



CITY OF RED BLUFF

555 Washington Street Red Bluff, California 96080 (530) 527-2605 Fax (530) 529-6878 www.cityofredbluff.org

CITY COUNCIL

MINUTES

Date of Meeting: Tuesday, May 19, 2015
Time of Meeting: 6:30 p.m. Closed Executive Session
7 p.m. Regular Meeting
Place of Meeting: Council Chambers, City Hall
555 Washington Street
Red Bluff, CA 96080

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

Councilmembers Absent: None

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

CLOSED EXECUTIVE SESSION:

PUBLIC EMPLOYEE APPOINTMENT (Police Chief) (Government Code §54957)

Mayor Parker reported that the City Council had provided direction to staff on the Police Chief appointment.

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 the City Council and those in attendance.

Debra Chapman expressed her concerns with the way the Police Department was handling the investigation into the death of her granddaughter.

Fire Chief Ray Barber reported that the American Legion has chosen Engineer Scott Spangler for their Fire Fighter of the Year.

Scott Spangler thanked everyone and his wife and stated it was a team effort as he didn't get this award on his own.

Councilmember Jackson commented on how good the clean up at the Snack Box site is looking.

CONSENT AGENDA:

Councilmember Schmid asked that items 1, 4 and 5 be pulled.

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

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

NOES: None

ABSENT OF NOT VOTING: None

1. REPORT REGARDING OPEN MARKET PURCHASES AND CONTRACT AWARDS - APRIL 2015

Recommendation: That the City Council accepts the open market purchases and contract awards for April 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 April 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 items contained in the open market purchases and contract awards.

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

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

NOES: None

ABSENT OF NOT VOTING: None

2. APPROVAL OF WARRANT LIST

Recommendation: That the City Council approve Check Warrant No. 81029 through 81298 dated April 1, 2015 through April 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.

Approved 5-0-0

3. APPROVAL OF MINUTES

a. **April 21, 2015**

b. **May 5, 2015**

Approved 5-0-0

4. SUPPLEMENTAL APPROPRIATION FOR TEMPORARY POOL PERSONNEL EXPENSE

Recommendation: That the City Council approve a supplemental appropriation to the following Pool Personnel Expense accounts:

60-62-110-100	Temporary & Part-Time Employees	\$7,300.00
60-62-150-100	Social Security	\$ 453.00
60-62-150-200	Medicare	\$ 106.00
60-62-170-100	Workers' Comp Insurance	\$ 180.00
60-62-180-100	Other employee Benefits	\$ 51.00
	Total Supplemental Appropriation	\$8,090.00

Councilmember Schmid requested and received clarification on the supplemental appropriation.

M/S/C Councilmembers Schmid and Jackson to approve a supplemental appropriation to the Pool Personnel Expenses accounts as listed.

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

NOES: None

ABSENT OF NOT VOTING: None

5. ACCEPTANCE AND RELEASE OF RETAINAGE FOR THE EMERGENCY GENERATOR REPLACEMENT PROJECT

Recommendation: That the City Council approve the final contract amount of \$54,542.00, accept the completed improvements, direct staff to file a notice of completion, release the retainage and begin the one year warranty period for the project.

The emergency generator replacement has been completed and all work is acceptable to the Public Works Director. The work was completed on budget by R.S.S.E. Inc., with a final project cost payment of \$54,542.00.

Councilmember Schmid requested and received clarification on the emergency generator replacement project.

M/S/C Councilmembers Schmid and Jackson to approve the final contract amount of \$54,542.00, accept the completed improvements, direct staff to file a notice of completion, release the retainage and begin the one year warranty period for the project.

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

NOES: None

ABSENT OF NOT VOTING: None

6. TREASURER'S REPORT - NINTH MONTH OF FISCAL YEAR 2015

Recommendation: That the City Council accept the Treasurer's report for the ninth month of Fiscal Year 2015.

