



# CITY OF RED BLUFF

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## City Council Minutes

Tuesday June 19, 2018  
6:00 p.m. Regular Meeting  
Council Chambers, City Hall

### **Councilmembers Present:**

Daniele Eyestone, Mayor  
Gary Jones, Mayor Pro Tem  
Clay Parker  
Amanda Jenkins  
Rob Schmid

**Councilmembers Absent:** None

### **Staff Present:**

Rick Crabtree, City Manager  
Sandy Ryan, Finance Director  
Kyle Sanders, Police Chief  
Donna Gordy, City Treasurer  
Scott Friend, Community Development Director  
Scott Miller, Public Works Assistant Director  
Marie Jensen, Public Works Admin Tech  
Anita Rice, Deputy City Clerk  
Mike Bachmeyer, Fire Division Chief

## **PLEDGE OF ALLEGIANCE:**

Scott Miller, Public Works Assistant Director, led the Pledge of Allegiance and the assembly joined in.

## **CITIZEN'S COMMENT:**

Pastor Scott Camp provided a prayer for those in attendance and requested the dates of when the homeless program grant applications can be submitted.

Councilmember Parker responded that the grant application letter should be mailed soon, and the Ad Hoc committee would like to award grants at the City Council Meeting on July 17, 2018.

George Konsolopolis a Property Assessed Clean Energy (PACE) Program representative, addressed the City Council about the benefits of adding additional PACE Programs so property owners have options.

Rick Crabtree, City Manager, requested that he submit PACE Program information to city staff for review.

Kathy Nelson thanked the City of Red Bluff for improving the stop sign on Walbridge Street. She said that she thought that there would also be paint added to the road as well.

Councilmember Parker stated that staff will begin painting when the street's supervisor returns to work, and the department is better staffed.

## **CONSENT CALENDAR:**

Mayor Eyestone stated that item number two, Contracts and Open Market Purchases, was pulled for discussion.

M/S Councilmembers Jones and Parker to approve item numbers one, three and four on the consent agenda.

AYES: Councilmembers Eyestone, Jenkins, Jones, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **1. Approval of May 15, 2018 Meeting Minutes**

Recommended Action:

Approve the City Council Minutes as written or give direction to staff to make changes.

5-0-0

### **2. Contracts and Open Market Purchases - May 2018**

Recommended Action:

Approve the Open Market purchases, contract awards and purchases of \$1000.00 or more. The City Council consistently reviews and approves open market purchases, contract awards and purchases of \$1,000.00 or more monthly.

Councilmember Schmid expressed his concerns about the amount of money the City pays for professional service contracts. Although he is extremely happy with the services provided by the current Public Works Director, it would be less expensive to hire a full time Director versus paying full price for a contracted director that is only here two days per week.

M/S Council members Schmid and Jones to approve Open Market purchases, contract awards and purchases of \$1000 or more.

AYES: Council members Eyestone, Jenkins, Jones, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **3. Warrant Report - May 2018**

Recommended Action:

Approve Check Warrant No. 89914 through 90150 dated May 1 through May 31, 2018. This is a normal procedure per California government code section 41004; general warrants need to be approved by the City Council governing body regularly.

5-0-0

## 4. Treasurer's Report; April 2018

Recommended Action:

City Council accepts the Treasurer's report for the tenth month of FY 2018. The Government Code provides that the City Treasurer shall submit a written report and accounting of all receipts, disbursements, and fund balances. (California government code Section 41004).

5-0-0

### **CURRENT BUSINESS:**

#### 1. (A) **Chamber of Commerce Quarterly Update**

Rick Crabtree, City Manager, provided the staff's recommendation that the City Council receive a quarterly report on updates from the Chamber of Commerce. Dave Gowan and Lisa Hansen reported on activities from January through March 2018.

The Chamber's Strategic Marketing Plan established a "clearly delineated process of communication" with the City that provided for periodic status reports. This presentation is part of that adopted process. Current financial records and other information required by the Chamber/City Agreement are kept in the Clerk's Office.

Dave Gowan summarized the Chamber's activities from January through April 2018. Particularly the Business Expo in February, Good Morning Red Bluff held on the last Thursdays of every month, the well-attended free business classes, and the Farmer's Market.

Carmen Boes inquired if the Electronic Benefit Transfer (EBT) match program will be available at the Red Bluff Farmer's Market this year.

