



# CITY OF RED BLUFF

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## CITY COUNCIL MINUTES

**Date of Meeting:** Tuesday November 5, 2013  
**Time of Meeting:** 7 p.m. Regular Meeting  
**Place of Meeting:** Council Chambers, City Hall  
555 Washington Street  
Red Bluff, CA 96080

### **Councilmember's Present:**

Daniele Jackson, Mayor Pro Tem  
Rob Schmid, Councilmember  
Clay Parker, Councilmember  
Ray Eliggi, Councilmember

### **Councilmember's Absent:**

Wayne Brown, Mayor (absent-excused)

## **Staff Present:**

Rick Crabtree, City Manager/City Attorney  
Sandy Ryan, Finance Director  
Cheryl Smith, Deputy City Clerk  
Paul Nanfito, Police Chief  
Scot Timboe, Interim Community Development Director  
Bruce Henz, Public Works Director  
Jon Bennett, Fire Chief  
Donna Gordy, Treasurer  
Cheryl Smith, Deputy City Clerk/Executive Assistant  
to City Manager

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Jackson asked Police Chief Nanfito to lead the Pledge and the Assembly joined in.

## **CITIZENS COMMENTS:**

Gregory Exline, resident, questioned if it was possible to have CalTrans post speed limit signs on the I-5 overpass, as there are none at this time. He also requested that zebra strip crosswalks be installed near the schools on Jackson Street as there is a lot of foot traffic and his thoughts on the placement of stop signs on Aloha Street.

Barbara McIver, resident, expressed her appreciation to Councilmember Parker for being very responsive to issues such as drugs etc. She asked that the City Council, City Manager, Police Chief and Finance Director reconsider and provide funding for an officer to T.I.D.E.

## **CONSENT AGENDA:**

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

AYES: Councilmembers Eliggi, Jackson, Parker and Schmid

NOES: NONE

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

## **1. APPROVAL OF MINUTES**

**OCTOBER 1, 2013**

*Approved 4-0-1*

## **2. LANDFILL MANAGEMENT RELEASE AGREEMENT**

### **Recommendation:**

That the City Council Authorize the Mayor Pro Tem and City Attorney to sign the Release Agreement as requested.

The Landfill Operations Agreement approved on July 22, 2013 by the Full Board of LANDFILL JPA II, includes a mutual release between the JPA, County of Tehama, City of Red Bluff, and Waste Connections for past claims arising under the 2003 Agreement. Both the JPA, and GreenWaste, contended that they were owed monies under the prior agreement. The JPA and GreenWaste agreed to each waive any claims may exist, starting fresh with the new Agreement.

Since the City of Red Bluff and County of Tehama are not direct parties to the 2013 Agreement, the City and County must sign a separate release agreement. The proposed RELEASE AGREEMENT (copy attached) request is consistent with negotiated terms of the Landfill Agreement. Agency Legal Counsel (Jim Curtis), County Counsel (Arthur Wylene), and I recommend that the Red Bluff City Council and Tehama County Board of Supervisors approve the proposed Release Agreement.

*Approved 4-0-1*

### **3. TREASURER'S REPORT – THIRD MONTH OF FISCAL YEAR 2014**

#### **Recommendation:**

That the City Council accepts the Treasurer's report for the third month of FY 2014.

The Government Code provides that the City Treasurer shall submit to the City Clerk a written report and accounting of all receipts, disbursements, and fund balances. (Government Code Section 41004).

*Approved 4-0-1*

#### **CURRENT BUSINESS:**

- 1. RED BLUFF POLICE DEPARTMENT/CORNING POLICE DEPARTMENT JOINT MOBILE DIGITAL COMPUTER (MDC) PROJECT**

Paul Nanfito, Police Chief, reviewed the staff report and provided staff's recommendation that the City Council approve the project and the expenditure plan for the implementation of a joint Mobile Digital Computer Project with the use of State Funds allocated by the Board of State and Community Corrections.

The use of Mobile Digital Computers (MDC's) has been a means of increasing efficiency in policing for decades. Over the past ten years advances in technology have also enhanced the abilities of MDC's making them an even better tool for patrol personnel. This project will use State funds provided to Municipal Police Departments by the Board of State and Community Corrections (BSCC) to implement an MDC program for the Corning Police Department and the Red Bluff Police Department. Attached is a copy of a power point presentation that outlines the proposed project budget plan.

Gregory Exline requested and received clarification on whether or not the signal for these would be going through radio or cell phone towers, which was answered with cell phone towers.

Mayor Pro Tem Jackson requested and received clarification that the funding was for 3 years.

Councilmember Schmid requested and received clarification that some of these funds were being used to pay the lease purchase of the SAN.

