



CITY OF RED BLUFF

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CITY COUNCIL

MINUTES

Date of Meeting: Tuesday, August 18, 2015
Time of Meeting: 6:15 p.m. Closed Executive Session
7 p.m. Regular Meeting
Place of Meeting: Council Chambers, City Hall
555 Washington Street
Red Bluff, CA 96080

Councilmembers Present:

Clay Parker, Mayor
Daniele Jackson, Mayor Pro Tem
Rob Schmid
Suren Patel

Councilmembers Absent:

Gary Jones (absent-excused)

Staff Present:

Rick Crabtree, City Manager/City Attorney

Kyle Sanders, Acting Police Chief

Cheryl Smith, Deputy City Clerk

Bruce Henz, Public Works Director

Donna Gordy, City Treasurer

Sandy Ryan, Finance Director

Vi Cobb, Human Resources Analyst II

CLOSED EXECUTIVE SESSION:

1. CONFERENCE WITH LABOR
NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representatives Richard Crabtree, City Manager/City Attorney, Rick Haeg, Labor Negotiator and Vi Cobb, Human Resources Analyst II, and Sandy Ryan, Finance Director regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Police Unit Employees and/or Miscellaneous Unit Employees.

Mayor Parker reported that the City Council had provided to direction to staff during the closed session.

PLEDGE OF ALLEGIANCE:

Mayor Parker led the Pledge of Allegiance and the assembly joined in.

CITIZEN'S COMMENT:

None

CONSENT AGENDA:

Mayor Pro Tem Jackson requested that items number 1 and 5 be pulled for clarification.

M/S/C Councilmembers Jackson and Patel to approve the remainder of the Consent Agenda.

AYES: Councilmembers Jackson, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: Councilmember Jones (absent-excused)

1. REPORT REGARDING OPEN MARKET PURCHASES AND CONTRACT AWARDS - JULY 2015

Recommendation:

That the City Council accepts the open market purchases and contract awards for July of 2015.

Pursuant to the City of Red Bluff's Code, Section 2.67-2, the Purchasing Officer shall, at least monthly, prepare and submit a report to the City Council of all open market purchases & contract awards made for the preceding month. Above is a list of purchases and awards for July of 2015 with the amount of the bid and the dates for the purchase of materials, supplies and services required by the City's departments and

approval by the Purchasing Officer. Unless otherwise noted, the awards were to the lowest responsible bidders and bids were in compliance with City specifications/requirements. All bids awarded were within the appropriations approved for them by the City Council in the current Annual Budget.

Mayor Pro Tem Jackson and Councilmember Schmid requested and received clarification on several items contained in the July open market purchases and contract awards.

M/S/C Councilmembers Schmid and Jackson to accept the open market purchases and contract awards for July of 2015.

AYES: Councilmembers Jackson, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: Councilmember Jones (absent-excused)

2. APPROVAL OF WARRANT LIST

Recommendation:

That the City Council approves Check Warrant No. 81748 through 81967 dated July 1, 2015 through July 31, 2015.

This is a normal procedure per California Government code section 41004 and General Warrants need to be approved by the City Council regularly.

Approved 4-0-1

3. APPROVAL OF MINUTES

- a. July 7, 2015**
- b. July 21, 2015**
- c. August 4, 2015**

Approved 4-0-1

4. CONTRACT WITH MICHAEL BAKER INTERNATIONAL

Recommendation:

That the City Council approve the proposed contract with Michael Baker International to continue providing the City with planning services.

On November 4, 2014, the City Council approved inclusion of PMC on the City's on-call consultant list, to provide planning services as needed.

Since January 27, 2015, Scott Friend and Pacific Municipal Consultants (PMC) have been providing planning services to the City. Specifically, Scott Friend has been serving as the Community Development Director.

On February 17, 2015, PMC was acquired by Michael Baker International.

Approved 4-0-1

5. DISPERSAL OF ASSET FORFEITURE FUNDS

Recommendation:

That the City Council approve dispersal of \$7,843.65 in asset forfeiture funds (principal and interest) as outlined in Health and Safety Code Section 11489 as follows:

- A supplemental appropriation of \$4,958.63 for the Police Forfeiture Revenue account (11-33-060-060).
- A supplemental appropriation for \$4,214.84 for expenditure from the Police Department's Special Supplies and Services account (11-33-330-100).
- A supplemental appropriation for \$743.79 for expenditure from the Police Department's Special Supplies and Services - G.R.E.A.T. Program account (11-22-220-101).

