



# CITY OF RED BLUFF

555 Washington Street Red Bluff, California 96080 Phone (530) 527-2605 Fax (530) 529-6878 www.ci.red-bluff.ca.us

## CITY COUNCIL

### MINUTES

**Date of Meeting:** Tuesday, December 2, 2014  
**Time of Meeting:** 7 p.m. Regular Meeting  
Closed Session – end of meeting  
**Place of Meeting:** Council Chambers, City Hall  
555 Washington Street  
Red Bluff, CA 96080

**City Council Present:** Daniele Jackson  
Wayne Brown  
Clay Parker  
Rob Schmid  
Orville Knox

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

### **PLEDGE OF ALLEGIANCE:**

At the request of Mayor Jackson Jordan Lujan and Opal Knox led the Pledge of Allegiance and the assembly joined in.

## **CITIZEN'S COMMENT:**

Pastor Scott Camp provided a prayer for the Council thanking Councilmember Brown for his service and for providing guidance to new Councilmember Knox.

Brett Sherman, Goyette Associates Lawyer, representing the Red Bluff Police Officers Association, presented the City Council with a letter regarding the Vote of No Confidence by the Red Bluff Police Officers Association against Chief Paul Nanfito.

Councilmember Clay Parker stated that he felt this should be referred to the Law Enforcement Committee, which consists of two Councilmembers.

Joe Hendrix, former Red Bluff Police Officer, volunteered to be one of the individuals interviewed by the committee.

Pastor Scott Camp stated that he did not know if Chief Nanfito was fit, but he had always been responsive and provided information when requested. There are safeguards for protecting the POA and the same is not true for Chief Nanfito. He felt there was a better way to address than this.

Kevin Johnson, former Red Bluff Police Officer, provided information from when he was an officer with the department.

John Prinz, citizen, stated that unions have a process and this is a crazy way to bring this situation to the city. Chief Nanfito had always had respect for the citizens and he felt this should have been taken to the union's shop stewards.

Ed Marshall, former Red Bluff Police Officer, stated that when he left in 2010 he stated it was because of pay, but it was really because of the distrust for the commanding officers in the department.

Brett McAllister left the Police Department after 14 years.

Allison Marshall stated that she was the wife of Ed Marshall and that wasn't just about the department, but about the wives of the officers also.

## **ADMINISTRATION:**

### **APPROVAL OF MINUTES**

- a. **November 4, 2018**
- b. **November 18, 2014**

M/S/C Councilmembers Parker and Brown to approved the minutes as written.

AYES: Councilmembers Brown, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

## **RESOLUTION NO. 24-2014 A RESOLUTION DECLARING CANDIDATES ELECTED TO SERVE AS CITY COUNCIL MEMBERS FOR FOUR YEAR TERMS**

### ***ACTION ITEM***

#### **Recommendation:**

That the City Council adopt Resolution No. 24-2014; A Resolution Declaring Candidates Elected to Serve as City Council Members for Four Year Terms.

The Election for City Council was held on November 4, 2014. There were four (4) candidates for three (3) seats on the City Council.

M/S/C Councilmembers Brown and Parker to adopt Resolution No. 24-2014, a resolution declaring candidates elected to serve as City Council Members for four year terms.

AYES: Councilmembers Brown, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

## **ADMINISTRATION OF OATH OF OFFICE**

Deputy City Clerk Cheryl Smith administered the Oath of Office to Councilmembers Daniele Jackson, Orville Knox and Robert Schmid.

## **ELECTION OF MAYOR AND MAYOR PRO TEM**

Red Bluff is a General Law City; the City Council selects one of its members to serve as Mayor. Historically the City Council elects a Mayor and Mayor Pro Tem each December to serve for a period of one year.

Deputy City Clerk Cheryl Smith called for nominations for the position of Mayor.

M/S/C Councilmembers Jackson and Schmid nominating Councilmember Parker to serve as Mayor.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

Deputy City Clerk Cheryl Smith called for nominations for the position of Mayor Pro Tem.

M/S/C Councilmembers Schmid and Knox nominating Councilmember Jackson to serve as Mayor Pro Tem.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **COMMENTS BY FORMER COUNCILMEMBERS**

Mr. Brown thanked the City Manager and Deputy City Clerk for their work during his time served on the City Council.

### **COMMENTS BY COUNCILMEMBERS**

Councilmembers Parker, Schmid, Jackson and Knox all provided their thanks to Mr. Brown for his service to the City and to the citizens for electing them to office.

### **PRESENTATION**

Mayor Pro Tem Jackson presented former Councilmember Brown with a Certificate of Appreciation for his service to the City of Red Bluff.

At this time, Mayor Parker called for a short recess.

Mayor Parker called the meeting back to order at 8 p.m.

### **CONSENT AGENDA:**

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

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

**1. ACCEPTANCE OF FIVE EASEMENT DEEDS GRANTED TO THE CITY OF RED BLUFF FROM WAL-MART STORES, INC.**

**Recommendation:**

That the City Council accept five Easement Deeds conveyed from Wal-Mart, Inc. to the City of Red Bluff and authorize appropriate recording documents to be signed by the City Manager and recorded by staff.

