



CITY OF RED BLUFF

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CITY COUNCIL MEETING

Date of Meeting: Tuesday, May 20, 2014
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
Ray Eliggi, Mayor Pro Tem
Clay Parker, Councilmember
Rob Schmid, Councilmember
Wayne Brown, Councilmember

Staff Present: Rick Crabtree, City Manager/City Attorney
Sandy Ryan, Finance Director
Jo Anna Lopez, City Clerk
Paul Nanfito, Police Chief
Scot Timboe, Interim Community Development Director
Bruce Henz, Public Works Director
Jon Bennett, Fire Chief
Donna Gordy, City Treasurer
Vi Cobb, Human Resources Analyst II

PLEDGE OF ALLEGIANCE:

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

CITIZEN'S COMMENTS:

Pastor Scott Camp of the North Valley Baptist Church requested that the City Council put a prayer at the beginning of each meeting on a future agenda for discussion.

Kathy Nelson, resident of Walbridge Street, is requesting that Public Works do something about the sewer smell in their area. This has been going on for years and she would like this to be put on the agenda before she has to take legal action against the City of Red Bluff.

Larry Bonds, resident of Walbridge Street, also spoke about the about the sewer smell on Walbridge Street. He stated that this has affected his health as well as not being able to go in his backyard because of the smell.

Dorothy Bonds, resident of Walbridge Street, also spoke about the sewer smell. She stated that has been going on for 5 years. When she has family over the smell is causing headaches as well as not being able to have a barbeque for her family due to the smell. This needs to be addressed and they have been told over and over the City is working on it. Instead of calling the Street Walbridge people are calling the street Smellbridge and it's very embarrassing.

CONSENT AGENDA:

Mayor Jackson pulled items 2, 3, 5 and 6 for clarification.

M/S/C Councilmembers Parker and Eliggi to approve the remainder of the Consent Agenda.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

1. INTEGRATED WASTE MANAGEMENT TASK FORCE CITIZEN MEMBERS

Recommendation: That the City Council approve the appointments of Amanda Garrett, Patrick Walker, Forrest Flynn, Betty Morales, Ron Warner and Robert Christison to the integrated Waste Management Task Force with terms to expire 3/31/2015.

The Tehama County Board of Supervisors makes the appointments to the Integrated Waste Management Task Force once each year, or as vacancies occur.

Pursuant to the provisions of AB 939, the above appointments must be submitted to those cities within the County for approval by the City Council.

Approved 5/0/0

2. REPORT REGARDING OPEN MARKET PURCHASES AND CONTRACT AWARDS - APRIL 2014

Recommendation: That the City Council accepts the open market purchases and contract awards for April of 2014.

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 2014 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.

Mayor Jackson requested and received clarification on items contained in the report.

M/S/C Councilmembers Jackson and Brown to approve the open market purchases and contract awards for April of 2014.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

3. APPROVAL OF WARRANT LIST

Recommendation: That the City Council approves the Check Warrant No 78165 through 78389 dated April 1, 2014 through April 30, 2014.

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

Mayor Jackson requested and received clarification on items on the Warrant List.

M/S/C Councilmembers Jackson and Eliggi to approve the Check Warrant No. 78165 through 78389 dated April 1, 2014 through April 30, 2014.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

4. CONTRACT PROPOSAL FOR SB 90/ STATE MANDATED COST CLAIM PREPARATION SERVICES

Recommendation: That the City Council authorizes the City Manager and/or the Chief of Police to enter into a contract with Nichols Consulting for the purpose of recovering certain costs from the State of California as outlined in Senate Bill 90.

SB 90 requires the State of California to reimburse some costs associated with mandates placed on local law enforcement. There are more than 50 areas covered by the State mandated cost recovery program. Many of these are related to law enforcement. The State of California does not automatically reimburse local government for these mandates. Local government is required to apply as outlined in the State of California's Guide to the State Mandate Process.

