

MINUTES OF THE ADJOURNED MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON SEPTEMBER 10, 2008

On the 10th day of September 2008, the City Council of the City of Yreka met in the City Council Chambers of said City in adjourned session from September 4 and September 8, and upon roll call, the following were present: Jason Darrow, Jim Griffin, and Rory McNeil. Absent ó Tom Amaral & David Simmen.

Adoption of Resolution No. 2723 consenting to an increase of Residential Rates for the Collection of Garbage ó Yreka Transfer.

Following Council discussion, Council Member McNeil moved to adopt amended Resolution No. 2723 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.

Adoption of Resolution No. 2730 encouraging display of the American Flag by Citizens of the City of Yreka on the anniversaries of September 11th.

Following Council discussion, Council Member McNeil moved to adopt amended Resolution No. 2730 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.

Approval of appointment of William Girdner to the Yreka Volunteer Fire Department.

Following Council discussion, Council Member Darrow moved to approve the appointment of William Girdner to the Yreka Volunteer Fire Department.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption 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 adopt Ordinance No. 804.

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.

Adoption 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 Darrow moved to waive the reading of the body of the ordinance and to adopt Ordinance No. 805.

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Adoption 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 adopt Ordinance No. 806.

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.

Approval of Minutes of the meeting held August 21, 2008.

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

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

Mayor Pro-Tempore Griffin thereupon declared the motion carried.

Approval of Warrant Listing dated August 28, 2008 and supplemental warrants dated September 4, 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.

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. 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.

3. 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.

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

Property: AP # 053-651-160
City Negotiators: City Manager and City Attorney
Third Party Negotiator: Siskiyou Family YMCA
Under Negotiation: Possible purchase including price, terms of payment, or both.

5. Pending Litigation: Government Code § 54956.9(a) Yreka Holdings II v. City of Yreka, Siskiyou Superior Court No. SC CV CV 0700693.

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 received information from its negotiators and gave instruction.
2. Anticipated Litigation: Government Code Section 54956.9(b)(3)(E) and (c) ó one case. The Council received information and legal advice from the City Attorney. On motion by McNeil, second by Griffin, the City Attorney was authorized to take all necessary steps in the defense of that matter referred to as the Wastewater Treatment Dike Repair incident of January 14, 2008 and to enter into a contract with Attorney John S. Kenney for legal services in an amount not to exceed \$5,000. The motion was carried unanimously: Darrow, Griffin & McNeil all voting Aye.
3. 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.
4. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: AP # 053-651-160
City Negotiators: City Manager and City Attorney
Third Party Negotiator: Siskiyou Family YMCA
Under Negotiation: Possible purchase including price, terms of payment, or both.

On motion by McNeil, second by Darrow, the City's Real Property Negotiators were authorized to meet with the representatives of the Siskiyou Family YMCA to discuss possible transfer of this property and the terms and condition of transfer. The motion carried unanimously: Darrow, Griffin & McNeil all voting Aye.
5. Pending Litigation: Government Code § 54956.9(a) Yreka Holdings II v. City of Yreka, Siskiyou Superior Court No. SC CV CV 0700693. Council received advice from its legal counsel.

No further action was taken.

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

Attest:

Liz Casson, City Clerk

Tom Amaral, Mayor
Minutes approved by Council
Motion 9-18-08