M/S/C Eliggi and Parker to approve the project and the expenditure plan for the implementation of a joint Mobile Digital Computer Project with the use of State Funds allocated by the Board of State and Community Corrections.

AYES: Councilmembers Eliggi, Jackson, Parker and Schmid

NOES: NONE

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

**2. DONATE SURPLUS PRINTER/PLOTTER TO RED BLUFF HIGH SCHOOL CAD INSTRUCTIONAL CLASSROOM PROGRAM**

Scot Timboe, Interim Community Development Director, reviewed the staff report and provided staff's recommendation that the City Council:

1. Approve the donation of a City owned 36 inch HP 1050c/1055 cm color printer/plotter (Model No. C 6075A) valued at approximately \$800, to the Red Bluff High School CAD Instructional Program; and
2. Find that the donation serves a public purpose: public education.

The City of Red Bluff purchased a 36 inch wide HP 1050c/1055 cm printer/plotter in 2001 at a cost of approximately \$8,000. (Please see attached image of the 1050c/1055cm printer/plotter and Model No. C6075A.) According to Andy Scott from A&E Repo Graphics in Sacramento, the estimated current value of the printer is \$800. The printer/plotter is in working order, but redundant at this time due to the City's purchase of a newer color printer/plotter/scanner in June of 2012.

Thus, the 2001 printer/plotter is not currently used by City staff and is a large piece of equipment which

takes up limited City Hall space. Accordingly, staff recommends that Council authorize donation of the printer/plotter to the Red Bluff High School CAD Instructional Classroom Program. As noted in the attached letter from Dave Lopez, Director of Technology, Red Bluff Joint Union High School District, the printer/plotter would be used for educational purposes in the High School's CAD Learning Center.

The law permits donation of surplus City equipment upon a finding that the donation serves a legitimate public purpose. Here, the High School would use the printer/plotter for public educational purposes, clearly serving a legitimate public purpose.

Councilmember Schmid requested and received clarification on how the new plotter/printer was funded.

M/S/C Parker and Eliggi to approve the donation of a City owned 36 inch HP 1050c/1055 cm color printer/plotter to the Red Bluff High School CAD Instruction Program and find that the donation serves a public purpose: public education.

AYES: Councilmembers Eliggi, Jackson, Parker and Schmid

NOES: NONE

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

### **3. REPAIR OF THE PUMP CONTROLS AT THE REEDS CREEK PUMP STATION**

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorize payment for the emergency repair of the Pump Controls at the Reeds Creek Pump Station from Fund 47-44-530-102 of the 2013/2014 budget.

The funding for this purchase is included within the current 2013 / 2014 Budget under fund Item 47-44-530-102. The Reeds Creek Pump Station is the City's largest sewerage pump station. It contains three pumps, two that must run simultaneously during times of peak sewerage flows, and one that provides the necessary redundant backup. Two of the three pumps were replaced previously.

The Pump Controls operate all three pumps and the Controls recently failed, requiring emergency repairs. The purchase and installation of new Pump Control equipment was awarded on an emergency basis to Bullert Industrial Electric. The repairs have been completed.

Staff recommends that the City Council authorize payment to Bullert Industrial Electric in the amount of \$31,300.

Councilmember Eliggi requested and received clarification on whether or not the transducer would be replaced.

Councilmember Schmid requested and received clarification on whether or not this repair would reduce and/or eliminate the smell from this pump station.

Mr. Henz explained that staff has visited the pump station when complaints are received and that there were different loads at different times and that a scrubber may have to be installed to eliminate the odor.

M/S/C Schmid and Parker to authorize payment for the emergency repair of the Pump Controls at the

Reeds Creek Pump Station from Fund 47-44-530-102 of the 2013/2014 budget.

AYES: Councilmembers Eliggi, Jackson, Parker and Schmid

NOES: Councilmembers: None

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

#### **4. BURN BAN ORDINANCE**

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council consider an Ordinance which would ban open residential burning:

1. As a regular City Ordinance which would take effect 30 days following final adoption (after a second reading). OR
2. As an Urgency Ordinance that would become effectively immediately after adoption by a four-fifths (i.e., at least 4 affirmative votes) of the City Council.

During its meeting of October 15, 2013, the City Council heard and viewed a presentation from Alan Abbs, Air Pollution Control Officer, Tehama County Air Pollution Control District (TAPCD) regarding open outdoor residential burning. Some Council members noted that they had received citizen complaints regarding permissive outdoor burning. City Staff has also received citizen complaints regarding the irritating and harmful effects of smoke generated by outdoor residential burning.