As a Condition of Approval for the New Wal-Mart Store at 608 Luther Rd. (Resolution No. 62-2008 Exhibit A Conditions No. 8) project applicant/owner/developer ( Wal-Mart, Inc.) is required to dedicate easements to the City of Red Bluff as deemed necessary by the Public Works Dept., City Staff and Wal-Mart, Inc. concur that these five easements are necessary in order to comply with project's conditions and mitigation measures for improvements related to road way widening, utility improvements/undergrounding and traffic signals placement.

These easements have been defined and prepared as Easement Deeds granting two Road Right of Way and Utilities Easements to the City of Red Bluff along with three more Public Service and Utilities Easements. The five Easement Deeds are attached. Staff is requesting acceptance of the Easement Deeds.

*Approved 4-0-0*

**2. ANNUAL REPORT OF DOWNTOWN BUSINESS IMPROVEMENT AREA ADVISORY BOARD**

**Recommendation:**

That the City Council review the Annual Business Improvement District Report and 1) accept it as submitted or, 2) modify any particular portion of the report.

The Downtown Business Improvement District is an assessment district that assesses members for business promotion offsets.

State Law requires that the Downtown Red Bluff Business Association Advisory Board shall prepare a report each fiscal year for the assessments that are to be levied and collected. Staff's review of the report indicates the contents match the legal requirements. The report proposes no changes in the boundaries of the BID, no changes in the benefit zones and no changes in the assessments. Annual approval of this assessment is a three meeting process.

*Approved 4-0-0*

## **CURRENT BUSINESS:**

### **1. APPOINTMENT OF CITY COUNCIL MEMBER**

Rick Crabtree, City Manager, reviewed the staff report and provided staff's recommendation that the City Council select a candidate from the applications received to fill the vacant City Council seat.

Applications for appointment to fill the vacant seat were received from Shannon Hatfield, Suren Patel, Greg Latourell and Amy Schutter.

On November 4, 2014 the City Council directed staff to advertise the vacancy created by the resignation of Ray Eliggi from his seat on the Council. The Council established a deadline of November 24, 2014 at 5 p.m. for interested persons to submit applications. The City received four timely applications.

Councilmember Knox requested and received clarification from Ms. Schutter on the types of grants she works on.

M/S/C Councilmembers Jackson and Knox to continue the selection of a candidate until the meeting of December 16, 2014.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **2. APPOINTMENT OF VARIOUS COMMISSIONERS, LOAN COMMITTEE MEMBER AND AUDIT COMMITTEE MEMBER**

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

1. Makes the necessary appointments to the Planning and Airport Commissions and the Loan Committees from the applications received.
2. Direct the Deputy City Clerk to re-advertise the vacancies on the Parks and Recreation Advisory Commission, Planning Commission and Audit Committee.

Each December the City Council makes appointments to the various Commissions and Committees from applications received.

M/S/C Councilmembers Schmid and Jackson to appoint Doug Dale to the Planning Commission, Lynn Chamblin and Robert Moore to the Airport Commission, Gerry Reyes and Ryan Gamboa to the Parks and Recreation Advisory Committee and J. B. Stacy to the Loan Committee. The motion also included directing the Deputy City Clerk to re-advertise the vacancies on the Parks and Recreation Advisory Commission, Planning Commission and Audit Committee.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **3. OTHER AGENCY REPRESENTATION**

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council review the current City Councilmember assignments and determine other agency representation for 2015.

M/S/C Councilmembers Jackson and Knox to continue this item until the meeting of December 16<sup>th</sup> following the selection of a new Councilmember.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

### **4. PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZATION FOR THE DESIGN, PERMITTING, COORDINATION AND GRANT MANAGEMENT ASSISTANCE FOR THE RED BLUFF RIVER FRONT PARK BOAT LAUNCH FACILITY**

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorize the City Manager to execute a Consultant Services Agreement with Stoll Engineering, in the amount of \$456,753.00, pertaining to Engineering Design, Permitting and Management Services for the City of Red Bluff River Park Boat Launch Facility.

The City of Red Bluff California lies adjacent to the Sacramento River and is located immediately north of the one-time fully operational Tehama-Colusa Canal Authority Diversion Dam (also known as the Red Bluff Diversion Dam). Over the last several decades, the Red Bluff Diversion Dam operated for the purposes of providing waters to support the region's agriculture production. As gates were closed from May to December, Red Bluff Lake, with 15 miles of shoreline, was annually created.

The ending of the summer season of 2011 was the last time Lake Red Bluff would be filled. The retirement of the Red Bluff Diversion Dam significantly changed the river flow characteristics and left the original River Park boat launch facility high and dry for most of the year.