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 5-0-0

CURRENT BUSINESS:

1. **DECLARATION OF DROUGHT (WATER SHORTAGE) EMERGENCY WITHIN THE CITY OF RED BLUFF**

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

- Adopt Urgency Ordinance No. 1037, An Ordinance of the City of Red Bluff Regarding water conservation and amending Section 24.18 et. seq., of the City Code (requires 4/5ths vote)
- Adopt Resolution No. 13-2015 , A Resolution Of The City Council Of The City Of Red Bluff Declaring A Stage III Serious Water Shortage (as described in the new urgency Ordinance).

OR IN THE ALTERNATIVE (if a 4/5th's vote is not obtained for the urgency ordinance):

- Introduce Ordinance No. 1037 and waive reading of entire ordinance.
- Adopt Resolution No. 14-2015 declaring a Stage II water shortage under existing City Code section 24.18-2(C)(2).

OR

Provide such other and further direction to staff as appropriate.

On May 5, 2015, the State of California Water Resources Control Board adopted emergency regulations pertaining to drought emergency water conservation. The State of California Office of Administrative Law has recently approved this emergency regulatory action. The regulations require that urban water suppliers implement drought response plans to limit outdoor irrigation and other wasteful water practices. Included among these mandates is a new requirement that landscape watering be limited to 2 days per week. In addition, the regulations require the City of Red Bluff to reduce water use by 36% compared to 2013 use.

The City Code's current water conservation/rationing plans do not include requirements limiting landscape irrigation to 2 days per week. Accordingly, City Staff has prepared a draft urgency Ordinance which modifies the City Code's water conservation plans to include an option which limits landscape irrigation to two days per week. In addition, the draft Ordinance amends the City Code to include 5 water conservation stages and generally updates the Code to better meet current circumstances. The proposed Urgency Ordinance requires a 4/5th vote of the City Council and, upon adoption, would take effect immediately.

City Staff has also prepared a draft Resolution which, if approved by the City Council, would implement Stage III water conservation measures, including limiting landscape watering to 2 days per week.

In the alternative, the City Council may introduce proposed Ordinance No. 1037 and waive reading of the entire ordinance. This would require a simple majority vote of the City Council. The ordinance would then come back for a second reading and adoption on June 2, 2015. If the Council elects this option, staff also recommends immediate adoption of a Stage II water shortage under existing City Code § 24.18-2 (C)(2).

Scott Camp inquired into the City would monitor the water reduction.

Kathy Nelson inquired about the state law and who would monitor new construction.

M/S/C Councilmembers Jackson and Jones to:

- Adopt Urgency Ordinance No. 1037, An Ordinance of the City of Red Bluff Regarding water conservation and amending Section 24.18 et. seq., of the City Code (requires 4/5ths vote)
- Adopt Resolution No. 13-2015 , A Resolution Of The City Council Of The City Of Red Bluff Declaring A Stage III Serious Water Shortage (as described in the new urgency Ordinance.

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

NOES: None

ABSENT OF NOT VOTING: None

2. REQUIREMENTS OF THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT OF 2014

Bruce Henz, Public Works Director, an information report on the requirements of the Sustainable Groundwater Management Act of 2014..

The **Sustainable Groundwater Management Act (SGMA)** was signed by the Governor in September 2014 and became law on January 1, 2015. The law requires that the groundwater basins within Tehama County be managed by a **Groundwater Sustainability Agency (GSA)** by a date on or before June 30, 2017. Each GSA will need to develop a **Groundwater Sustainability Plan (GSP)** by January 31, 2022. Groundwater basins may have a single or multiple **Groundwater Sustainability Agencies** and a single or multiple **Groundwater Sustainability Plans**.

Any Local Agency or combination of Local Agencies, overlying a groundwater basin, may form either a single or multiple **Groundwater Sustainability Agencies** within the basin. Local Agency means a local public agency that has water supply, water management or land-use responsibilities within a groundwater basin. Tehama County has many Local Agencies that represent multiple uses and thereby have multiple needs and concerns.