➤ A supplemental appropriation for Account 29-00-340-100 in the amount of \$2,885.02 for the following:

- Tehama County District Attorney's Office:
\$ 762.87
- State General Fund: \$1,830.88
- California District Attorneys Association:
\$ 76.29
- Publishing Bill (to TCDA):
\$ 214.98

Red Bluff Police Department collected \$7,745.00 in cash during a 2013 drug sales investigation and began the legal process of asset forfeiture. Since that time, interest has accumulated and the balance is currently \$7,843.65. The District Attorney's Office completed the Non-Judicial Forfeiture process pursuant to Health and Safety Code section 11488.4 and has notified us that the process is complete. The funds collected have been legally declared as forfeited and are ready for disbursement as outlined in Health and Safety Code section 11489.

Mayor Pro Tem Jackson requested clarification on the breakdown of the dispersal.

Police Chief Kyle Sanders and Finance Director Sandy Ryan verified the amounts and the accounts that they were being dispersed to.

M/S/C Councilmembers Jackson and Schmid to approve the dispersal of \$7,843.65 in asset forfeiture funds (principal and interest) as outlined in Health and Safety Code Section 11489 and above.

AYES: Councilmembers Jackson, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: Councilmember Jones (absent-excused)

CURRENT BUSINESS:

1. SUSTAINABLE GROUNDWATER MANAGEMENT ACT OF 2014

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council provide direction to City Staff

regarding City designation as a Groundwater Sustainability Agency (GSA).

The Sustainable Groundwater Management Act of 2014 (“the Act”) was signed by the Governor in September 2014 and became law on January 1, 2015. The law requires that the groundwater basins within Tehama County be managed by one or more Groundwater Sustainability Agencies (GSA’s) on or before June 30, 2017. Each GSA will need to develop a Groundwater Sustainability Plan (GSP) by January 31, 2022. Groundwater basins may have a single or multiple GSA’s and a single or multiple GSP’s.

Rick Crabtree, City Manager/Attorney, reported that the City of Corning was fine with the County of Tehama's recommendation.

Burt Bundy, Chairman of the Tehama County Board of Supervisors, reported that the County is proposing the Tehama County Flood Control/Conservation Board be the oversight agency as there are 10-11 water basins within the county and that the city only has jurisdiction over part of one basin.

Councilmember Schmid questioned if the city was a larger pumper of water than other users.

Mr. Bundy stated that there were several other users that pump more water than the city, such as the El Camino Irrigation District and several orchardists.

Mayor Pro Tem Jackson requested clarification on who currently sits on the board.

Mr. Bundy stated that all five (5) Board of Supervisors sit on the board.

Mayor Parker asked if the Flood Board had an executive officer.

Mr. Bundy stated that the Flood Board overseen by Ryan Teubert, Flood Control and Water Resources Manager.

Arthur Wylene, Tehama County Counsel, stated that the ground water commission would retain final authority. Permitting and enforcement would be handled by the commission, but the real need is the coordinated management of each water basin.

Mayor Parker pointed out that the city could also form its own GSA and then work with the county to develop the plan.

Mr. Bundy stated that the Department of Water Reclamation would have the ability and authority to determine the selection of a plan.

Councilmember Schmid stated that big business would be competing for our water and that they could negotiate for more each year.

Mayor Parker noted that there was a funding source of \$1,000,000.00 in grants available.

Mr. Wylene stated that the cost of running a GSA will keep increasing as there will be administration cost etc. It is a very big job with a lot of cost involved to keep going.

Mr. Henz stated that it would be best to work together on this GSA.

Councilmember Schmid stated that he would like to have a special meeting on this so that everyone involved could have a clear understanding.

Mr. Crabtree stated that the Council could have a special meeting and could also put a public meeting notice into the utility bills to insure that residents are aware of the meeting.

Steve Chamblin, Board of Supervisor District 1, stated that water was an important concern and he felt the Council and Board needed to work together for the residents. He also stated that there were other agencies in the State that would like to see us fail.

Mr. Wylene stated that if no one declares a GSA then it would default to the County and then the State can take it over.

Ryan Teubert, Flood Control and Water Resources Manager, stated that he had been directed by the Board to work with all agencies and at this time did not set a time frame for completing, but a GSA needed to be done by June 2017 and a plan developed by 2022.

Mayor Pro Tem Jackson stated that she would like to see the special meeting held sooner rather than later.

The consensus of the Council was to hold a special meeting to fully discuss this subject.

2. REPORT ON BUDGET UPDATE FOR FY 2014/15 AND 2015/16

Sandy Ryan, Finance Director, provided an informational update on the FY 2014/2015 and 2015/2016 Budgets.

The final audited General Fund Balance for June 30, 2014 is \$893,489.00.

The estimate for the General Fund Balance for June 30, 2015 is increased from the May 2015 Budget report balance of \$789,625.00 to \$1,124,806.00.