Mr. Gowan answered that EBT is accepted and the match program should be implemented in the next few weeks.

Lisa Hansen, current Chamber of Commerce President, announced that her term is coming to an end and Sue Ampi would be the next Chamber President. Other announcements included an events calendar available on the Chamber's website, a display of fireworks viewable from the River Park on July 4<sup>th</sup>, and the Farmers Markets on Saturday and Wednesday nights.

## **1. (B) Proposal to Late Add the Chamber of Commerce Annual Agreement for 2018/2019 Onto the Agenda**

Rick Crabtree, City Manager, provided the staff's recommendation that the City Council consider "late adding" the 18/19 Chamber of Commerce Agreement to the Agenda. For this item to be added to the agenda without properly posting it 72 hours in advance, Council must have a favorable vote of 2/3 or more.

Councilmember Parker asked if there was a true need for immediate action on the agreement. He asked if it could be added to the July 17, 2018 meeting, when the agreement is usually completed.

Dave Gowan responded that they normally have their agreement done by July 1, 2018.

Mr. Crabtree specified that it is the City Council's determination if this item is urgent or not.

Councilmember Parker stated that by adding this item late, the public doesn't know about the item and it creates a transparency issue.

Mayor Pro Tem Jones stated that this should be added to the agenda tonight so that the Chamber of Commerce can get their payment in a timely manner.

M/S Council members Jenkins and Jones to approve the late addition of the Chamber of Commerce 2018/2019 Annual Agreement.

AYES: Council members Eyestone, Jenkins and Jones

NOES: Schmid and Parker

ABSENT OR NOT VOTING: None

\*Item failed with a 3-2 vote, this item will be added to the July 17, 2018 Agenda\*

## **2. 6 Sutter Street Code Enforcement**

Rick Crabtree, City Manager, provided the staff's recommendation that the City Council receive informational presentation and give direction to staff as appropriate regarding 6 Sutter Street's dilapidated condition.

6 Sutter Street has been vacant for many years. The structure was originally designed to be a hotel or motel with 3 floors of units, many with kitchenette's, etc. Unfortunately, the structure has been allowed to deteriorate to its current unsafe and unhealthy condition. The building has become a haven for the homeless and drug users.

Although there have been efforts to secure the building, none of those efforts have been effective for long.

- On or about May 8, 2017, the City issued an Abatement Notice and Order to the property owner.
- On June 13, 2017, the property owner was served with a Notice of which imposed a daily penalty of \$75.00 per day.
- On August 3, 2017 the City recorded a “Notice of Dangerous Building and Penalties” with the County Records Office.

Over the last several months, the City has been contacted by several potential buyers for the property and the building. All the potential buyers/developers who have contacted the City in recent months have agreed that the structure has value and can be repaired rather than demolished.

Property rights are well protected by the law. If the City were to unilaterally demolish the building, the City would almost certainly be faced with an “inverse condemnation” law suit. “Inverse condemnation” is the effective taking or reduction in value of a property because of public action, in contrast to a direct taking through eminent domain. Inverse claims are not covered by the City’s self-insurance pool; the City would necessarily expend general fund dollars defending itself.

Staff has been trying to find a win-win solution which results in the voluntarily repair of the building. For example, Sutter Street itself is in bad shape. Perhaps a buyer might be more interested in purchasing the property if the street is improved, etc.

Scott Camp stated that the property has \$27,375.00 accrued in penalties. Is there any requirement that those fees be paid quarterly or annually, and can payment be enforced?

Rick Crabtree, City Manager, explained that the City can require payment, but they have been focused on repair of the building more so than payment. The penalties were levied against the property owner hoping that they would correct the issues.

Kathy Nelson stated that the building is violating two codes the Code of Civil Procedures 731 and the Civil Code Section 3479. The owner has been given over two and half years to comply with request.

She has heard several reasons that nothing has been done, but so far the building has not been sold, torn down, or remodeled. She sees the building as an eyesore and a danger to the public. The City of Red Bluff needs to demolish the building and bill the property owner.

John Murray, representative of the property owner, stated that the owner of the property wants to work with the City of Red Bluff to remedy the situation. The penalties are creating an issue in terms of finding a buyer for the property because any new owner would have daily penalties accrued until the City of Red Bluff decides all issues have been corrected.

