



# CITY OF RED BLUFF

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## CITY COUNCIL

### MINUTES

**Date of Meeting:** Tuesday, January 5, 2016  
**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  
Rob Schmid  
Daniele Jackson  
Suren Patel

**Councilmembers Absent:** None

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

### PLEDGE OF ALLEGIANCE:

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

### CITIZEN'S COMMENT:

Pastor Scott Camp provided a prayer for those in attendance.

## **C. CONSENT AGENDA:**

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

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

NOES: None

ABSENT OR NOT VOTING: None

### **1. APPROVAL OF MINUTES**

- a. December 1, 2015
- b. December 14, 2015
- c. December 15, 2015

*Approved 5-0-0*

### **2. 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**

**Recommendation:**

That the City Council waive the second reading and adopt 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.

*Approved 5-0-0*

## **CURRENT BUSINESS:**

### **1. PUBLIC HEARING AND RESOLUTION NO. 1-2016 REGARDING FISCAL YEAR 2016 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 protests (written and verbal during the public hearing) constitute 50% or more of the assessed properties. Depending on the outcome of the public hearing, the City Council may choose to adopt Resolution No. 1-2016.

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

January 5, 2016 at 7:00 p.m. in the City Council Chambers is the date, time and place set for the public hearing. Protests to the proposed assessments 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 City Council at the December 1, 2015 Council Meeting received and approved the annual report from the Downtown Red Bluff Business Association (DRBBA), Board of Directors. The DRBBA (Downtown Red Bluff Business Association) Board was designated as the Advisory Board for the Business Improvement District by the City Council. The report proposed no changes in the boundaries for the district and no changes in the amount of the assessment. After reviewing the report and discussion with DRBBA (Downtown Red Bluff Business Association) members, the City Council approved the report.

At the December 15, 2015 City Council meeting Resolution No. 24-2015 was adopted. This was a Resolution of Intention to Levy an Assessment for the Downtown Red Bluff Business Improvement Area which also established a public hearing for January 5, 2016.

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 \$250.00 per year and non-retail \$175.00 per year. The assessment for Zone B would be retail \$125.00 per year and non-retail \$100.00 per year.

Mayor Parker opened the Public Hearing at 7:01 p.m.

Ivan Petrzelka, President of the Downtown Red Bluff Business Association, stated that he had sent an email to all businesses within the district and only received six (6) responses, which were all in favor or asking questions about the assessment.

Andrew Christ, business owner in the assessment district, expressed his objection to the proposed assessments, as they are mandatory and a business doesn't have a choice as to whether or not they want to belong to the association. He asked that the council please postpone this vote until after the annual meeting that is being held later this month.

M/S/C Councilmembers Patel and Jones to adopt Resolution No. 1-2016, a Resolution of the City of Red Bluff regarding Fiscal Year 2016 Assessment for Downtown Red Bluff Parking and Business Improvement Area.

AYES: Councilmembers: Jones, Patel, Parker and

NOES: Councilmember: Jackson and Schmid

ABSENT OR NOT VOTING: None

2. **ORDINANCE NO. 1041; AN ORDINANCE OF THE CITY OF RED BLUFF IMPOSING AN EXPRESS BAN ON MARIJUANA CULTIVATION, MARIJUANA PROCESSING, MARIJUANA DELIVERY, AND MARIJUANA DISPENSARIES IN THE CITY**

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

1. Conduct the Public Hearing.
2. Introduce Ordinance No. 1041 and waive reading of the entire ordinance.
3. Provide other direction to staff as the Council deems appropriate.

In October 2015, Governor Jerry Brown signed into law Assembly Bills No. 266, No. 243 and Senate Bill No. 643. Together these bills are referred to as the California Medical Marijuana Regulation and Safety Act (MMRSA). The Legislative Intent of the MMRSA package of bills is to establish a legal framework for the regulation of cultivation, manufacture, distribution, transportation, delivery, sales and testing of medical marijuana in the State of California.

AB 266, enacts licensing and regulatory requirements for medical marijuana and would establish within the Department of Consumer Affairs the Bureau of Medical Marijuana Regulation.

AB 243 requires the state licensing authority to charge each licensee under the Act a licensure and renewal fee, as applicable, and would further require the deposit of those collected fees into an account specific to that licensing authority in the Medical Marijuana Regulation and Safety Act Fund.

SB 643 sets forth standards for a physician and surgeon prescribing medical cannabis and requires the Medical Board of California to identify and discipline physicians and surgeons that have repeatedly recommended excessive cannabis to patients for medical purposes or repeatedly recommended cannabis to patients for medical purposes without a good faith examination.

One of the primary intentions of the MMRSA is the implementation of “dual licensing” scheme. Under this approach, a medical marijuana business in any city or county having an adopted local Ordinance on the subject may only operate if it has permission from the State **and** permission from the local city or county. However, in order to retain local control over medical marijuana related activities, the local agency (city or county) must adopt and have in-place a working Ordinance prohibiting or otherwise regulating the cultivation, dispensing and delivery of medical marijuana. All locally adopted Ordinances must be effective no later than March 1, 2016 to qualify. As such, any agency wishing to adopt such an Ordinance must have introduced and approved the Ordinance and have had the second reading of the Ordinance on or before January 29, 2016 to provide for the mandatory thirty (30) day delay period required of all Ordinances to become effective.

Currently, the City of Red Bluff does not have an Ordinance prohibiting or otherwise regulating the cultivation, processing, delivery, and dispensing of marijuana. (However, medical marijuana dispensaries are not identified as a permitted use in any zoning district within the City.)

