

YREKA CITY COUNCIL
AGENDA
November 19, 2009 – 6:30 P.M.
Yreka City Council Chamber 701 Fourth Street, Yreka, CA

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS: This is an opportunity for members of the public to address the Council on subjects within its jurisdiction, whether or not on the agenda for this meeting. The Council has the right to reasonably limit the length of individual comments. Pursuant to Yreka Municipal Code Section 1.24.170 those addressing the Council shall limit their remarks to five minutes. For items, which are on this agenda, speakers may request that their comments be heard instead at the time the item is to be acted upon by the Council. The Council may ask questions, but may take no action during the Public Comment portion of the meeting, except to direct staff to prepare a report, or to place an item on a future agenda.

SPEAKERS: Please state your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

1. PUBLIC HEARING – to consider the imposition of an interim ordinance as an urgency measure pursuant to Government Code Section 65858, placing a temporary forty-five (45) day moratorium on the establishment and operation of medical marijuana dispensaries, collectives or cooperatives within the City limits. The purpose of the proposed moratorium and any extension thereof, is to allow the City sufficient time to study the potential impacts of such facilities on the public health, safety and welfare, and to determine whether such facilities should be banned, or, if not banned, whether they should be regulated by amendments or additions to the Yreka Municipal Code, including the zoning ordinance.
2. Discussion/Possible Adoption of Ordinance No. 816 – An Urgency Ordinance of the City of Yreka adopting a Moratorium on Medical Marijuana Dispensaries.
3. Discussion/Possible Introduction of Ordinance No. 817 Introduction and Order referring to Planning Commission for review and report pursuant to Government Code Section 65853 – an Ordinance Amending Title 16, Chapter 16.46 of the Yreka Municipal Code adding Section 16.46.150 – Prohibited Uses – prohibiting Medical Marijuana Dispensaries, Collectives, Cooperatives, and the Cultivation of Marijuana in any Zoning District, and added definitions for Medical Marijuana Dispensaries, Collectives, Cooperatives and the Cultivation of Marijuana.
4. PUBLIC HEARING - Consideration of an update of the City of Yreka General Plan Housing Element, which was adopted in December 2003.
5. Discussion/Possible Action – Adopt Resolution No. 2814 approving update of the City of Yreka General Plan Housing Element and submittal to the State of California Department of Housing and Community Development.

6. PUBLIC HEARING – Consideration of an application for a General Plan Amendment to designate property proposed to be annexed into the city limits of Yreka with a General Plan designation of I (Industrial). The proposed annexation is an approximately 2.5 +/- acre parcel known as Assessor's Parcel No. 013-300-300. And consideration of pre-zoning a 2.5 +/- acre parcel that is proposed to be annexed into the city limits of Yreka to M-2 (Heavy Industrial) zone designation. Assessor's Parcel No. 013-300-300.

Applicant: Shasta Forest Products, Inc. by Richard Conroy
Location: 1412 E. Highway 3

7. PUBLIC HEARING – Consideration of an application for a General Plan Amendment to designate property proposed to be annexed into the city limits of Yreka with a General Plan designation of LDR (Low Density Residential). The proposed annexation is approximately 17,275 sq. ft. (.39 +/- acres) of the 49.51 acre parcel known as Assessor's Parcel No. 013-060-190. And consideration of pre-zoning approximately 17,275 sq. ft. (.39 +/- acres) of Assessor's Parcel No. 013-060-190 to R-1 (Single Family Residential) that is proposed to be annexed into the City of Yreka and bisects a parcel of property located within the city limits of Yreka which is also zoned R-1.

Applicant: Tom & Kris McCullough
Location: Adjacent to 898 North View Drive

8. Discussion/Possible Action - Consent Calendar: The City Manager recommends approval of the following Consent Agenda Items:
 - a. Approval of Minutes of the meeting held November 5, 2009.
 - b. Approval of Warrants issued from November 6, 2009 to November 19, 2009.
9. Discussion/Possible Action – Review terms of Contract proposed by Page & Turnbull for Historical Architectural Services and authorize contract terms to be negotiated by the City Attorney.
10. Discussion/Possible – Authorize City Manager to obtain proposals for feasibility and revenue study on a potential Utility User Tax Ballot Initiative and bring proposed contract to Council for approval.
11. Discussion/Possible Action – Approval of Treasurer's Report and Budget to Actual for the month of October 2009.
12. Discussion/Possible Action – Adopt Resolution No. 2815 authorizing the City to apply for Bicycle Transportation Account Funds to the State of California, enter into a funding agreement, and designate representatives to sign related documents for the Oregon Street Drainage Inlet Grate Replacement Project.
13. Discussion/Possible Action – Adopt Resolution No. 2817 authorizing a sub-grant agreement with the Siskiyou County Economic Development Council (SCEDC) for Project Management Services, and designating representatives to sign related documents, for the Brownfields Assessment Project.

14. Report to the Yreka City Council from the Yreka Development Commission (YDC) Review Committee.

14a. Discussion/Possible Action – Adopt Resolution No. 2816 rescinding Resolution No. 2753 establishing the Yreka Development Commission of the City of Yreka.

Council Statements and Requests: Members of the Council may make brief announcements or reports or request staff to report to Council on any matter at a subsequent meeting.

CLOSED SESSION:

1. 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.
2. Pending Litigation: Government Code § 54956.9(a) Yreka Holdings II v. City of Yreka, Siskiyou Superior Court No. SC CV CV 0700693.
3. Conference with Real Property Negotiator Government Code Section 54956.8
Property: APN# 053-711-030 & 053-711-100
City Negotiators: City Manager and City Attorney
Third Party Negotiator: Yreka Holdings II
Under Negotiation: Possible acquisition, including price & terms of payment.

RETURN TO OPEN SESSION: Announcement of any action taken by the City Council in Closed Session required by the Ralph M. Brown Act. (Government Code Section 54950 et. seq.)

Adjournment.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

All documents produced by the City which are related to an open session agenda item and distributed to the City Council are made available for public inspection in the City Clerk’s Office during normal business hours.