

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON JULY 1, 2010

On the 1st day of July 2010, 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, Rory McNeil, John Mercier and David Simmen. Absent – Jason Darrow.

Pursuant to Yreka Municipal Code Section 1.24.100, due to the absence of both the Mayor and the Mayor Pro-Tempore, City Clerk Elizabeth Casson called the meeting to order and entertained a motion for the election of a Temporary Presiding Officer.

Council Member Bicego moved to nominate David Simmen as the Temporary Presiding Officer.

There being no further nominations, City Clerk Casson closed the nominations and called for a vote. Upon roll call the following voted for Simmen: Bicego, Mercier, & McNeil.

City Clerk Casson therefore declared the motion carried and Council Member Simmen took his seat as Temporary Presiding Officer.

Temporary Presiding Officer Simmen announced that he has 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:

Consideration of an appropriation to the Siskiyou County Motor Sports Association for the 2010 Fireworks display.

Following council discussion, Council Member Bicego moved to add the appropriation to the agenda.

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

Temporary Presiding Officer Simmen declared the motion carried and started it would be heard as agenda item number 3.

Consent Calendar: Temporary Presiding Officer Simmen 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 June 17, 2010.
- b. Adopt Resolution 2862 authorizing the County of Siskiyou to submit a Used Oil Payment Program Regional Application on behalf of the County of Siskiyou as Lead Agency and the City of Yreka as one of the participating agencies.
- c. Approval of Treasurer's Report and budget to actual for the month of May 2010.

- d. Approval of Agreement for Special Services between City of Yreka and Liebert Cassidy Whitmore for consulting services regarding labor relations for fiscal year 2010-2011.
- e. Approval of Warrants issued from June 18 – July 1, 2010.
- f. Adopt Resolution No. 2863 accepting deed of Marilyn S. Terry for a Water Management Facility Easement.
- g. Adopt Resolution No. 2864 accepting deed of Bert C. Murphy and Lee Star for a Water Management Facility Easement and fee title acquisition.
- h. Adopt Resolution No. 2865 accepting deed of Oakwood Apartment Housing Investors for a Water Management Facility Easement.
- i. Adopt Resolution No. 2867 accepting deed of Blair E. Loftus and Ronald L. Loftus for a Water Management Facility Easement.

Council Member Bicego requested to pull item 1c from the consent agenda.

Following Council discussion, Council Member McNeil moved to approve items a,b,d,e,f,g,h, & i on the consent calendar as submitted.

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

Temporary Presiding Officer Simmen thereupon declared the motion carried.

Consent Calendar Item i: Approval of Treasurer's Report and budget to actual for the month of May 2010.

Council Member Bicego asked the Finance Director to explain the "gift donations" as listed. Following Council discussion, Council Member Bicego moved to approve the Treasurer's Report and budget to actual as submitted.

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

Temporary Presiding Officer Simmen thereupon declared the motion carried.

Adopt Resolution No. 2861 authorizing the expenditure of funds prior to the adoption of the Fiscal Year 2010-2011.

Following Council discussion, Council Member McNeil moved to adopt Resolution No. 2861 as submitted.

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

Temporary Presiding Officer Simmen thereupon declared the motion carried.

Consideration of an appropriation to the Siskiyou County Motor Sports Association for the 2010 Fireworks display.

Billy Jasmer, President of Siskiyou County Motor Sports Association addressed the Council to report that they were very successful in their fund raising efforts over the past several weeks, however, they were still short somewhere between \$2,000 and \$1,500.

Following Council discussion, Council Member Bicego moved to authorize an appropriation to the Siskiyou County Motor Sports Association in an amount not to exceed \$2,000 to cover the balance remaining and directed the City Manager to verify remaining balance and to prepare the check on Friday.

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

Temporary Presiding Officer Simmen thereupon declared the motion carried.

CLOSED SESSION:

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.

Conference with Labor Negotiator Government Code Section 54957.6 (a)

Agency negotiators: Steven Baker and Mary Frances McHugh
Employee Organizations: Yreka Management Team Association, Confidential Unit, Yreka City Employees Association, Yreka Police Administration Unit, Yreka Police Sergeants Association, and the Yreka Police Officer's Association.

Closed Session item Real Property: Conference with Real Property Negotiators (Government Code Section 54956.8)

Property:	APN: 013-110-130 & 013-100-140
City Negotiators:	City Manager and City Attorney
Third Party Negotiator:	Successors in interest to Hi-Ridge Lumber Co.
Under Negotiation:	Possible purchase of assets, including terms.

Closed Session item Real Property: Conference with Real Property Negotiators (Government Code Section 54956.8)

Property:	APN: 062-161-120 & 150, and 062-031-250
City Negotiators:	City Manager and City Attorney

Third Party Negotiator:	Administrative Office of the Courts
Under Negotiation:	Possible purchase of assets, including terms.

Pending Litigation: Government Code § 54956.9(a) – Conference with Legal Counsel: Yreka Holdings II v. COY Siskiyou County Superior Court case number SCCVCV 07-693.

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported that there was no reportable action.

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

Attest:

 Temporary Presiding Officer
 Minutes approved by Council
 Motion 7-15-10

 Elizabeth E. Casson, City Clerk