

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF  
YREKA HELD IN SAID CITY ON SEPTEMBER 3, 2009

On the 3<sup>RD</sup> day of September 2009, 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, Jason Darrow, Jim Griffin, and David Simmen. Absent – Rory McNeil.

Approval of request by the Siskiyou Arboretum to install a 18 x 24 inch wooden sign at the Siskiyou Natives Demonstration Garden at Upper Greenhorn Park.

Kathy Pitts addressed the Council on behalf of the Board of the Siskiyou Arboretum to make an addition to their request. Mrs. Pitts stated the in addition to installing the 18 x 24 inch wooden sign, the Board would also like to remove the current “map” sign and replace it with another smaller temporary interpretive sign.

Following Council discussion, Council Member Amaral moved to approve the request to install the 18 x 24 inch sign and to also approve the request to remove the current “map” sign and replace it with a temporary interpretive sign.

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

Adopt Resolution No. 2799 naming the Yreka Phlox as the City’s Official Flower.

Following Council discussion, Council Member Darrow moved to adopt Resolution No. 2799 as submitted.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, Griffin & 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. 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 August 20, 2009
- b. Approval of Warrants issued from August 21 to September 3, 2009.

Following Council discussion, Council Member Griffin moved to approve the items on the consent calendar as submitted.

Council Member Darrow seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, Griffin, & Simmen. Mayor Amaral thereupon declared the motion carried.

Approve Transportation claim for the 2009/2010 Local Transportation Fund in the amount of \$1,502.

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

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, Griffin, & Simmen. Mayor Amaral thereupon declared the motion carried.

Approve a supplemental appropriation for the “Miner Street Vitalization Project” in an amount not to exceed \$10,000 to cover community planning sessions, landscape architecture and design plans & specifications.

Following Council discussion, Council Member Darrow moved to approve the supplemental appropriation as requested.

Council Member Simmen seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, Griffin, & Simmen. Mayor Amaral thereupon declared the motion carried.

Authorize the City Manager to negotiate and execute a Professional Services Agreement with a design professional to enhance the parking plan for the “Miner Street Vitalization Project”.

Following Council discussion, Council Member Simmen moved to authorize the City Manager to negotiate and execute the professional services agreement as requested.

Council Member Griffin seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, Griffin & Simmen. Mayor Amaral thereupon declared the motion carried.

Direct City Attorney and City Manager to work with Council Members designated by the Mayor to prepare an Ordinance to establish the Yreka Development Commission ("YDC") as a standing commission.

Following Council discussion, Council Member Amaral moved to direct the City Manager and City Attorney to work with himself and Council Member McNeil to begin the preparation of a draft Ordinance to formally establish the Yreka Development Commission.

Council Member Darrow seconded the motion, and upon roll call, the following voted YEA: Amaral, Darrow, & Simmen. Nays: Griffin. Mayor Amaral thereupon declared the motion carried.

**CLOSED SESSION:**

1. Personnel. Schedule Public Employee Performance Evaluation. Government Code § 54957  
- Title: City Manager.
2. Conference with Labor Negotiator:  
Agency negotiators: Brian Meek & Mary Frances McHugh  
Employee Organizations: Confidential Unit, Management Team Unit, Yreka City Employees Association and Yreka Police Department Administration Unit.

3. Conference with Real Property Negotiator Government Code Section 54956.8  
 Property: APN# 054-261-050  
 City Negotiators: City Manager and City Attorney  
 Third Party Negotiator: Phyllis M. Stewart 1991 Trust  
 Under Negotiation: Possible sale including price, terms of payment, or both.
  
4. Conference with Real Property Negotiator Government Code Section 54956.8  
 Property: APN# 013-110-130 & 013-100-140  
 City Negotiators: City Manager and City Attorney  
 Third Party Negotiator: Hi-Ridge  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
  
5. Conference with Real Property Negotiator Government Code Section 54956.8  
 Property: APN# 53-361-120  
 City Negotiators: City Manager and City Attorney  
 Third Party Negotiator: Robert Ericsson  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
  
6. Conference with Real Property Negotiator Government Code Section 54956.8  
 Property: APN# 054-302-050  
 City Negotiators: City Manager and City Attorney  
 Third Party Negotiator: Yreka Union School District.  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
  
7. 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. Two cases – 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.
  
8. Conference with Real Property Negotiator (Government Code Section 54956.8)  
 Property: Facilities, property and legal rights located to City of Yreka diversion  
 Third Party Negotiator: PacifiCorp  
 Under Negotiation: Possible purchase including price, terms of payment, or both.
  
9. 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 Mary Frances McHugh reported that the Council returned from closed session at 9:05PM. The City Attorney announced there was “No reportable action taken in closed session”. The Council adjourned at 9:06PM.

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

Attest:

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Tom Amaral, Mayor  
Minutes approved by Council  
Motion 9-17-09

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Elizabeth E. Casson, City Clerk