Mayor Pro Tem Jones asked if there had been any response to the letter that the City of Red Bluff had sent, and what percentage are the penalties compared to the sales price of the property, he cannot understand how \$27,375.00 in penalties can be a deal breaker for the sale of the building.

Mr. Murry stated that it's not the total amount of the penalties that have been accrued, but rather the continual accrual and the issue it creates to obtain conventional financing.

George Robson, representative of the property owner, stated that the official process against the property did not start until May 2017. They have actively tried to assist in helping with the public safety issues. They have had a meeting with Chief Sanders and they have placed a fence around the property. Mr. Robson requested a Public Hearing so all parties can be prepared to answer questions, and all community members who are concerned can have an opportunity to speak.

Mayor Pro Tem Jones asked the price the property is currently listed for.

Mayor Eyestone asked if the building had been in escrow in the past.

Mr. Murry stated that from 2004 to 2018 the building has been in escrow at least six times, and he is not aware of what the current listing price is.

Ms. Nelson stated that they have had ample time to correct the issues. She will be going through the EPA if this property and its safety concerns are not addressed in a timely manner.

Mr. Crabtree stated that they will need to discuss next steps.

Mr. Camp asked what will be done tonight.

Mayor Eyestone stated that after public comments it will go back to Council to decide the next steps.

Mr. Crabtree stated that the property and two other buildings are listed currently for \$1.8 Million.

Ms. Nelson states that the City of Red Bluff's next steps could be to send a letter to the property owner outlining the different things that have been requested and give the property owner a certain amount of days to clean up or demolish the property. If he doesn't comply then the City of Red Bluff will demolish the property and send a bill to the property owner.

Councilmember Parker stated that the City Manager/City Attorney gives the City Council his advice, but the City Council can decide if they follow that advice or not. He recommends that the City of Red Bluff demolish the building.

Mayor Eyestone asked if Councilmember Parker is asking that this item be brought back to a City Council Meeting to be discussed.

Mr. Crabtree stated that the next steps should be to hold a public hearing and asked if Councilmember Parker was making a motion that the City of Red Bluff demolishes the building.

Councilmember Parker moves a motion for the City of Red Bluff to proceed with demolishing the building.

Mayor Pro Tem Jones asked if the next steps would still be a public hearing.

Mr. Crabtree confirmed a public hearing would need to be conducted before deciding any next steps.

Councilmember Jenkins asked if they cast a vote in favor of demolishing the building can they change their mind after the public hearing if needed.

Mr. Crabtree confirmed they can change their mind regarding next steps at any time.

Councilmember Parker stated that he feels the property owner has had ample time to respond and clean up the property, after the public hearing they can change their recommendation if determined to do so.

M/S Council members Parker and Eyestone to approve holding a public hearing regarding the property at 6 Sutter Street with the recommendation that the City of Red Bluff Demolish the building.

AYES: Council members Eyestone, Jenkins, Schmid and Parker

NOES: Jones

ABSENT OR NOT VOTING: None

### **3. Assistant Public Works Director; Scott Miller**

Rick Crabtree, City Manager, provided the staff's recommendation that the City Council approve the proposed job description for Assistant Public Works Director.

On or about May 7, 2018, the City received a letter directed to Scott Miller from the state Board for Professional Engineers, Land Surveyors and Geologists ("Board"). The letter states that the Board had received a complaint "that you (Scott Miller) are using

the title “Associate Civil Engineer’ without the legal authority to do so.” The Board requested a written response.

In response, I sent a letter (dated May 16, 2018, copy) to the Board’s investigator stating that I (not Scott Miler) created the Job Descriptions for Associate Engineer, City of Red Bluff and then later for the Associate Civil Engineer & Airport Manager. As I explained, “In November of 2015, I created the job description and title for an “Associate Civil Engineer’. This occurred before I knew Mr. Miller. I was not then aware that using the “Associate Civil Engineer” title was potentially setting up Mr. Miller (or any other unlicensed applicant for the same position) for an alleged violation of the Professional Engineers Act. Furthermore, “the City has always been aware that Mr. Miller does not hold a civil engineer license.” Scott does, however, hold a college degree in civil engineering, as well as several years’ experience in the construction industry.

I also stated that the City would modify the relevant job description to eliminate references to “Civil Engineer.” After some discussion, the title of Assistant Public Works Director has been recommended for adoption by the City Council.

