



# CITY OF RED BLUFF

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## CITY COUNCIL

### MINUTES

**Date of Meeting:** Tuesday, January 7, 2014  
**Time of Meeting:** 7 p.m. Regular Meeting  
**Place of Meeting:** Council Chambers, City Hall  
555 Washington Street  
Red Bluff, CA 96080

**Councilmembers Present:** Daniele Jackson, Mayor  
Ray Eliggi, Mayor Pro Tem  
Clay Parker  
Rob Schmid

**Councilmembers Absent:** Wayne Brown, excused

**Staff Present:** Rick Crabtree, City Manager/City Attorney  
Paul Nanfito, Police Chief  
Bruce Henz, Public Works Director  
Donna Gordy, City Treasurer  
Jo Anna Lopez, City Clerk  
Matt Shobash, Division Chief

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

### **CITIZEN'S COMMENT:**

None

### **CONSENT AGENDA:**

M/S/C Councilmembers Schmid and Parker to approve the Consent Agenda as presented.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

**1. APPROVAL OF MINUTES**

**December 17, 2013**

***Approved 4-0-1***

**2. SECOND READING AND ADOPTION OF ORDINANCE NO. 1026  
REVISING CHAPTER 5 OF THE CITY CODE AND ADOPTING UPDATED  
2013 CALIFORNIA BUILDING CODES, TITLE 24, WITH AMENDMENTS**

**Recommendation:** That the City Council waive the second reading and adopt Ordinance No. 1026, revising Chapter 5 of the City Code and adopting updated 2013 California Building Codes, Title 24, with amendments.

On December 17, 2013 the City Council waived the first reading and introduced Ordinance No. 1026, revising Chapter 5 of the Red Bluff City Code and adopted updated 2013 California Building Codes, Title 24, with amendments, the Council may now waive the second reading and adopt Ordinance No. 1026.

***Approved 4-0-1***

**3. SECOND READING AND ADOPTION OF ORDINANCE NO. 1027 –  
AMENDING CHAPTER 8 OF THE RED BLUFF CITY CODE**

**Recommendation:** That the City Council waive the second reading and adopt Ordinance No. 1027.

State Legislature mandates that local jurisdictions adopt the most current version of the California Building and Fire Codes based upon a three year code adoption cycle. The California Fire Code is developed by the State Fire Marshal and the Building Standards Commission by modifying a model code, the International Fire Code, through the use of public comment and amendments applicable to both state and local government organizations.

***Approved 4-0-1***

## **CURRENT BUSINESS:**

### **1. PUBLIC HEARING AND RESOLUTION NO. 1-2014 REGARDING FISCAL YEAR 2014 ASSESSMENT FOR DOWNTOWN RED BLUFF PARKING AND BUSINESS IMPROVEMENT AREA**

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council open the public hearing, receive any testimony and determine whether or not written protests constitute 50% or more of the assessments. Depending on the outcome of the public hearing, the City Council may choose to adopt Resolution No. 1-2014.

The Resolution of Intention was published in the newspaper in accordance with state law.

The Annual Report submitted and approved by the City Council retains the same boundaries with Zone A and Zone B. The assessment for Zone A would be retail \$250 per year and non-retail \$175 per year. The assessment for Zone B would be retail \$125 per year and non-retail \$100 per year.

Mayor Jackson opened the public hearing at 7:03 p.m. and closed the public hearing at 7:07 p.m.

Linda Bullock, representative from the Executive Committee, spoke and provided the Council about the wonderful group she represents and that the yearly fees are well spent.

M/S/C Councilmembers Park and Eliggi to adopt Resolution No. 1-2014.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

### **2. PUBLIC HEARING TO CONSIDER ZONING ORDINANCE MODIFICATIONS REGARDING LODGING HOUSES AND TRANSITIONAL HOUSING**

Rick Crabtree, City Manager, reviewed the staff report and provided staff's recommendation that the City Council:

1. Conduct the public hearing and consider all public testimony and other information submitted relating to Ordinance No. 1022; Rezone No. 220.

2. Find that Ordinance No. 1022; Rezone No. 220 is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines, (Class 8 Categorical Exemption, Actions by Regulatory Agencies for Protection of the Environment).
3. Waive the First Reading and Introduce Ordinance No. 1022 (Rezone 220), AN ORDINANCE AMENDING CHAPTER 25 OF THE RED BLUFF CITY CODE SECTIONS 25.52, 25.79 AND 25.239 RELATING TO LODGING HOUSES, TRANSITIONAL HOUSING AND THE DEFINITION OF SINGLE-FAMILY DWELLING

Notice of this hearing was published in the Red Bluff Daily News on November 29, 2013. The Text Rezone No. 220 (Ord. 1022) will address the requirement and intent of Senate Bill No. 2 along with other legislative requirements developmentally disabled and/or disadvantaged populations within the City of Red Bluff. The actions taken in this Ordinance will also help with some clean up language for a previous Ordinance (1018) that combined Building and Planning Departments into the Community Development Department for fiscal and efficiency purposes.

E.C. Ross spoke as a representative on behalf of P.A.T.H.

