

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF YREKA
HELD IN SAID CITY ON SEPTEMBER 2, 2010

On the 2nd day of September 2010, the City Council of the City of Yreka met in the City Council Chambers of said City in special session, and upon roll call, the following were present: Robert Bicego, Rory McNeil, John Mercier and David Simmen. Absent – None.

Selection and Appointment of City Councilmember.

The City Council interviewed, in public forum, Blair Attridge, Bryan Foster, Matt Osborn and Norman Shaskey giving them each a chance to give their background, experience, and reasons for wanting to serve on the Yreka City Council.

Following the interviews and Council discussion, Mayor McNeil opened nominations. Council Member Simmen nominated Matt Osborn; and Council Member Bicego nominated Bryan Foster. There being no further nominations, Mayor McNeill closed the nominations and called for a vote:

Those in favor of Osborn: Simmen
Those in favor of Foster: Bicego, McNeil & Mercier.

Mayor McNeil thereupon declared Bryan Foster as the new City Council Member and asked the City Clerk to give the Oath of Office.

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

Attest:

Rory McNeil, Mayor
Minutes approved by Council
Motion 9-16-10

Elizabeth E. Casson, City Clerk

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON SEPTEMBER 2, 2010

On the 2nd day of September 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, Brian Foster, Rory McNeil, John Mercier, and David Simmen. Absent – None.

Mayor McNeil announced that she has received a request to add two items to the agenda:

1. Election of Mayor Pro-Tempore
2. Closed Session: Conference with Labor Negotiator (Government code Section 54957.6) Agency negotiators: Steven W. Baker and Mary Frances McHugh
Employee Organization: Yreka City Employees Association.

Following Council discussion, Council Member Simmen moved to add the items to the agenda as 1 and closed session item #4.

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

Mayor McNeil thereupon declared the motion carried.

Election of Mayor Pro-Tempore

Mayor McNeil opened nominations from the Council for the election of Mayor Pro-Tempore.

Council Member Bicego moved to nominate Council Member Simmen. There being no further nominations, Mayor McNeil closed the nominations and called for a vote. Upon roll call the following voted for Simmen: Bicego, Foster, Mercier, and McNeil.

Mayor McNeil thereupon declared David Simmen as Mayor Pro-Tempore.

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 19, 2010.
- b. Approval of Warrants issued from August 20 through September 2, 2010.
- c. Adopt Resolution No. 2877 accepting easement grant deed of dedication from TVI Real Estate Inc., for public utilities easement.
- d. Approval of County of Siskiyou Local Transportation Claim for the 2010/11 Fiscal Year.
- e. Approval of Treasurer's Report and budget to actual for the month of June 2010.
- f. Approval of the Treasurer's Quarterly Report.

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

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

Mayor McNeil thereupon declared the motion carried.

Adopt Resolution No. 2875 authorizing and providing for the incurrence of indebtedness for the purpose of providing portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its water facility to serve an area lawfully within its jurisdiction.

Adopt Resolution No. 2876 authorizing City Manager to award and execute contract for the Fall Creek Water System Improvements Project.

Authorize the City Manager and Director of Public Works to execute a contract with PACE Engineering in the amount of \$756,000 for construction support and inspection services.

Authorize the City Manager and Director of Public Works to execute a contract with PACE Engineering in the amount of \$48,000 for labor compliance services during construction.

Steve Neill, Director of Public Works, addressed the Council and audience to answer any questions regarding the project.

Following Council discussion, Council Member Simmen moved to adopt Resolution No. 2875 and Resolution No. 2876 as submitted and to authorize the City Manager and Director of Public Works to execute a contract with PACE Engineering in the amount of \$756,000 for construction support and inspection services and to authorize the City Manager and Director of Public Works to execute a contract with PACE Engineering in the amount of \$48,000 for labor compliance services during construction.

Council Member Bicego 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 Action Regarding Selection Process for New City Treasurer; Appointment of City Treasurer.

City Manager Steve Baker reported to the Council that City Treasurer Michael Pavlik submitted his resignation effective September 1, 2010 and outlined the process for appointment or election of a Treasurer.

Following Council discussion, Mayor McNeil opened nominations from the Council for the appointment of a City Treasurer to fill the unexpired term of Michael Pavlik.

Council Member Bicego moved to nominate Shella Rhetta Hogan;
Council Member Mercier moved to nominate Jeff Chitwood.

There being no further nominations, Mayor McNeil closed the nominations and called for the vote. Upon roll call the following vote was recorded:

Sheila Rhetta Hogan
Jeff Chitwood

Bicego, Simmen & McNeil
Foster & Mercier

Mayor McNeil declared Sheila Rhetta Hogan as the new City Treasurer to fill the unexpired term of Michael Pavlik which expires June 2012.

CLOSED SESSION:

1. Conference with Labor Negotiator (Government code Section 54957.6)
Agency negotiators: Steven W. Baker and Mary Frances McHugh
Employee Organization: Yreka City Employees Association.

2. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: APN# 054-081-190 116 S. West Street
City Negotiators: City Manager and City Attorney
Third Party Negotiator: Donna Aguirre, Personal Representative of the Estate of John Martin, Deceased
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 – 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.

4. Closed Session: Conference with Labor Negotiator (Government code Section 54957.6) Agency negotiators: Steven W. Baker and Mary Frances McHugh
Employee Organization: Yreka City Employees Association.

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:

Rory McNeil, Mayor
Minutes approved by Council
Motion 9-16-10

Elizabeth E. Casson, City Clerk