Mayor Eyestone asked if Scott Miller is an Engineer in Training (EIT).

Scott Miller, Associate Engineer, stated that he does not hold that certificate yet.

M/S Council members Parker and Jenkins to approve the proposed job description for Assistant Public Works Director.

AYES: Council members Eyestone, Jenkins, Jones, Schmid and Parker

NOES: None

ABSENT OR NOT VOTING: None

#### 4. Sales Tax Report; 4<sup>th</sup> quarter 2017

Sandy Ryan, Finance Director provided an informational report regarding receipts for Red Bluff's sales occurring from October through December 2017.

As part of the City's consultant agreement, HDL Companies monitor and project sales tax revenue, property tax revenue, and motor vehicle fees and provide the City with quarterly sales tax reports, preliminary and final property tax and vehicle license fee reports. Attached to the staff report is the Fourth Quarter Sales Tax Report for 2017 (collected in October to December 2018, disbursed to the City in January to March 2018). The main increases are due to increased sales in the Fuel and Service Stations group, The County and State Pools, and the Autos and Transportation Group.

The prior estimate by HdL:	<u>17/18</u>	<u>18/19</u>
Bradley Burns 1% sales tax:	\$3,483,000	\$3,527,000
Measure D (1/4) sales tax:	\$1,000,000	\$1,013,000
Total sales tax:	\$4,483,000	\$4,540,000
The new estimate by HdL:	<u>17/18</u>	<u>18/19</u>
Bradley Burns 1% sales tax:	\$3,522,641	\$3,573,793
Measure D (1/4) sales tax:	\$1,010,000	\$1,026,000
Total sales tax:	\$4,532,641	\$4,599,793
County payments not accounted for by HdL:	\$ 67,000	\$ 68,000
Final sales tax amounts:	\$4,599,641	\$4,667,793

The 17/18 estimates are approximately \$50,000.00 more than the prior estimate. The 18/19 estimates are approximately \$60,000.00 more than the prior estimate. The main reason for the increases is fuel & service stations, and state and county pools.

## **5. Gang Resistance Education and Training (GREAT); approval of contract**

Kyle Sanders, Police Chief, provided the staff's recommendation that the City Council authorize the Mayor to sign the contract between the City of Red Bluff and the County of Tehama for the funding of the Student Resources Officer (SRO)/GREAT officer at Vista Preparatory Academy.

On May 8, 2013 the CCP Committee formally approved funding for the G.R.E.A.T. / SRO position to establish a Gang Resistance Education and Training (G.R.E.A.T.) Police Officer position assigned to work at Vista School. Since that time, we have received funding each year beginning in the 2014 / 2015 fiscal year.

The CCP Committee has approved appropriation of \$38,000.00 for fiscal year 2018 / 2019 for continuation of funding the G.R.E.A.T. Officer. The attached contract is required to receive the allocated funding from Tehama County. The attached agreement will also be presented to the Tehama County Board of Supervisors for approval.

Councilmember Schmid stated that he has heard good things about SRO and he assumes that the GREAT program is going well also.

Kyle Sanders, Police Chief, confirmed that both are going well.

M/S Council members Jones and Schmid to authorize the Mayor to sign the contract between the City of Red Bluff and the County of Tehama for the funding of the Student Resources Officer (SRO)/GREAT officer at Vista Preparatory Academy

AYES: Council members Eyestone, Jenkins, Jones, Schmid and Parker

NOES: None

ABSENT OR NOT VOTING: None

## **6. GIS Services and Equipment**

Scott Friend, Community Development Director, provided the staff's recommendation that the City Council approve a contract, and authorize the Mayor to enter into an agreement, with the CSU, Chico Research Foundation – Geographic Information Center (GIC) in an amount up to and not to exceed \$12,000.00 for professional services to allow the GIC to provide professional Geographic Information System (GIS) services and support to the City of Red Bluff.

The Geographic Information Center (GIC) at Chico State provides professional GIS support services to numerous local cities and counties (e.g. Butte County; Cities of Chico, Orland, Oroville, Biggs), and Butte County Association of Governments (BCAG) through the Chico State Foundation. The Center has provided GIS support and technical services to local governments and non-profit entities for well over two decades using paid, professional staff supported by students learning GIS at the University. This arrangement allows the Foundation and GIC to provide a low-cost GIS service option to local and regional agencies and non-profit organizations.