Stoll Engineering has provided the conceptual design development, environmental studies and grant management services throughout this continuing process. We are now proceeding to the design and implementation of the finalized project. This professional services contract will provide the design, permitting and management services necessary to move the project toward the implementation of an enhanced boat launch facility.

Councilmember Schmid requested and received clarification on the costs included in the agreement.

M/S/C Councilmembers Jackson and Schmid to authorize the City Manager to execute a Consultant Services Agreement with Stoll Engineering, in the amount of \$456,753.00, pertaining to Engineering Design, Permitting and Management Services for the City of Red Bluff River Park Boat Launch Facility.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

## **5. CONTRACT AWARD FOR THE MONTGOMERY ROAD SEWER REPLACEMENT PROJECT**

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorizes the award of a contract to Bobby Martin Construction Inc., in the amount of \$439,438.00 for the Improvements included within the Montgomery Road Sewer Replacement Project.

The Montgomery Road Sewer Replacement Project will replace an 18" sewer main collector lying within portions of South Main Street and Montgomery Road. This is a major city sewer main that collects sewer flows from 4 different south area sewer lift stations prior to transporting the sewer flows to the City's Waste Water Treatment Plant. This necessary sewer repair also lies within the area affected by the Montgomery roadway relocation that is being completed as a part of the Wal-Mart development roadway improvements. It is intended that the sewer replacement work will be completed prior to the new roadway resurfacing being constructed within Montgomery Road.

Seven bids were received for the Project. Bobby Martin Construction Inc. submitted the lowest bid in response to that advertisement.

M/S/C Councilmembers Jackson and Schmid to authorize the award of a contract to Bobby Martin Construction Inc., in the amount of \$439,438.00 for the improvements included within the Montgomery Road Sewer Replacement Project.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

## **6. REQUEST FOR AUTHORIZATION TO APPLY FOR THE 2014 ASSISTANCE TO FIREFIGHTERS GRANT ADMINISTERED BY FEMA**

Ray Barber, Fire Chief, reviewed the staff report and provided staff's recommendation that the City Council authorize the Fire Chief to submit an application for the 2014 Assistance to Firefighter Grant. If awarded, staff will bring the matter back to Council once more for final approval prior to accepting the grant.

The Federal Government is making funds available through FEMA's Assistance to Firefighter Grant to provide for the purchasing of needed firefighting equipment. This is a competitive process and has helped many departments across the nation. The Red Bluff Fire Department is seeking funding for the replacement and updating of fire hose, nozzles and fire hose appliances.

M/S/C Councilmembers Schmid and Jackson to authorize the Fire Chief to submit an application for the 2014 Assistance to Firefighter Grant.

AYES: Councilmembers Knox, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: None

## **7. CITY HALL CLOSURE – DECEMBER 26, 2014**

Sandy Ryan, Finance Director, reviewed the staff report and provided staff's recommendation that the City Council authorize the closure of City Hall on Friday December 26, 2014.

The 26<sup>th</sup> of December falls on Friday this year and many City Hall employees have requested to take the day after the 25<sup>th</sup> off as a vacation day.

Employees taking the day off would be required to use accrued paid time off (i.e. Composite Leave, Vacation or ATO Leave).

Employees would have three (3) choices for this day, take off without pay, take off using vacation, composite and/or ATO or work on the 26<sup>th</sup>.

M/S/C Councilmembers Schmid and Knox to authorize the closure of City Hall on Friday, December 26, 2014.

AYES: Councilmembers Knox, Parker and Schmid

NOES: Councilmember Jackson

ABSENT OR NOT VOTING: None

**STAFF ITEMS:**

*Nothing at this time.*

**COMMITTEE REPORTS/COUNCIL COMMENTS:**

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

Local Agency Formation Commission (LAFCO) – *meeting December 11<sup>th</sup>*

3 Core – *meeting in January 2015*

Tehama County Transportation Commission – *no meeting*

Downtown Red Bluff Business Association - *meeting December 17<sup>th</sup>*

Community Action Agency – *no active council member*

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*

Tehama County/City of Red Bluff Landfill Management Agency JPA II - *meeting December 11<sup>th</sup>*

Chamber of Commerce – *meeting later in December*

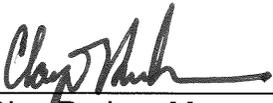
**ADJOURNMENT:**

There being no further business Mayor Parker adjourned the regular meeting at 8:47 p.m. and moved into closed executive session.

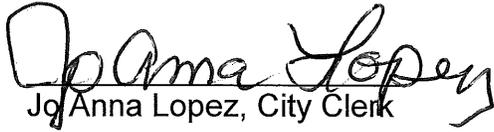
**CLOSED EXECUTIVE SESSION:**

- 1. PENDING AND ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9) – CASE NO. 2:09-CV-01353-FCD-DAD Scott Johnston v. City of Red Bluff**

At the conclusion of the Closed Executive Session Mayor Parker reported that direction had been provided to staff.

  
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Clay Parker, Mayor

ATTEST:

  
JoAnna Lopez, City Clerk