Attached is an ordinance for the City Council's consideration which would ban outdoor residential burning with limited exceptions. The ordinance is proposed in alternative formats for adoption either as a regular City Ordinance or as an Urgency Ordinance:

- **Urgency Ordinance:** Ordinance does not require two readings and becomes effective immediately upon adoption. Adoption requires a minimum four-fifths vote (i.e., 4 affirmative votes) of the City Council.
- **Regular Ordinance:** First and Second reading of the ordinance required. Actual reading can be waived on motion adopted by a majority of the Council Members present. Cannot be passed

within 5 days of introduction (second reading must occur at least 5 days after the first reading).  
Ordinance not effective for 30 days after final adoption.

The proposed ordinance would ban all outdoor residential burning with the following exceptions:

- Fire used for the cooking of food products for human consumption within an appropriate barbeque on public or private property.
- Land Clearing and Special Events, subject to certain conditions including a permit from both the Red Bluff Fire Department and TAPCD.
- With the prior written approval of the Fire Chief and the Air Pollution Control Officer, fires set to instruct or train public or industrial employees in methods of firefighting.

Cal Fire is lifting its burn ban effective November 4, 2013. Similarly, Red Bluff Fire Department will also lift its burn ban on November 4, 2013. Absent adoption of the proposed ordinance, leaf burning will allowed in Red Bluff beginning on November 4<sup>th</sup>.

Barbara McIver, resident, spoke in favor of the burn ban and asked that the Council adopt it as an urgency ordinance to protect those people who have health issues.

Gregory Exline, resident, commented that residents could also use a mulching blade and mower to clean-up leaves.

Mayor Pro Tem Jackson and City Manager Crabtree explained that beginning November 11<sup>th</sup> leaves would be collected every week for four (4) weeks as long as they were in 32 gallon containers. No plastic bags and/or loose leaves in the gutter would be picked up.

Councilmember Eliggi pointed out that the sweeper would not pick up the leaves and noted that a lot of people don't burn the leaves correctly, such as having a hose nearby.

Cindy Fralin, resident, spoke in favor of the burn ban and of how few times the air quality is good.

Betsy Palubeski, resident, spoke in favor of the burn ban.

Alan Abbs, Tehama County Air Pollution Control District, provided information on what other jurisdictions are doing either through their fire codes or burn bans.

Ron Shinn, resident, agrees with the burn ban.

Bob Springer, resident, urged the Council to pass the urgency ordinance and ban the burning of the leaves.

Councilmember Schmid stated that Mayor Brown had historically had an opinion and felt that he had the right to be in attendance.

Joe Harrop, resident, asked that the Council declare burning of leaves as unhealthy and have the Fire Chief ban burning.

Mayor Pro Tem Jackson stated that she also had received emails and believed that this was coming back on the November 19<sup>th</sup> meeting.

Motion by Parker, seconded by Eliggi to adopt the urgency ordinance.

AYES: Councilmembers Eliggi and Parker

NOES: Councilmember Schmid

ABSENT OR NOT VOTING: Mayor Brown (absent-excused) and Jackson (abstained)

M/S/C Parker and Eliggi to waive the first reading and introduce Ordinance No. 1024.

AYES: Councilmembers Eliggi and Parker

NOES: Councilmember Schmid

ABSENT OR NOT VOTING: Mayor Brown (absent-excused) and Jackson (abstained)

This item will be brought back on November 19<sup>th</sup>.

### **STAFF ITEMS:**

Mayor Pro Tem Jackson thanked the Public Works Department for the painting and stripping of various streets.

Councilmember Parker thanked the Public Works Department for the additional lighting in the back parking lot.

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

Local Agency Formation Commission (LAFCO):

*Next meeting November 13<sup>th</sup>*

3 Cores: *No meeting*

Tehama County Transportation Commission: *Mayor Pro Tem Jackson attended, discussed plans for unmet transit needs, and received an update on the Regional Transportation Plan.*

Downtown Red Bluff Business Association: *Mayor Pro Tem Jackson attended; received an update on the Beef and Brew, discussed Treat Street and the Christmas Parade.*

Community Action Agency: *Mayor Pro Tem Jackson attended, discussed attendance and bylaws.*

Tehama Economic Development Corporation: *City Manager Crabtree attended; received an update on the Grand Jury Report and finances.*

Tehama County Sanitary Landfill JPA I: *No meeting*  
Executive Committee – Tehama County/City of Red Bluff Landfill Management Agency-*No meeting*  
JPA II: *No meeting*

Mayor Pro Tem Jackson and Councilmember Schmid also attended a meeting of the Law Enforcement Ad Hoc Committee.

**ADJOURNMENT:**

There being no further business Mayor Pro Tem Jackson adjourned the meeting at 8:29 p.m. until the meeting of November 19, 2013.

*s/Wayne Brown, Mayor*

ATTEST:

*s/Jo Anna Lopez, City Clerk*