The service is supported by full-time, experienced GIS professionals, for a fraction of what it would cost to staff such a position internally or to pay internal or contract staff to provide the same service.

The proposed contract would authorize the GIC to provide as-needed and as-requested full-service GIS support to the City of Red Bluff that would allow for system updating as well as maintenance and special task assistance for the City's GIS database system. The proposed contract would work with the City's existing software and would facilitate the updating of the City's existing GIS database to incorporate much needed data updates, edits, and system upgrades. The City's current GIS data sets have not been comprehensively updated for a long period of time and staff is finding errors in the data on an increasingly frequent basis.

Staff believes that the engagement of the GIC to assist the City with its ongoing GIS needs is both a very important and very timely need that has resulted in the ability of staff to provide more accurate, timely and easy to understand information to members of the public, property owners, interested persons and policy makers. Additionally, the service will allow the City to stay within established statutory boundaries for data currency. Without a substantial review and update to the existing system data, the overall integrity and utility of the GIS system will continue to erode and will become difficult and costlier to fix going forward.

The proposed engagement is a one-year term contract which could result in an annual expenditure of up to \$12,000.00. However, the Center would only bill the City for services rendered on an as-needed and as-requested basis. The City of Red Bluff would continue to have ownership of all system software and system

data/information and would continue to be hosted and housed on the City's computer network.

Councilmember Schmid stated that the Transportation Commission is working on this as well and it all ties together.

M/S Council members Jones and Jenkins to approve a contract, and authorize the Mayor to enter into an agreement, with the CSU, Chico Research Foundation – Geographic Information Center (GIC) in an amount up to and not to exceed \$12,000.00 for professional services to allow the GIC to provide professional Geographic Information System (GIS) services and support to the City of Red Bluff.

AYES: Council members Eyestone, Jenkins, Jones, Schmid and Parker

NOES: None

ABSENT OR NOT VOTING: None

## **G. STAFF ITEMS:**

Rick Crabtree, City Manager, reported that the next City Council Meeting will be on Tuesday, July 17, 2018. He went on a tour of the South Jackson Street project; the community is very happy that the roads are being improved. He also toured the Police Evidence building and PJ Helicopters expanded facility.

Councilmember Schmid stated that PJ Helicopters are looking at needing another hanger and he was wondering if the permit process would be a long process again.

Mr. Crabtree stated that they would do their best to expedite the process.

Kyle Sanders, Police Chief, reported that the evidence building is almost complete and invited the City Council to tour the facility and the updated 911 dispatch center as well.

## **H. COMMITTEE REPORTS/COUNCIL COMMENTS:**

Reports by City Council Members on the activities of their assigned agencies and/or committees:

- **Local Agency Formation Commission (LAFCO) -** Councilmember Parker reported there is no meeting scheduled.
- **Tehama County Transportation Commission -** Councilmember Schmid did not give an update.
- **Downtown Red Bluff Business Association -** Mayor Eyestone reported that the next meeting will be held on Wednesday, June 20, 2018.
- **Community Action Agency -** Mayor Pro Tem Jones reported that the next meeting will be held on Thursday, June 21, 2018 at the Tehama County Board of Supervisors.
- **Executive Committee - Tehama County Solid Waste Management Agency -** Councilmember Jenkins reported there is no meeting scheduled.

- **Tehama County Solid Waste Management Agency (JPA II)**  
- Councilmember Jenkins and Schmid reported they discussed updated fees, the untarped loads will remain the same, the Tipping fee has increased, and the price per ton has also increased. They are going to bid for household recycled waste. Cell one is now complete and they are currently working on Cell two A.
- **Chamber of Commerce** - Mayor Eyestone reported that the next meeting will be held on Monday, June 26, 2018.
- **Ground Water Commission** - Councilmember Parker reported that Glenn County requested that the sub basin be changed to stop at the county line. Since the meeting Glenn County has decided that they do not want to change where the sub basin is.
- **Tehama County Continuum of Care Executive Council** - Councilmember Jenkins reported that the next meeting will be held next week.

## **ADJOURNMENT:**

There being no further business Mayor Eyestone adjourned the meeting at 7:27 p.m. until the next meeting on July 17, 2018 at 6:00 p.m. in the Red Bluff City Council Chambers.

s/Daniele Eyestone, Mayor

ATTEST:

s/Cassidy DeRego, City Clerk