Further discussion of the Medical Marijuana Regulation and Safety Act and how it affects the City has been provided by the League of California Cities and included as *Attachment “A”* to this report. Included as *Attachment “B”* is the proposed Ordinance imposing an express ban on marijuana cultivation, processing, delivery, and dispensaries in the City.

One resident expressed his concerns with the ordinance's language. He felt it should be changed to accommodate those with medical marijuana prescriptions that are delivered.

Kyle Sanders, Police Chief, stated that in a situation like this the person would not be reprimanded even though the ordinance states that those in the city limits cannot have medical marijuana delivered.

M/S/C Councilmembers Schmid and Jones to waive the first reading and introduce Ordinance No. 1041; An Ordinance of the City of Red Bluff imposing an express ban on marijuana cultivation, marijuana processing, marijuana delivery, and marijuana dispensaries in the City.

AYES: Councilmembers: Jones, Patel, Parker and Schmid

NOES: Councilmember: Jackson

ABSENT OR NOT VOTING: None

### 3. RED BLUFF POLICE MID-MANAGEMENT SALARY/BENEFIT RESOLUTION

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council adopt proposed Resolution No. 2-2016; 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.

Police Mid-Management employees are a separately recognized bargaining group, currently consisting of four employees. Accordingly, it is necessary for the City to separately address the salary and benefits of these employees. There is also a correction to the Holidays reference in the Resolution. The reference is now to the City Management/Mid-Management Resolution holidays rather than to the Holiday provisions in the POA MOU.

M/S/C Councilmembers Jones and Patel to adopt Resolution No. 2-2016; a Resolution 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: Jones, Patel, Parker and Schmid

NOES: Councilmember: Jackson

ABSENT OR NOT VOTING: None

### 4. CONTRACT AWARD FOR CITY HALL DATA CABLING INSTALLATION PROJECT

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council authorize the award of a contract to **True Telecom and Surveillance** in the amount of **\$28,000.00**, for the City Hall cabling installation project, and authorize a supplemental appropriation for \$28,000.00 to account number 10-57-530-100.

The original Staff budget for the project was estimated at \$20,000.00. The lowest bid, for the completion of the specified work, came in at \$28,000.00. Four bids were received for the Cabling Installation Project. **True Telecom and Surveillance** submitted the lowest bid, in response to the advertisement, with a bid of **\$28,000.00**.

The lowest bid exceeds the original Engineers Estimate by \$8,000.00, a discrepancy that may be primarily attributed to wiring enhancements and other refinements that were not included within the Engineer's Estimate that was developed as a part of a previous review and budget.

Public Works staff believes that with bids ranging between \$28,000.00 and \$32,789.00, the general consistency of the bids validates the appropriateness of the bids that were received.

The following table identifies the bids that were received:

PROJECT NAME: *City Hall Cabling*

PKT	DATE	COMPANY	CITY & ZIP	BID RESULTS
1	12/15/15	True Telecom	Redding 96003	\$28,000.00
2	12/2/15	Pacific Data Connection	Los Molinos 96055	\$28,442.00
3	12/4/15	World Telecom & Surveillance	Redding 96003	\$31,161.85
4	12/4/15	Comer Communications	Redding 96003	\$32,789.85

M/S/C Councilmembers Patel and Jones to authorize the award of a contract to True Telecom and Surveillance in the Amount of \$28,000.00, for the City Hall cabling installation project, and authorize a supplemental appropriation for \$28,000.00 to account number 10-57-530-100.

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

NOES: None

ABSENT OR NOT VOTING: None

## 5. SUPPLEMENTAL APPROPRIATION - FIRE

Ray Barber, Fire Chief, reviewed the staff report and provided staff's recommendation that City Council approve accepting the \$1,500.00 donation that was received from the Rolling Hills Casino for training and authorize a supplemental appropriation to Revenue Account 11-00-460-700 and Expense Account 11-31-250-100 for \$1,500.00 each.

The Fire Chief applied for a donation from the Rolling Hills Casino to assist in providing an advanced Ladder Truck Operations Class. The class will be held in Red Bluff. The cost of the class will be split with the Anderson Fire Protection District. The Anderson Fire Protection District will be receiving their first ladder truck in March 2016.

M/S/C Councilmembers Jones and Jackson to approve accepting the \$1,500.00 donation that was received from the Rolling Hills Casino for training and authorize a supplemental appropriation to Revenue Account 11-00-460-700 and Expense Account 11-31-250-100 for \$1,500.00 each.

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

**STAFF ITEMS:**

*None*

**COMMITTEE REPORTS/COUNCIL COMMENTS:**

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

Local Agency Formation Commission (LAFCO) - *meeting January 13, 2016*

3 Core - *no meeting*

Tehama County Transportation Commission - *no meeting*

Downtown Red Bluff Business Association - *no meeting*

Community Action Agency - *meeting January 21, 2016*

Tehama Economic Development Corporation - *no meeting*

Executive Committee - Tehama County Solid Waste Management Agency - *met and discussed next year's budget and goals*

Tehama County Solid Waste Management Agency (JPA II) - *no meeting*

Chamber of Commerce - *meeting January 26, 2016*

**ADJOURNMENT:**

There being no further business Mayor Parker adjourned the meeting at 8:07 p.m. until the meeting of January 19, 2016.



Clay Parker, Mayor

ATTEST:



Cheryl Smith, Deputy City Clerk