Tehama County is largely involved with the public health concerns of privately owned residential and agriculture wells. The three Cities within Tehama County provide municipal water services while Water and Irrigation Districts are primarily concerned with the provision of agriculture water supplies. The concerns of all of these interests need to be addressed and integrated within the management of the newly mandated Groundwater Sustainability Agency.

The Tehama County Flood Control and Water Conservation District proposes to become the **Groundwater Sustainability Agency** for all 11 groundwater basins located within Tehama County and develop a County wide **Groundwater Sustainability Plans**.

Should the District be directed to file a Notice of Intent at the June 2 board meeting, and no other agency submits an NOI within 90 days of DWR posting the District's NOI on their website, then the District would become the **Groundwater Sustainability Agency** for the 11 Tehama County Groundwater basins.

The requirements of this newly enacted legislation by the State of California should be reviewed and considered carefully. It may require that the City Council provide specific direction and specify reasonable actions that may be essential in order to circumvent potentially adverse consequences and maintain independent authority and controlled management of our City's groundwater supply. It may become necessary for the City to undertake the necessary hearing process that would be required to establish a **City of Red Bluff Groundwater Sustainability Agency** separate from that which is being proposed by Tehama County.

3. TRANSIENT OCCUPANCY TAX POLICY REVIEW

Rick Crabtree, City Manager/Attorney, reviewed the staff report and provided staff's recommendation that the City Council review the current City policy to charge transient occupancy tax (TOT) for the first 30 days of a long-term transient stay.

The current City Code requires transients (i.e., guests staying for a period of 30 calendar days or less) to pay an occupancy tax of 10%. Transients staying longer than 30 days become exempt from the TOT tax on the 31st day of their stay, but must pay TOT for the first 30 days. (City Code § 21.20)

A request has been made for the City not to charge TOT for the first 30 days of a long-term tenancy (i.e., 30+ days). Some cities and counties do not charge TOT for the first 30 days if the guest signs a long-term rental agreement on check-in. These cities thus forgo TOT revenue for the first 30 days of a tenancy represented to be long-term (i.e., 30+ days). In addition, these cities rely on the check-in representation that the guest will stay longer than 30 days.

City Staff estimates that the City would lose approximately \$40,000.00 annually in TOT revenue if the City ceased collecting TOT for the first 30 days of a long-term stay. In addition, TOT administration and enforcement are more complicated when the first 30 days of TOT is waived based on a representation that the guest will stay longer than 30 days. For these reasons, City staff recommends that the City not alter the current requirement that TOT tax applies to the first 30 days of all guest stays.

This adjustment to our TOT policy would result in an estimated \$40,000.00 loss per year to the general fund.

Due to a conflict of interest Councilmember Patel recused himself and left the Council Chambers while this topic was discussed.

Steve Albon, Crown Nursery, spoke in favor of changing the way the City collects its TOT tax.

No action taken by the City Council on this item.

4. BUDGET ADJUSTMENT FOR THE 2015/16 BUDGET

Rick Crabtree, City Manager/Attorney, reviewed the staff report and provided staff's recommendation that the City Council consider adjustments to the adopted 2015/2016 City Budget.

During the meeting of May 5, 2015, a motion was made and adopted to approve the Budget recommended by the Budget Committee with following changes: (1) decline funding for TECD: less \$5,000.00; (2) Increase Chamber funding by \$35,000.00; and (3) approve funds for the hiring of one new firefighter in the Fire Department, an increase of \$80,000.00.

There was discussion regarding possible decreases to the Fire Department budget to partially account for the cost of an additional firefighter position. Specifically, there was discussion regarding reducing the Fire Department overtime budget by \$15,000.00 and the repair budget by \$5,000.00. However, the motion to adopt the budget was silent regarding these potential cuts to the Fire Department budget.

Councilmember Schmid requested that this item be placed on the agenda for possible adjustment to 2015/2016 Fire Department budget.