Travis Dolling spoke opposing any possibility that would have transitional housing in a residential area.

Jennifer Haffner spoke in favor of having some changes made to the ordinance per the letter she had submitted earlier in the day.

Councilmember Parker requested that item #3 be held until a future council meeting since we received the letter just before the council meeting and the council has not had a chance to review its contents.

M/S/C Councilmembers Parker and Jackson to approve items 1 and 2 as submitted.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

M/S/C Councilmembers Parker and Eliggi to add Health and Safety Code references to the Ordinance and continue this item until the meeting of January 21, 2014.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

### **3. APPOINTMENT TO THE PLANNING COMMISSION**

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council appoint Baldev (Dave) Dhugge to the Planning Commission with a term to expire 12/31/2016 and direct the Deputy City Clerk to re-advertise the vacancies on the Parks and Recreation Advisory Commission.

At the December 3, 2013 City Council meeting the City Council made appointments to the various Commissions and Committees from the applications received. Following these appointments the City Council directed the Deputy City Clerk to re-advertise the vacancies remaining on the Planning Commission and Parks and Recreation Advisory Commission.

One application was received for the Planning Commission and no applications were received for the Parks and Recreation Advisory Commission.

M/S/C Councilmembers Parker and Eliggi to appoint Dave Dhugge to the Planning Commission with a term to expire 12/31/16 and directed the Deputy City Clerk to re-advertise the vacancies on the Parks and Recreation Advisory Commission on the City Website only.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

### **4. PROPOSED HARASSMENT/DISCRIMINATION POLICY PROPOSED OUT OF CLASS COMPENSATION POLICY PROPOSED "GOOD CAUSE" ORDINANCE**

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council:

1. Adopt the proposed Harassment/Discrimination Policy.
2. Adopt the proposed Out of Class Compensation Policy.
3. Waive the first reading and introduce Ordinance No. 1028, an Ordinance of the City of Red Bluff Defining "Good Cause" For Purposes of Employee Discipline.

The City of Red Bluff proposes adoption of three (3) new or modified policies affecting employees of the City of Red Bluff. The proposed policies are briefly described below and are attached hereto.

## **City Policy Prohibiting Harassment, Discrimination and Retaliation**

Both state and federal law require the City to maintain current and adequate policies prohibiting harassment, discrimination and retaliation in the workplace. The City's existing policy is many years old and is in need of updating.

The proposed policy identifies prohibited conduct and provides direction regarding reporting and investigation of alleged misconduct. The proposed policy is based on a review of legal requirements and policies used by other cities and jurisdictions.

## **Out-of-Class Compensation Policy**

The proposed policy will confirm City practice of providing 5% "out-of-class pay" to employees temporarily assigned to work in a higher job classification. This policy is consistent with similar provisions in various bargaining unit MOU's. The policy confirms that out-of-class pay is designed for temporary assignments only and limits such assignments to six (6) months absent written approval by both the Department Head and the City Manager.

## **"Good Cause" Ordinance**

Each of the existing City bargaining unit MOU's provide for a disciplinary process based on "cause" or "good cause". (See, e.g., Fire MOU § 20.00.00; Police MOU § 20.00.00;

Misc. MOU § 20.00.00). However the MOU's do not describe or define "cause" for discipline. The proposed ordinance will set forth a uniform basis or description of "cause" or "good cause" for discipline.

The proposed description of "good cause" for discipline comes directly from state law Local Agency Personnel Standards, 2 Calif. Code of Regulations (CCR) § 17544. (See also, 2 CCR § 17542)

M/S/C Councilmembers Eliggi and Parker to adopt the proposed Harassment/Discrimination Policy and the proposed Out of Class Compensation Policy as submitted.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

M/S/C Councilmembers Parker and Eliggi to waive the first reading and introduce Ordinance No. 1028, an Ordinance of the City of Red Bluff Defining "Good Cause" for Purposes of Employee Discipline.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

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

**STAFF ITEMS:**

Chief Shobash reported that the Fire Department had sold a Fire Engine to the High School for \$1,200.00, which will be used to help fund the 14<sup>th</sup> Fire Academy that currently has 16 cadets.

Councilmember Parker stated that he would like to see the meetings begin at 6 p.m. and asked that this be brought back to a future meeting date for discussion.

**COMMITTEE REPORTS/COUNCIL COMMENTS:**

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

Local Agency Formation Commission (LAFCO) - *No Meeting*

3 Core - *No Meeting*

Tehama County Transportation Commission - *No Meeting*

Downtown Red Bluff Business Association - *No Meeting*

Community Action Agency - *Meeting spoke about helping families with housing*

Tehama Economic Development Corporation - *No Meeting*

Tehama County Sanitary Landfill JPA I - *No Meeting*

Executive Committee -- Tehama County/City of Red Bluff Landfill Management Agency  
JPA II - *No Meeting*

**ADJOURNMENT:**

There being no further business Mayor Jackson adjourned the meeting at 7:41 p.m. until the meeting of January 21, 2014.

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Daniele Jackson, Mayor

ATTEST:

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Jo Anna Lopez, City Clerk