



CITY OF RED BLUFF

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CITY COUNCIL

MINUTES

Date of Meeting: Tuesday, December 15, 2015

Time of Meeting: 7 p.m. Regular Meeting

Place of Meeting: Council Chambers, City Hall
555 Washington Street
Red Bluff, CA 96080

Councilmembers Present: Clay Parker, Mayor
Gary Jones, Mayor Pro Tem
Daniele Jackson
Rob Schmid
Suren Patel

Councilmembers Absent: None

Staff Present: Rick Crabtree, City Manager/City Attorney
Sandy Ryan, Finance Director
Ray Barber, Fire Chief
Kyle Sanders, Police Chief
Bruce Henz, Public Works Director
Jo Anna Lopez, City Clerk
Donna Gordy, City Treasurer
Vi Cobb, Human Resources Analyst II

PLEDGE OF ALLEGIANCE:

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

CITIZEN'S COMMENT:

Pastor Camp provided a short prayer for those in attendance.

CONSENT AGENDA:

Councilmember Schmid requested that item 4 be pulled for clarification.

Councilmember Jackson requested that items 2, 3, 5 and 6 be pulled for clarification.

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

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

1. APPROVAL OF MINUTES

a. **November 17, 2015**

b. **November 23, 2015**

Approved 5-0-0

2. UPDATE HOLD HARMLESS AGREEMENT

Recommendation: That the City Council authorizes the proposed Hold Harmless Agreement with the owners of 321 South Jackson to allow the Fire Department to conduct live fire training.

The Red Bluff Fire Department has an opportunity to use 3 buildings at 321 South Jackson for live fire training. At the completion of the training, the structures will be burned to the ground. The proposed Hold Harmless Agreement requires the City to indemnify the property owners against any injury claims. This protects the property owner in the event someone is injured during the live fire training.

Councilmember Jackson requested and received clarification on the agreement and reminded staff to provide a location map when submitting agenda items that reference an address

Matt Shobash, Division Chief, provided clarification on the location of this property and the Live Fire Training event.

M/S/C Councilmembers Jackson and Jones to authorize the proposed Hold Harmless Agreement with the owners of 321 South Jackson to allow the owners of 321 South Jackson to allow the Fire Department to conduct live fire training.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid
NOES: None
ABSENT OR NOT VOTING: None

3. ADOPTION OF FAIR POLITICAL PRACTICES COMMISSION FORM 806

Recommendation: That the City Council adopt FPPC Form 806 for posting on the City's website with the mandated information.

Fair Political Practices Commission Regulation 18705.5 prohibited a Public Official from participating in a decision to appoint him or herself to an external board position, if the appointment would have an economic benefit to the appointee in the amount of \$250 or more within any 12 month period.

In March 2012, the Fair Political Practices Commission amended FPPC Regulation 18705.5 that under certain conditions would allow a Public Official to participate in a government body decision that would appoint him or her to such a position. One condition is that the City Council "adopts and posts on its website, on a form provided by the Fair Political Practices Commission, a list that sets forth each appointed position for which compensation is paid, the salary or stipend for each appointed position, the name of the public official who has been appointed to the position and the name of the public official, if any, who has been appointed as an alternate, and the term of the position." (FPPC §18705.5(C)(3))

In May 2012, the Fair Political Practices Commission adopted Form 806 to be used by the government body to allow a Councilmember to participate in a decision to appoint him/herself to a Board, Commission, Special Agency, Joint Powers Agency or Authority, Joint Powers Insurance Agency or Authority, or a Metropolitan Planning organization.

Form 806 must first be adopted by the City Council and posted on the City's website containing all of the information as required by the FPPC, and updated as needed to reflect current appointments.

Until the City adopts and posts Form 806, a Public Official may not participate in a vote that appoints him/herself to a compensated external Board position.

Councilmember Jackson requested that the form be changed from \$2,001.00-\$3,000.00 to \$1,001.00 - \$2,000.00.

M/S/C Councilmembers Jackson and Jones to adopt FPPC Form 806, with the change noted, for posting on the City's website with the mandated information.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid
NOES: None
ABSENT OR NOT VOTING: None

4. REPORT REGARDING OPEN MARKET PURCHASES AND CONTRACT AWARDS - NOVEMBER 2015

Recommendation: That the City Council accepts the open market purchases and contract awards for November 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 November 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.

Councilmember Schmid requested and received clarification on various items contained in the report.

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

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

5. APPROVAL OF WARRANT LIST

Recommendation: That the City Council approve Check Warrant No. 82859 through 83057 dated November 1, 2015 through November 30, 2015.