This adjustment would increase the estimated general fund balance for FY 2015/2016 to \$483,174.00 from \$463,174.00, a \$20,000.00 increase.

M/S/C Councilmembers Parker and Jackson to adjust the Fire Department overtime budget by \$15,000.00 and the repair budget by \$5,000.00

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

NOES: None

ABSENT OF NOT VOTING: None

5. UPDATE ON THE CURRENTLY SCHEDULED SOUTH MAIN STREET IMPROVEMENTS

Bruce Henz, Public Works Director, provided an informational report on the status of the South Main Street improvements.

There are several street segments and work areas that are currently being impacted as a part of the roadway construction associated with the Wal-Mart Development. These improvements have been designed for construction consistent with the professional standards and practice of qualified and licensed Engineers. There are generally accepted protocols and conventions for both design standards and traffic control methodologies. In California they are included and defined within the **California Manual on Uniform Traffic Control Devices**

This manual was the basis for the information and configurations included on the Traffic Control plan for South Main Street, North of the Luther Road Intersection and fronting the Raley's shopping center. The manual was also the basis for the design configuration and Traffic Control plan developed for South Main Street, south of the Luther Road Intersection to just north of the bridge over the Interstate 5 Highway, although some adjustments were made directly by the Caltrans engineers as a part of the plan checking process with the Caltrans.

Both of these South Main Street improvement segments are currently under construction. An estimated completion date for this work is currently late in August of this year (2015)

There are other roadway segments that are scheduled for improvement within the anticipated future. The Luther Road improvements, between Mill Street and South Jackson Street, are also currently being constructed. The pavement improvements should also be completed within a mid to late summer timeframe, however the completed signalization improvements along Luther Road may not be finalized until the year's end.

Another rehabilitation project for the Luther /South Main intersection is scheduled for design with City funding that has programmed within the 2015/2016 City budget.

Additionally, an overlay project with funds received from Tehama County is currently scheduled for construction by late 2016 or early 2017. These improvements would provide for an enhanced roadway surface to the south of the Interstate Hwy. 5 overcrossing and continuing to the South Main Street locale adjacent to the St. Elizabeth Hospital.

Funding for the South Main Improvements generally located to the south of the Union Pacific Railroad overcrossing and north of the bridge right of way for the Interstate Hwy. 5 overcrossing is being provided by Wal-Mart.

Funding for the Luther /South Main intersection will be a City responsibility. This funding would be obtained from the City's Fund 25, Development Impact Fees or the City's Fund 43, the Special Transportation Fund.

Funding for the South Main Street overlay project will be funded with State and federal funding provided through Tehama County

There would not be General Fund Impacts associated with these projects.

Councilmembers Schmid and Jackson expressed their concerns with the project and the lack of lanes available to the project.

STAFF ITEMS:

Rick Crabtree reminded everyone in attendance of the June 23rd council meeting that is replacing the June 16th meeting.

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 - *no meeting*

Tehama County Transportation Commission - *no meeting*

Downtown Red Bluff Business Association - *meeting on Wednesday, May 20th*

Community Action Agency - *meeting on Thursday, May 21st*

Tehama Economic Development Corporation - *no meeting*

Tehama County Sanitary Landfill JPA I - *meeting Wednesday, May 20th*

Executive Committee -- Tehama County/City of Red Bluff Landfill Management Agency JPA II - *meeting on Wednesday, May 20th*

Tehama County/City of Red Bluff Landfill Management Agency JPA II - *meeting June 1st*
Chamber of Commerce - *meeting May 26th*

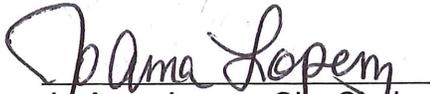
ADJOURNMENT:

There being no further business Mayor Parker adjourned the meeting at 8:37 p.m. until the Meeting of June 2, 2015.



Clay Parker, Mayor

ATTEST:



Jo Anna Lopez, City Clerk