Approved 5/0/0

5. PROFESSIONAL SERVICES - ACTUARIAL VALUATION FOR RETIREE HEALTH INSURANCE

Recommendation: That the City Council:

1. Review the proposed scope of services.
2. Authorize staff to advertise for bid.

GASB 45 requires municipalities to account for other post employment benefits liabilities such as retiree health insurance costs much like they already account for pension liabilities, generally adopting the actuarial methodologies used for pensions, with adjustments for the different characteristics of post employment and the fact that most municipalities have not set aside any funds against this liability. **This is required every three years.** The City is required to obtain an actuarial valuation of the unfunded liability by an outside consultant.

Mayor Jackson requested and received clarification.

M/S/C Councilmembers Jackson and Brown to authorize staff to advertise for bid.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

6. ATTORNEY/ CLIENT FEE AGREEMENT APPROVAL

Recommendation: That the City Council approve the proposed Attorney-Client Fee Agreement and authorize the Mayor to sign the same.

The City has received a Notice of Intent to Suit from California River Watch, alleging various violations of the federal Clean Water Act. Although the City contends the allegations are without merit, it is prudent to retain counsel experienced in these issues. The City Attorney and the Public Works Director recommend retention of the Sacramento law firm of Somach, Simmons and Dunn. This firm has ample experience dealing with Clean Water Act litigation.

Mayor Jackson pulled this item to correct the misspelling of Mayor Jackson's name.

M/S/C Councilmembers Jackson and Eliggi to approve the proposed Attorney-Client Fee Agreement with the correct spelling of Mayor Jackson's name and authorize the Mayor to sign the same.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

CURRENT BUSINESS:

1. PUBLIC HEARING; HOUSING ELEMENT UPDATE

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

1. Conduct a public hearing and consider all public testimony and all other information relating to the 2014-2019 Housing Element of the General Plan and related Negative Declaration.
2. Adopt Resolution No. 12-2014, adopting the 2014-2019 Housing Element of the General Plan (GPA 13-001) and approving the related Negative Declaration.

The Housing Element is one of seven state-mandated elements of the General Plan. The State Law requires periodic updates, along with HCD Certification of a new Housing Element every 5 years. The Planning Commission has reviewed and recommended adoption of the proposed Housing Element and related Negative Declaration.

Mayor Jackson opened the Public Hearing at 7:32 p.m.

Attorney Jennifer Haffner spoke on behalf of her client P.A.T.H., expressing their concerns with the proposed Housing Element and asked that the City Council postpone adoption of the updated Housing Element.

Mayor Jackson closed the Public Hearing at 7:34 p.m.

M/S/C Councilmembers Brown and Schmid to adopt Resolution No. 12-2014, adopting the 2012-2019 Housing Element of the General Plan (GPA 13-001) and approving the related Negative Declaration.

AYES: Councilmember Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

2. RESOLUTION NO, 13-2014 AUTHORIZING PARKING LOT CLOSURE FOR A JUNE 18, 2014 BEER GARDEN

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council consider Resolution No. 13-2014 authorizing the closure of a public parking lot (APN 29-382-05) on June 18, 2014 for the first Farmers' Market Beer Garden.

This year, on June 18, 2014, the Chamber of Commerce is requesting authorization for a Beer Garden on the northeast corner of Pine and Washington St. (City parking lot) as a trial run. Based on the outcome of this first request (Farmers' Market Beer Garden), there may be future requests for a Beer Garden on the City parking lot. Adoption of Resolution No. 13-2014 would also authorize the City Manager to sign the Chamber's application for a single day alcoholic beverage permit to sell alcohol on City property.

The Farmers' Market has been very successful and expanded north to the middle of the parking lot on Washington St. This expansion will limit use of the City portion of the public parking lot. However, the private portion of the lot behind the Palomino Room will be accessible for parking and vehicle circulation from Washington Street and the alley.

Joe Vine spoke in favor of allowing the Farmers' Market Beer Garden.

Dave Gowan, President/CEO of the Chamber of Commerce, spoke in favor of this being adopted as it was a fundraiser for the Chamber.