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

Councilmember Jackson requested and received clarification on items contained in the Warrant List and asked that more clarification be provided in the description of the purchase past "services" and "supplies"

M/S/C Councilmembers Jackson and Jones to approve Check Warrant No. 82859 through 83057 dated November 1, 2015 through November 30, 2015.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

6. **RESOLUTION NO. 24-2015, A RESOLUTION OF INTENTION TO LEVY A FISCAL YEAR ASSESSMENT FOR THE DOWNTOWN RED BLUFF PARKING AND BUSINESS IMPROVEMENT AREA**

Recommendation: That the City Council adopt the Resolution of Intention to Levy an assessment and set a public hearing for January 5, 2016.

The public hearing is scheduled for January 5, 2016. Public notice is given by the publication of the Resolution in the newspaper not less than 7 days prior to the hearing. Protests may be made orally or in writing. Written protests must be filed with the City Clerk at or before the time fixed for the public hearing. If written protests are received from the owners of businesses which pay 50% or more of the assessments no further proceedings shall be taken for a period of one year.

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.

Councilmember Jackson requested and received clarification as to whether any opposition had been received from the business owners on the Downtown Red Bluff Parking and Business Improvement Area.

Andrew Christ spoke in opposition of this assessment.

M/S/C Councilmembers Jackson and Jones to adopt Resolution No. 24-2015; A Resolution of Intention to Levy a Fiscal Year Assessment for the Downtown Red Bluff Parking and Business Improvement Area.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

7. **TREASURER'S REPORT – FOURTH MONTH OF FISCAL YEAR 2016 (Oct. 2015)**

Recommendation: That the City Council accepts the Treasurer's report for the fourth month of FY 2016.

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.

Approved 5-0-0

CURRENT BUSINESS:

1. PRESENTATION AND ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR END JUNE 30, 2015

Sandy Ryan, Finance Director, reviewed the staff report and provided staff's recommendation that the City Council accept the Comprehensive Annual Financial Report (CAFR), the Transportation Development Act Fund Financial Statements (TDA), and the Management Comment Letter, for the Fiscal Year End June 30, 2015.

On December 8, 2015, the Audit Committee, consisting of two Council members (Gary Jones and Rob Schmid) and one citizen member (Amy Webb) reviewed the CAFR and related reports for the Fiscal Year End June 30, 2015, with Rob Griffith, Partner from KCoe Isom, and Finance Director, Sandy Ryan.

The auditors' results are summarized as follows:

1. The Independent Auditors' Report expresses an unqualified opinion on the CAFR and the TDA Fund Financial Statements.
2. No significant deficiencies relating to the audits are reported in the Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
3. No instances of noncompliance material to the CAFR or the TDA Fund Financial Statements were disclosed in the audits.

After reviewing the reports, the Audit Committee recommended acceptance of the CAFR and related reports and forwarding of the CAFR and related reports to the City Council.

The preparation of the CAFR was made possible by the dedicated service of the entire Finance Department Staff. Each member of the department has our sincere appreciation for the contributions made in the preparation of this CAFR.

We would also like to thank the entire City of Red Bluff management and staff. Each member of each department worked hard on providing information to the finance department for our external auditors, and their assistance made the entire audit process smoother and easier.

We would like to thank the Mayor, members of the City Council and the Department Heads for their interest and support in planning and conducting the financial operations of the City in a responsible and progressive manner.

Appreciation is also expressed to the very knowledgeable and fine staff of K-Coe Isom, who made this presentation possible. Robert Griffith, Partner from K-Coe Isom, is in attendance to provide an overview and answer any questions.

Rob Griffith, KCoe Isom, provided information on the audit and findings.

M/S/C Councilmembers Jones and Schmid to accept the Comprehensive Annual Financial Report, the Transportation Development Act Fund Financial Statements, and the Management Comment Letter, for the Fiscal Year End June 30, 2015.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

2. ORDINANCE NO. 1039; AN ORDINANCE OF THE CITY OF RED BLUFF REVISING CHAPTER SECTION 8.17 OF THE RED BLUFF CITY CODE (PERMITTING USE OF CERTAIN OUTDOOR FIREPLACES)

Matt Shobash, Division Chief, reviewed the staff report and provided staff's recommendation that the City Council waive the second reading and adopt Ordinance No. 1039; An Ordinance of the City of Red Bluff revising Chapter Section 8.17 of the Red Bluff City Code.

Portable manufactured outdoor fireplaces have been sold locally for the use in backyards at private residences for a number of years. These portable fireplaces are widely used by the public and, when used correctly, per the manufacturer's recommendations, have shown to not create an increased risk of personal or property damage. California Fire Code 307.4.3 allows for portable outdoor fireplaces when used in accordance with the manufacturer's instructions.

The current City Code does not allow use of portable manufactured outdoor fireplaces. The proposed ordinance would allow use of these fireplaces subject to certain requirements including operation as recommended by the manufacturer and the immediate availability of a fire extinguisher, water hose, etc.