The estimate for the General Fund Balance for June 30, 2016 is increased from the May 2015 Budget report balance of \$487,560.00 to \$989,265.00.

The overall General Fund Balance has increased due to increases in the estimated revenue of the City's main funding sources.

Adopted City Reserve Policy calls for a 15% General Fund Reserve. Based on 2015/2016 estimated expenditures of \$9,256,916.00, the reserve should be \$1,388,537.00.

3. OLD RED BLUFF LANDFILL REMEDIATION EFFORTS; BIOLOGICAL AND ARCHEOLOGICAL SERVICES DURING CONSTRUCTION

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorizes:

1. The designation of a supplemental appropriation, in the amount of \$24,000.00 from within the Transportation - City Design Fund (15-42-530-100) for the purpose of environmental work associated with bringing the Old Red Bluff Landfill property into compliance with the State regulations for a closed disposal site.

2. Award of a Consulting Services Contract to NCE, an Engineering and Environmental Consulting firm, for the performance of On-Call Consulting Services that will provide Biological and Archeological Services during the construction required for the remediation of the Old Red Bluff Landfill.

NCE has assisted the City by providing consulting engineering services and CEQA compliance support for the California Natural Resources Agency's Department of Resources Recycling and Recovery (CalRecycle) in its design of a remedy to bring the Old Red Bluff Landfill Site into compliance with State regulations for closed disposal sites.

CalRecycle has indicated that they have approval to design and fund a remedy for the compliance deficiencies that exist at the site through State grant funding and they desire to initiate and complete the needed remedial efforts in 2015.

To date, the engineering and assessment activities completed by NCE, on behalf of the City, has allowed CalRecycle to approve funding for the

remedial design which will be performed by a CalRecycle consultant. CalRecycle and their consultant have finalized the remedial engineering design and have a contractor retained. CalRecycle's cost estimate for the actual remediation project is \$1.1 million. This cost will be funded by CalRecycle.

CalRecycle has asked the City to continue to provide the “in-kind” project monitoring and environmental services described in this proposal to support construction efforts and to comply with the Mitigation Monitoring Program (MRP) as outlined in the Initial Study/ Mitigated Negative Declaration (IS/MND) that was recently adopted by the City Council.

NCE has been under contract with the City since August, 2013; providing technical assistance and site assessment reports for the remediation efforts. NCE has performed the following services:

- The preparation of a Summary Report of Existing Conditions and a Compliance Work Plan for the Old Red Bluff Landfill, Baker and

Walbridge Road, Red Bluff, California dated February 26, 2014.

- The preparation of a, Preliminary Biological Resource Assessment for the Old Red Bluff Landfill, Tehama County California, September 18, 2014.
- Consulting services to provide a Waste Limit Investigation and a CEQA Compliance determination for the Old Red Bluff Landfill property. These efforts resulted in the following:
 - A Draft Waste Limits Investigation, Old Red Bluff Landfill, SWIS No. 52-CR-0001, Baker and Walbridge Road, Red Bluff, California dated October 21, 2014.
 - The Red Bluff Old Burn Dump Improvement Project, Draft and Final Initial Study - Mitigated Negative Declaration (MND), accepted by the City Council on July 21, 2015.

This new scope of work will provide the necessary initial biological and archeological services during the anticipated construction of the remedial efforts on the City property commonly referred to as the Old Red Bluff Landfill. An additional \$3,000.00 is requested to cover the costs of additional permitting and administrative costs that were not included within the previous budget estimates for consulting services.

Rick Crabtree, City Manager/Attorney, reported that the project and budget had been approved and that CalRecycle will start work on September 21, 2015.

Councilmember Schmid requested clarification on the money coming out of the Transportation - City Design Fund (15-42-530-100) and how much would be remaining following this transfer and then asked that the money taken out would be earmarked so that it can be paid back to this fund when money is available.

Sandy Ryan, Finance Director, reported that there was currently \$160,000.00 in the Transportation - City Design Fund but that no money was going into that fund.

M/S/C Councilmembers Jackson and Schmid to:

1. The designation of a supplemental appropriation, in the amount of \$24,000.00 from within the Transportation - City Design Fund (15-42-530-100) for the purpose of environmental work associated with bringing the Old Red Bluff Landfill property into compliance with the State regulations for a closed disposal site.
2. Award of a Consulting Services Contract to NCE, an Engineering and Environmental Consulting firm, for the performance of On-Call Consulting Services that will provide Biological and Archeological Services during the construction required for the remediation of the Old Red Bluff Landfill.