M/S/C Councilmembers Parker and Eliggi to adopt Resolution No. 13-2014 authorizing the closure of a public parking lot (APN 29-382-05) on June 18, 2014 for the first Farmers' Market Beer Garden.

AYES: Councilmembers Parker, Eliggi, Schmid and Jackson

NOES: Councilmember Brown

ABSENT OR NOT VOTING: NONE

3. 3 CORE AGREEMENT FOR FISCAL YEAR ENDING JUNE 30, 2015

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council authorize the City Manager to sign the agreement between 3 Core, Inc. and the City of Red Bluff.

The City of Red Bluff has been entering into an agreement for economic development services with 3 Core for several years.

Courtney Farrell spoke and is excited to work with us and improve Red Bluff.

M/S/C Councilmembers Parker and Eliggi to authorize the City Manager to sign the agreement between 3 Core, Inc. and the City of Red Bluff.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

4. 3 CORE ECONOMIC DEVELOPMENT STRATEGY FOR 2014/2015

Scot Timboe, Interim Community Development Director reviewed the staff report and provided staff's recommendation that the City Council review the existing list of City project, and approve the project priority lists for the fiscal year 2014/2015 Comprehensive Economic Development Strategy.

Per the Economic Development Administration's guidelines, it is time for the City Council to prioritize and adopt a projects list. This Council action will formalize general additions and/or changes and approve our priority projects. Our priority projects will be included in the 3 CORE Economic Development District's Comprehensive Economic Development Strategy, which will be submitted to the Economic Development Administration for the 2014/15 fiscal year.

The 3 CORE Planning Division utilizes the CEDS Priority Projects list as a method for identifying and prioritizing public works and other economic development projects within the District for the purpose of preparing member funding applications to state and federal agencies. In addition, the Economic Development Administration Reform Act of 1998 identifies CEDS as a requirement to apply for assistance under the Economic Development Administration's public works and economic adjustment programs.

~~Proposed changes to the updated list submitted for your review were made by the City's Technical Advisory Committee. Upon approval by Council, the CEDS will be submitted to 3 CORE to be included in the Regional Project Package submitted to the Economic Development Administration.~~

In general, the changes to the previous year's priority were minor. The Antelope Sewer project was changed to Antelope Water Project. In addition, the Waste Water Treatment Facility Repair & Rehabilitation (Now under Design and Grant Process) swapped positions with the City Hall Improvements (including security upgrades). The Sacramento River at Cedar St. and Tributary Bank stabilization moved down to Priority B, while Enhancement and revitalize the Lake Red Bluff recreation and river access (Boat Launch) are in the City of Red Bluff moved up in the Priority A category.

M/S/C Councilmembers Eliggi and Brown to approve the project priority list for the fiscal year 2014/2015 Comprehensive Economic Development Strategy.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson

NOES: NONE

ABSENT OR NOT VOTING: NONE

5. APPROVAL OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF RED BLUFF AND COUNTY OF TEHAMA FOR THE GANG RESISTANCE EDUCATION AND TRAINING (G.R.E.A.T) SCHOOL RESOURCE OFFICER (SRO) FOR FISCAL YEAR 2014-2015

Paul Nanfito, Police Chief, reviewed the staff report and provided staff's recommendation that the City Council approve the 2014-2015 FY MOU between the City of Red Bluff and the County of Tehama for the funding of the SRO/G.R.E.A.T Officer that will be working at the Vista Preparatory Academy (formerly Vista Middle School).

The position is funded in two parts. One funding source is from the City and is through funds received from the State of California, initially through allocations of Proposition 30 which was later legislatively provided to municipal police departments to help offset the impact of AB 109. The second part of the funding for the G.R.E.A.T./SRO position is with AB 109 funds received by the Community Corrections Partnership (CCP) Committee and approved by the Tehama County Board of Supervisors.

