

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON SEPTEMBER 1, 2011

On the 1st day of September 2011, 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 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 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 meeting held August 18, 2011.
- b. Approval of Budget to Actuals and Treasurer's report for June 2011.
- c. Approval of Treasurer's Quarterly Report.
- d. Adopt Resolution No. 2929 approving Chamber of Commerce Special Event – "Sizzlin' September Show & Shine Car Show" to be held September 24, 2011.

Following Council discussion, Council Member Mercier 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: Bicego, Foster, McNeil, Mercier and Simmen.

Mayor McNeil thereupon declared the motion carried.

Discussion/Possible Direction to Staff - prepare a draft Ordinance to amend Yreka Municipal Code Section 8.04 to allow backyard chickens and to take any other necessary action as Council may direct.

Following statements from the audience and Council discussion, Council Member Foster moved to direct the City Attorney to prepare a draft Ordinance to amend Yreka Municipal Code to allow backyard chickens with the additions/amendments as discussed, to be presented to Council for possible Introduction.

Council Member Mercier seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen. Abstain – Bicego.

Mayor McNeil thereupon declared the motion carried.

Approval of Warrants issued from August 19, 2011 through September 1, 2011.

Council Members Foster and Mercier announced their recusal. Foster stating that he has a conflict of interest with one of the warrants listed by reason of his employment relationship with one of the proposed payees, namely, Madrone Hospice, and therefore recused himself and left the Council Chamber. Mercier stating that he has a conflict of interest with one of the warrants listed by reason of his contractual relationship with one of the proposed payees, namely, Siskiyou County Employment Development Council, and therefore recused himself and left the Council Chamber.

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

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

Mayor McNeil thereupon declared the motion carried.

Council Members Foster and Mercier returned to their seats at the Council table.

CLOSED SESSION:

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

Property:	418 S. Oregon Street, Yreka, CA
City Negotiators:	City Manager and City Attorney
Third Party Negotiator:	Mary Ellen Rock, Trustee James T. and Mary Ellen Rock Trust
Under Negotiation:	price and terms
2. 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 – 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.
3. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Attorney.
4. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager.

RETURN TO OPEN SESSION: Upon return to open session, Mayor McNeil reported that closed session was adjourned to Wednesday September 7, 2011 at 5 pm to continue discussion on items no. 3 & 4 of the closed session portion of the agenda.

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

Attest:

 Rory McNeil, Mayor
 Minutes approved by Council
 Motion 9-15-11

 Elizabeth E. Casson, City Clerk