 of the Yreka Municipal Code, Fire Department Assignment of Duties ó Payment for Services, Title 2 ó Administration and Personnel.

Following the reading of the title of the Ordinance and Council discussion, Council Member McNeil moved to waive the reading of the body of the Ordinance and to introduce Ordinance No. 804 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Introduction of Ordinance No. 805 Repealing Section 12.04.060 of Chapter 12.04 of the Yreka Municipal Code relating to Discontinuance of Water Service; adding new Section 12.04.060 Discontinuance of Water Service and Reconnection; and Amending Section 12.30.020 of Title 12, Chapter 12.30, Sewer Service Fees.

Following the reading of the title of the Ordinance and Council discussion, Council Member McNeil moved to waive the reading of the body of the Ordinance and to introduce Ordinance No. 805 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Introduction of Ordinance No. 806 amending Title 8 of the Yreka Municipal Code, Dogs ó Animals, Section 8.04.020, Keeping of Animals, and Amending various sections of Chapter 8.08 and Section 8.16.050 Impoundment of Unlicensed Dogs ó Release Conditions ó Vaccination.

Following the reading of the title of the Ordinance and Council discussion, Council Member McNeil moved to waive the reading of the body of the Ordinance and to introduce Ordinance No. 806 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Approval of Treasurerø

- Monthly Report for the Months of June and July 2008
- Quarterly Investment Report dated June 30, 2008.

Following Council discussion, Council Member McNeil moved to approve the Treasurerø reports as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Appointment to the Investment and Audit Committee.

Following Council discussion, Council Member Simmen moved to appoint Council Members Darrow and Griffin to the Investment and Audit Committee.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Proposed budget revisions for closure of 2007-2008 Fiscal Year ó Report of Finance Director.

Following Council discussion, Council Member McNeil moved to the budget revisions for closure of 2007-2008 Fiscal Year as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption of Resolution No 2724 setting forth the Appropriation Limits for the City of Yreka for Fiscal Year 2008/2009.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2724 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption of Resolution No. 2725 adopting the Preliminary Budget for Fiscal Year 2008/2009.

Following Council discussion, Council Member McNeil moved to adopt Resolution No. 2725 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Approval of Minutes of the meeting held August 7, 2008.

Following Council discussion, Council Member McNeil moved to approve the minutes as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Due to a financial conflict of interest with one of the warrants, Council Member Simmen recused himself and left the Council Chamber.

Approval of Warrant Listing dated August 14, 2008 and supplemental warrants dated August 21, 2008.

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

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Council Member Simmen returned to his seat at the Council table.

Resolution # 2729 approving and authorizing acquisition and execution of all necessary documents for acquiring and financing of financial software for the City of Yreka.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2729 as submitted.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

**CLOSED SESSION:**

1. Conference with Labor Negotiator

Agency negotiators: Brian Meek, Mary Frances McHugh  
Employee Organization: Yreka Police Officer's Association  
Yreka Police Administrative Unit; Management Unit; Confidential Unit.

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

Property: AP # 62-030-190, 62-030-210, 62-161-170,  
62-161-160 & 62-161-140  
City Negotiators: City Manager and City Attorney  
Third Party Negotiator: College of the Siskiyous  
Under Negotiation: Possible purchase including price, terms of payment, or both.

3. 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.

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

1. Conference with Labor Negotiators: Yreka Police Officers Association; Yreka Police Administrative Unit; Management Unit; and Confidential Unit.  
The Council gave received information from its negotiators and gave instruction.

- 2. Conference with Real Property Negotiators re College of the Siskiyous: AP # 62-030-190, 62-030-210, 62-161-170, 62-161-160 & 62-161-140. The Council gave instruction to its real property negotiators.
- 3. Anticipated Litigation: Government Code Section 54956.9(b)(3)(E) and (c) (one case)The Council received information and legal advice from the City Attorney.

No further action was taken.

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

Attest:

\_\_\_\_\_  
 Liz Casson, City Clerk

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 Tom Amaral, Mayor  
 Minutes approved by Council  
 Motion 9-4-08