One of the primary concepts behind AB 109 is to work collaboratively and collectively to help resolve Community problems. While not specifically stated, we believe that part of that is to try and develop programs that might assist in mitigating or preventing persons who are at risk of turning to a life of criminal activity or gang involvement.

M/S/C Councilmembers Brown and Schmid to approve the 2014-2015 FY MOU between the City of Red Bluff and the County of Tehama for the funding of the SRO/G.R.E.A.T Officer that will be working at the Vista Preparatory Academy (formerly Vista Middle School).

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson
NOES: NONE
ABSENT OR NOT VOTING: NONE

6. RESOLUTION NO. 14-2014; OAK STREET CLOSURE FOR STATE THEATRE SPECIAL EVENT - SIGN LIGHTING CELEBRATION MAY 31, 2014

Scot Timboe, Interim Community Development Director, reviewed the staff report and provided staff's recommendation that the City Council adopt Resolution No. 14-2014, authorizing closure of a portion of Oak Street for the Saturday May 31, 2014 State Theatre Special Event.

The State Theatre for the Arts (STFTA), has submitted the attached Special Event Request, seeking closure of a portion of Oak Street to accommodate the State Theatre Sign Lighting Celebration on May 31, 2014 between 7 p.m. and 10 p.m. (Please see Special Event Application packet). Beer and wine for the celebration will be served at the State Theatre and the "Green Room", which is next to the State Theatre. The program includes outdoor sign lighting, with spectators gathering on the closed portion of Oak Street.

M/S/C Councilmembers Schmid and Parker to adopt Resolution No. 14-2014, authorizing closure of a portion of Oak Street for the Saturday May 31, 2014 State Theatre Special Event.

AYES: Councilmembers Parker, Eliggi, Schmid, Brown and Jackson
NOES: NONE
ABSENT OR NOT VOTING: NONE

7. NITRATE MONITORING AND REPORTING VIOLATION

Bruce Henz, Public Works Director, provided an informational report on nitrate monitoring and a reporting violation.

During the year 2012, City Public Works staff obtained nitrate samples for the wells that provide potable drinking water to the citizens of Red Bluff. Three of these wells were under repair in 2012 and could not be tested at the same time as the others. When the well repairs were completed in 2013, the nitrate samples for these wells, No. 4, No. 7 and No. 12, were sent to the laboratory and the results were sent to the California Department of Public Health.

The Public Works staff erroneously determined that the monitoring sequence for nitrates required testing every two years, as opposed to annually. We proceeded on into this year and tested all of the wells in 2014 for nitrates, believing we were in compliance with an every other year requirement.

A recent contact with staff at the Health Department made us aware of our mistake. We had only submitted the three well samples in 2013 and failed to provide nitrate testing for wells 5, 6, 8, 9, 10, 11 and 14; making the City noncompliant for the year 2013.

Informational item only.

STAFF ITEMS:

Rick Crabtree, City Manager/City Attorney reported that the City is trying to still trying to find lifeguards for the pool and the lack of available lifeguards may have an effect on the pool hours being shortened and a cut in swim lessons.

COMMITTEE REPORTS/COUNCIL COMMENTS:

Local Agency Formation Commission (LAFCO) - *meeting cancelled*

3 Core - *next meeting May 28th*

Tehama County Transportation Commission - *no Meeting*

Downtown Red Bluff Business Association - *next meeting May 21, 2014*

Community Action Agency - *discussion was on agriculture*

Tehama Economic Development Corporation - *next meeting is in July*

Tehama County Sanitary Landfill JPA I - *no Meeting*

Executive Committee – Tehama County/City of Red bluff Landfill Management Agency JPA II - *Appointed a Chairperson*

Chamber of Commerce – *discussed new building*

Law Enforcement Subcommittee – *met and will have future agenda items*

ADJOURNMENT:

There being no further business Mayor Jackson adjourned the meeting at 8:32 p.m. until the meeting of June 3, 2014.


Daniele Jackson, Mayor

ATTEST:


Jo Anna Lopez, City Clerk