

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON OCTOBER 4, 2012

On the 4th day of October 2012, 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: Bryan Foster, Rory McNeil, John Mercier and David Simmen. Absent – Robert Bicego, due to coaching a Yreka High School varsity sports team.

Public Comments: Rick Butler addressed the Council to express his opposition to the Holiday Parade being scheduled at night.

Consent Calendar: Mayor 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 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 September 20, 2012.
- b. Approval of Warrants issued from September 21, 2012 through October 4, 2012.

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

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

Mayor Simmen thereupon declared the motion carried.

Approval of Appointment to the Yreka Planning Commission.

Following Council discussion, Council Member McNeil moved to approve the re-appointment of Deborah Baird to a 4-year term on the Planning Commission.

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

Mayor Simmen thereupon declared the motion carried.

Adopt Ordinance No. 830 amending Section 11.23.050 (c) of the Yreka Municipal Code relating to Developer Impact Fees for Fire Sprinkler Systems in single family residences.

Following the reading of the title of the Ordinance and Council discussion, Council Member Mercier moved to waive the reading of the body of the Ordinance and to adopt Ordinance No. 830 as submitted.

Council Member Foster seconded the motion, and upon roll call, the following voted YEA: Foster, McNeil, Mercier and Simmen. Mayor Simmen thereupon declared the motion carried.

Approval of AQ2 and Canon Payment Processing Solution Proposal from Technologies Unlimited Inc.

Following Council discussion, Council Member McNeil moved to approve the AQ2 and Canon Payment Processing Solution proposal as submitted and authorized the City Manager to execute all documents as may be necessary to implement the proposal.

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

Mayor Simmen thereupon declared the motion carried.

Report of City Attorney regarding Conflict of Interest Code of the City of Yreka.

Following Council discussion, Council Member Mercier moved to authorize the Mayor to execute the 2012 Local Agency Biennial Notice indicating no amendments are required to the City's Conflict of Interest Code.

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

Mayor Simmen thereupon declared the motion carried.

Approval of all Warrants payable to Siskiyou County Economic Development Council from September 21, 2012 through October 4, 2012.

Council Member Mercier announced his recusal stating that he has a conflict of interest with the warrants listed by reason of his employment relationship with Siskiyou County Economic Development Council, and therefore recused himself and left the Council Chamber.

Following Council discussion, Council Member McNeil moved to approve the warrants payable to Siskiyou County Economic Development Council as submitted.

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

Mayor Simmen thereupon declared the motion carried. Council Member Mercier thereupon returned to his seat at the Council table.

CLOSED SESSION:

1. Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 on the Matter of California Department of Fish and Game and the City of Yreka/Fall Creek Pump Facility Incident July 29, 2010.
2. Conference with Real Property Negotiator (Government Code Section 54956.8)
Property: Assessor Parcel No. 053-681-070
Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park

City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.

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

RETURN TO OPEN SESSION: Upon return to open session, City Attorney Mary Frances McHugh reported out the following:

Closed session convened at 7:17PM, Councilmember Bicego was absent.

1. Pending Litigation: Conference with Legal Counsel pursuant to Government Code § 54959.9 on the Matter of California Department of Fish and Game and the City of Yreka/Fall Creek Pump Facility Incident July 29, 2010. The City Council conferred with its legal adviser. No other reportable action taken.

2. Conference with Real Property Negotiator (Government Code Section 54956.8)
 Property: Assessor Parcel No. 053-681-070
 Third Party Negotiator: Cliff Brown, Phillipe Lane Industrial Park
 City Negotiators: City Manager and City Attorney
 Under Negotiation: Possible purchase including price, terms of payment, or both.
 The City Council conferred with its legal adviser. No other reportable action taken.

3. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Attorney. Due to absence of Councilmember Bicego, matter off calendar, to be rescheduled for special meeting to be called for this purpose.

4. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Manager. Due to absence of Councilmember Bicego, matter off calendar, to be rescheduled for special meeting to be called for this purpose.

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

Attest:

 David Simmen, Mayor
 Minutes approved by Council
 Motion October 18, 2012

 Elizabeth E. Casson, City Clerk