AYES: Councilmembers Jackson, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: Councilmember Jones (absent-excused)

4. CONSTRUCTION CONTRACT AWARD, AIRPORT RESTAURANT REHABILITATION PROJECT

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorizes:

1. A supplemental funding appropriation, in the amount of \$60,000.00, for the Aviation/Airport expenditure account (55-55-520-100), for the purpose of reconstructing the Airport Restaurant Facilities.
2. Award a construction contract to Tom Mehringer Construction, in the amount of \$280,000.00, for the completion of the Airport Restaurant Rehabilitation Project.

In June of this year, construction bids were received for the Airport Restaurant Rehabilitation Project.

Three bids were received for the Project:

PROJECT NAME: Airport Restaurant Rehab
BID OPENING DATE: 6/17/2015
CITY OF RED BLUFF
555 WASHINGTON ST.
RED BLUFF, CA
96080

PKT	DATE	COMPANY	Bid Amount
1	5/26/15	Tom Mehringer Construction	307,651.66
2	6/17/15	RSSE Inc.	325,243.00
3	6/17/15	Donald Gallino	422,811.00

The low bid for the project was received from Tom Mehringer Construction, at a cost of \$307,651.66. While the low bid, as submitted, was compliant with the City's required bid procedures, the cost exceeded the budgeted funding available for the project.

The Contractor, Architect and Public Works staff met on several occasions and proceeded to undertake a “Value Engineering” and design modification process that explored the practical options that were available to develop a more economical project. Areas that were investigated included the specified kitchen equipment, plumbing and electrical improvements, the HVAC and kitchen hood systems and the floor and cabinet treatments. A modified initial contract amount of \$280,000.00 was developed. It is believed that this level of improvements will still provide the necessary substance and character desired for the airport restaurant facility while still meeting the necessary economic requirements.

This contract award amount will also be within the 10% reduction limitation and would not require a rebid for the project.

Mayor Parker requested and received clarification on the contingency amount (10%).

Councilmember Schmid questioned how much would be remaining in the Airport fund.

Ms. Ryan stated that this would use all the income that comes in this year.

Mayor Pro Tem Jackson requested that Mr. Henz keep an eye on the project and if the project needs only a small amount of money to upgrade items that had been downsized to bring back to the City Council.

Mr. Crabtree stated that staff could bring this back with an update of costs midway through the project.

Mayor Parker asked that Mr. Henz notify the City Council prior to installing any downgraded items.

M/S/C Councilmembers Schmid and Jackson to:

1. A supplemental funding appropriation, in the amount of \$60,000.00, for the Aviation/Airport expenditure account (55-55-520-100), for the purpose of reconstructing the Airport Restaurant Facilities.

2. Award a construction contract to Tom Mehringer Construction, in the amount of \$280,000.00, for the completion of the Airport Restaurant Rehabilitation Project.

AYES: Councilmembers Jackson, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: Councilmember Jones (absent-excused)

5. UPDATE ON THE UNCOMPLETED ROADWAY IMPROVEMENTS ASSOCIATED WITH THE NEW WAL-MART CONSTRUCTION ACTIVITIES

Bruce Henz, Public Works Director, provided an informational update to provide the City Council with information relating to the present status of the scheduled roadway improvement activities being undertaken by the Wal-Mart Contractors.

The scheduled roadway construction activities are listed below the highway dark row on the chart. The X's denote construction activity and a C indicates a projected completion date.

The completion of the Montgomery Road improvements extend beyond the limits of this look-ahead, however Mr. Henz was provided with a an estimated completion date of the end of August.

Similarly, the completion date projected for the Main Street and Luther Road improvements, while beyond the details included within the look ahead, is predicted as early to mid September.

STAFF ITEMS:

None

COMMITTEE REPORTS/COUNCIL COMMENTS:

Reports by City Council members on the activities of their assigned agencies and/or committees.

Local Agency Formation Commission (LAFCO)
- met on August 12th, discussed new logo and Mayor Parker's attendance at a conference in Sacramento on September 2nd, 3rd and 4th if funding is found.

3 Core - *no meeting*

Tehama County Transportation Commission - *no meeting*

Downtown Red Bluff Business Association -
meeting on August 19th

Community Action Agency - *no representative*

Tehama Economic Development Corporation -
no meeting

Executive Committee - Tehama County Solid Waste
Management Agency - *meeting August 19th*

Tehama County Solid Waste Management Agency
(JPA II) - *no meeting*

Chamber of Commerce - *meeting on August 25th*

ADJOURNMENT:

There being no further business Mayor Parker adjourned the meeting at 8:29 p.m. until the meeting of September 1, 2015.

Clay Parker, Mayor

Attest:

Jo Anna Lopez, City Clerk