Each councilmember expressed their position and why they would be voting for or against this agenda item.

M/S/C Councilmembers Jones and Patel to waive the second reading and adopt Ordinance No. 1040; an Ordinance of the City of Red Bluff revising Chapter Section 8.17 of the Red Bluff City Code (Permitting Use of Certain Outdoor Fireplaces).

AYES: Councilmembers Jones, Patel and Schmid

NOES: Councilmembers Jackson and Parker

ABSENT OR NOT VOTING: None

3. ORDINANCE NO. 1040; AN ORDINANCE OF THE CITY OF RED BLUFF REVISING CHAPTER 2; ARTICLE IV: PARKS AND RECREATION ADVISORY COMMISSION AND DEPARTMENT, SECTION 2.45 OF THE RED BLUFF CITY CODE (REDUCING THE NUMBER OF PARKS AND RECREATION COMMISSION MEMBERS - 7 TO 5)

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council waive the first reading and introduce Ordinance No. 1040; An Ordinance of the City of Red Bluff revising Chapter 2: Administration, article IV: Parks and Recreation Commission and Department; Section 2.45 of the Red Bluff City Code.

For several years the Parks and Recreation Commission has been functioning with only five members. City Council directed staff to prepare an ordinance amending the makeup of the commission from seven (7) members to five (5) members, which would be the same number of members as the other commissions.

On December 1, 2015 the City Council re-appointed members to the Parks and Recreation Advisory Commission and directed staff to bring back an Ordinance amending the makeup of the commission from seven (7) members to five (5) members.

M/S/C Councilmembers Jackson and Jones to waive the first reading and introduce Ordinance No. 1040; an Ordinance of the City of Red Bluff revising Chapter 2: Administration, Article IV: Parks and Recreation Commission and Department; Section 2.45 of the Red Bluff City Code.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid
NOES: None
ABSENT OR NOT VOTING: None

4. RED BLUFF POLICE MID-MANAGEMENT SALARY/BENEFIT RESOLUTION NO. 28-2015

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council adopt proposed Resolution No. 28-2015; A Resolution of the City Council of the City Of Red Bluff amending certain Salaries and Benefits between the City Of Red Bluff and the Red Bluff Police Mid Managers Association December 15, 2015 – June 30, 2017.

On November 17, 2015, the City Council approved a new bargaining agreement with the City's Miscellaneous Bargaining Group. On December 1, 2015, the City Council adopted Resolution 26-2015, adopting certain salary and benefit changes for City

Management and Mid-Management employees (excluding Police Mid-Management). Each of those agreements included a 1.5% salary increase effective the first full pay period after adoption and an additional 1.5% increase effective the first full pay period following July 1, 2016. The Agreements also included a one-time pick up of the January 1, 2016 increase in group health insurance premiums.

The proposed Resolution would grant the same salary and benefit increases to Police Mid-Management employees.

M/S/C Councilmembers Jones and Patel to adopt Resolution No. 28-2015; a Resolution of the City Council of the City of Red Bluff amending certain Salaries and Benefits between the City of Red Bluff and the Red Bluff Police Mid-Managers Association December 15, 2015 - June 30, 2017.

AYES: Councilmembers Schmid, Jones, Parker and Patel

NOES: Councilmember Jackson

ABSENT OR NOT VOTING: None

5. UPDATING THE CITY'S EXISTING MAINTENANCE AGREEMENTS WITH CALTRANS; RESOLUTION NO. 27-2015

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

1. Approve three modified and updated CalTrans Agreements; the Freeway Maintenance Agreement, the Agreement for Sharing Cost of State Highway Electrical Facilities and a Work for Others (WFO) Agreement that relates to the temporary continuation by CalTrans of the maintenance of the City owned traffic signals.
2. Adopt Resolution No. 27-2015; A Resolution of the City Council of the City of red Bluff approving the agreement for sharing cost of State Highway Electrical Facilities with CalTrans.

The updated Freeway Maintenance Agreement replaces the existing Freeway Maintenance Agreement that was authorized within Resolution No. 37-1966 and approved at the regular City Council meeting held on July 12, 1966. The new modifications at South Main Street have been addressed and the Adobe Road and Wilcox Road overcrossings have been included within the agreement, due to the City Limit changes that have occurred since the time of the execution of the previous agreement.

The new Agreement for Sharing Cost of State Highway Electrical Facilities updates the existing agreement that was authorized in 1977 and then periodically revised. The new changes include LED updates and new signal and lighting locations that have been added within the City since the previous revisions.

The new Work for Others Agreement combines and expands two previous agreements; an Agreement for Maintenance of Traffic Control Signals authorized within Resolution No. 14-1977 and approved at the regular City Council meeting held on March 15, 1977 and a previous Work for Others Agreement, effective since November 11, 2002. This Agreement contains specific language stating:

- That the maintenance provided for emergency vehicle preemption devices on the City's Street System will revert to the City beginning on July 1, 2017.
- That the maintenance for the traffic control signal system on the City's Street System will revert to the City beginning on July 1, 2018.

