

YREKA CITY COUNCIL  
AGENDA  
October 6, 2011 – 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 speak from the podium. 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. Discussion/Possible Action - Consent Calendar: 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. The City Manager recommends approval of the following consent calendar items:
  - a. Approval of Minutes of the meeting held September 15, 2011.
  - b. Adopt Resolution No. 2934 authorizing the City Manager to expend funds for relocation assistance in connection with the new Yreka Courthouse project and authorize a supplemental appropriation for the expenditure of these funds from the Crandall Fund.
2. Discussion/Possible Action - Approval of Warrants issued from September 16, 2011 through October 6, 2011.
3. Acceptance of Audited Financial Report Fiscal Year 2009-2010.
4. Discussion/Possible Action – Adopt Ordinance No. 817 adding a new Chapter 9.25 (Medical Marijuana Distribution Facilities) to Title 9 (Public Peace, Morals, and Welfare) and a new Chapter 16.100 (Medical Marijuana Distribution Facilities) to Title 16 (Zoning) and Modifying Chapters 16.12 and 16.34 of the Yreka Municipal Code.
5. Discussion/Possible Action - Introduction of Ordinance No. 827 amending Title 8, Animals, by amending Section 8.04.020(a); adding Section 8.04.020(c) and amending Title 16, Zoning, by adding Section 16.18.050.(f) and amending 16.24.050.(e) of the Yreka Municipal Code for the purpose of allowing backyard chickens
6. Direction to Staff – Dissolution of the Historic District and Landmarks Commission and Designation of Responsibilities to the Planning Commission and Staff.

7. Discussion/Possible Action – Approve Supplemental Revenue Appropriation of \$100,000 for the Citizens Options for Public Safety or COPS operating grant.
8. Discussion – Water Rates – Council Member Foster.
9. Direction to Staff: Klamath Facilities Removal Public Draft- Environmental Impact Statement/Environmental Impact Report regarding Secretarial Determination to be made by the Secretary of the Interior – Removal of the four PacifiCorp Dams on the Klamath River under the Klamath Hydroelectric Settlement Agreement.
10. Discussion – Industrial Park – Council Member Simmen.

City Manager Report:

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. 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.
2. Pending Litigation: Government Code § 54956.9(a) – Conference with Legal Counsel - City of Yreka v. Kimberlee Abbott and Roger Abbott, Siskiyou County Superior Court case number SCCVCV 11-1001.
3. Conference with Real Property Negotiator (Government Code Section 54956.8)
  - Property: Assessor Parcel No. 013-100-140 & 013-110-130
  - Third Party Negotiator: To be determined (Broker contact: Ursula Bendix)
  - City Negotiators: City Manager and City Attorney
  - Under Negotiation: price/rental rate and terms
4. Conference with Real Property Negotiator (Government Code Section 54956.8)
  - Property: Assessor Parcel No. 53-361-100
  - Third Party Negotiator: To be determined
  - City Negotiators: City Manager and City Attorney
  - Under Negotiation: price/rental rate and terms
5. Conference with Real Property Negotiator (Government Code Section 54956.8)
  - Property: Assessor Parcel No. 054-185-040, -050, -060, -130, -170 and alley lying to the north of parcel 054-185-170

Third Party Negotiator: Administrative Office of the Courts  
City Negotiators: City Manager and City Attorney  
Under Negotiation: Possible donation/price/terms

6. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager.

**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.