Reasons for updates:

- New signal, lighting and ramp reconfiguration at South Main Street.
- New Wal-Mart Super Store improvements.
- Newly modified and approved Caltrans Agreement language.
- Updated insurance requirements specifying that the City, and any of its contractors providing services necessary to these agreements, shall maintain a policy of general liability insurance as defined within each Agreement.

Briefly, each of the agreements contains the following modified elements:

Freeway Maintenance Agreement:

- Added South Main Street ramp improvements made with the Wal-Mart project.
- Adobe Road and Wilcox Road overcrossings have been added due to City limit changes since last agreement.

Agreement for Sharing Cost of State Highway Electrical Facilities:

- Modified to include LED lighting updates.
- Added new signal and lighting locations

Work for Others Agreement relating to the maintenance of City-owned traffic signals:

- Added language that anticipates termination of the signal maintenance agreement in three years.

M/S/C Councilmembers Jackson and Jones to:

1. Approve three modified and updated CalTrans Agreements; the Freeway Maintenance Agreement, the Agreement for Sharing Cost of State Highway Electrical Facilities and a Work for Others (WFO) Agreement that relates to the temporary continuation by CalTrans of the maintenance of the City owned traffic signals.
2. Adopt Resolution No. 27-2015; A Resolution of the City Council of the City of Red Bluff approving the agreement for sharing cost of State Highway Electrical Facilities with CalTrans.

AYES: Councilmembers Jackson, Jones, Parker, Patel and Schmid

NOES: None

ABSENT OR NOT VOTING: None

6. PROPOSED REORGANIZATION WITHIN THE STREETS DEPARTMENT AND THE PARKS AND RECREATION DEPARTMENT

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

1. The reassignment a staff member from within the Streets Department into the Parks Maintenance Department.
2. A Supplemental Appropriation from the General Fund, in the amount of **\$36,550.00**, into the Park Maintenance Personnel Services budgets, Fund 60 - Department 45.

The Public Works Departments has strived to provide "In-house" maintenance and repair services for the many City facilities, whenever it was deemed feasible. To accomplish these tasks, the departments drew upon the many and varied skills obtainable from within the various Public Works Departments. The Streets Department would repair and help to maintain the paved components within our City Parks, would assist with the pool operations and its necessary repairs and personnel within the Streets Department provided for much of the repair and rehabilitation efforts that were necessary at the Community Center, Airport and the City Hall Building Complex.

Since the beginning of this year's fiscal budget the Streets Department has experienced several challenges to its staffing and production capabilities. Work restrictions placed upon key personnel, through the required accommodations that are lawfully provided to them, combined with the recognition of the assignment limitations imposed within the Fund 41 account have impacted the ability of the Streets Department to deliver expertise and capabilities that they have historically provided to the broader range of City facilities.

To address this issue, the reassignment of one of Street Department staff is being proposed. Additionally, as this transfer would reduce the Street Department staff by one currently funded position, Public Works would look to replace the then vacant position with a new entry stage employee (Salary level A). The current Streets Department budget has sufficient identified funding to support an entry level salary for the balance of the currently approved 2015/2016 fiscal budget.

M/S/C Councilmembers Jackson and Parker to approve as recommended by staff.

AYES: Councilmembers Jackson and Parker,
NOES: Councilmembers Jones Patel and Schmid
ABSENT OR NOT VOTING: None

Not approved as recommended.

No other motions were made.

STAFF ITEMS:

Rick Crabtree, City Manager, reported that staff would be bringing an ordinance to the City Council January 5th regarding regulations.

City Hall will be closed for New Years Eve.

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 - *did meet, discussed funding for different programs being bumped up, discussed bridge issues*

Tehama County Transportation Commission - *Meeting on December 16th*

Downtown Red Bluff Business Association - *meeting Thursday, December 17th at 3 p.m.*

Community Action Agency - *No meeting*

Tehama Economic Development Corporation - *No meeting*

Executive Committee - Tehama County Solid Waste Management Agency - *No meeting*

Tehama County Solid Waste Management Agency (JPA II) - *Meeting January 4, 2016*

Chamber of Commerce - *No meeting*

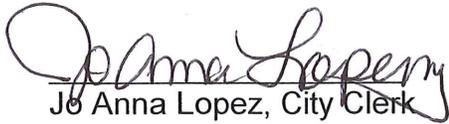
ADJOURNMENT:

There being no further business Mayor Parker adjourned the meeting at 8:43 p.m. until the meeting of January 5, 2016.



Clay Parker, Mayor

ATTEST:



Jo Anna Lopez, City Clerk