



# 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, November 19, 2013

**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:** Wayne Brown, Mayor  
Daniel Jackson, Mayor Pro Tem  
Rob Schmid, Councilmember  
Clay Parker, Councilmember  
Ray Eliggi, Councilmember

**Staff Present:** Rick Crabtree, City Attorney/City Manager  
Sandy Ryan, Finance Director  
Jo Anna Lopez, City Clerk  
Paul Nanfito, Police Chief  
Scot Timboe, Planning Director  
Bruce Henz, Public Works Director  
Jon Bennett, Fire Chief  
Donna Gordy, Treasurer

Mayor Brown asked Marin Spangler to lead the Pledge and the Assembly joined in.

### **CITIZEN'S COMMENT:**

Mr. Les Wolfe asked the City Council to put up some signage on Rio Street for pedestrians and/or a cross walk.

Chief Nanfito reminded all in attendance that November 19<sup>th</sup> is the anniversary of the death of Officer Mobilio.

**PRESENTATIONS:**

**1. PRESENTATION - EMPLOYEE LONGEVITY RECOGNITION**

Mayor Wayne Brown read and presented to those in attendance a Certificate of Appreciation.

Those being recognized for their length of service were:

<u>Employee</u>	<u>Department</u>	<u>Date of Hire</u>	<u>Years of Service</u>
Michael Fawnsworth	Police	09/29/08	5
Ross Fortkamp	Fire	08/01/08	5
Vincent Pagnano	Public Works	08/04/08	5
Scott Spangler	Fire	09/30/08	5
Jonathan Sanchez	Fire	07/01/08	5
Robert James	Community Dev.	09/29/03	10
Ron Purcell	Public Works	08/11/98	15
Jon Bennett	Fire	08/05/88	25

**CONSENT AGENDA:**

Councilmember Schmid requested that items 1 and 2 be pulled for clarification, which was provided.

**1. REPORT REGARDING OPEN MARKET PURCHASES AND CONTRACT AWARDS OCTOBER 2013**

**Recommendation:** That the City Council receives the open market purchases and contract awards for October 2013.

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 October of 2013 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.

M/S/C Councilmembers Schmid, Jackson to accept the open market purchases and contract awards for October 2013.

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

**2. PROFESSIONAL SERVICES – GRANT ADMINISTRATION AND LABOR COMPLIANCE CONSULTING SERVICES**

**Recommendation:** That the City Council awards the contracts for grant administration and labor compliance to the sole bidder, Adams Ashby Group.

The City's CDBG Grant Award, Contract 13-CDBG-8936, requires the City to monitor labor compliance and administration of the grant. The City does not have the staffing of expertise required for these services. Therefore, the City sent out a Request for Proposal (RFP) for these services on October 23, 2013. The City posted the RFP in the newspaper and emailed the RFP to twelve (12) consultants approved by CDBG to provide these services. Only one proposal was received.

M/S/C Councilmembers Schmid, Jackson to accept the open market purchases and contract awards for October 2013.

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

**CURRENT BUSINESS:**

**1. PUBLIC HEARING - ACCEPT/APPROVE THE CITY OF RED BLUFF 2013 HOUSING CONDITION SURVEY**

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

1. Open the Public Hearing and consider all of the public testimony and all other information relating to the 2013 Housing Condition Survey.
2. Accept/Approve the 2013 City of Red Bluff Housing Condition Survey.

The Housing Condition Survey contains data related to Housing within the City of Red Bluff City Limits that is compiled from Census information, as well as, field observations. The data contained within the 2013 Housing Conditions Survey meets the State Dept. of Housing and Community Development standards as a supporting document regarding the City of Red Bluff 2014-2019 Housing Element update along with HCD's funding requirements for grants such as CDBG.

Mayor Brown opened the public hearing at 7:20 p.m.

E. C. Ross, P.A.T.H. representative, requested that the zoning for homeless shelters be expanded.

Mayor Brown closed the public hearing at 7:22 p.m.

M/S/C Councilmembers Jackson, Eliggi to accept/approve the 2013 City of Red Bluff Housing Condition Survey.

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

NOES: None

ABSENT OR NOT VOTING: None

## **2. PUBLIC HEARING – 2013/2014 SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT FUNDS - \$100,000**

Police Chief Paul Nanfito reviewed the staff report and provided staff's recommendation that the City Council open the Public Hearing, consider public comments, and approve the expenditure plan for Supplemental Law Enforcement Services Funds.

Prior to the County of Tehama allocating to the City of Red Bluff their share of these funds, a Public Hearing must be held to receive public comments regarding the City's proposed expenditure plan for these funds. Staff recommends the following expenditure plan for the funds:

1. Salaries and partial benefits for (2) funded Community Service Officers -	\$70,985.20
2. RIMS Annual Lease Fee -	\$18,695.00
3. Ballistic Vest Replacement (11) -	\$6,880.00
4. VIPS Program -	\$2,000.00
5. SWAT Sniper Scope – (Replacement / upgrade)	\$1,342.80
6. Tehama County Administrative Fee -	\$97.00
	Total: \$100,000.00

Mayor Brown opened the public hearing at 7:25 p.m. and receiving no comments closed the public hearing at 7:25 p.m.

M/S/C Councilmembers Parker, Schmid to approve the expenditure plan for Supplemental Law Enforcement Services Funds.

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

### 3. BURN BAN ORDINANCE

Rick Crabtree, City Manager/City Attorney, reviewed the staff report and provided staff's recommendation that the City Council Consider adoption of Ordinance NO. 1024 AN ORDINANCE OF THE CITY OF RED BLUFF BANNING OUTDOOR BURNING, WITH EXCEPTIONS, AND AMENDING SECTION 8.17 OF THE RED BLUFF CITY CODE. The ordinance could be adopted as follows:

1. As a regular City Ordinance which would take effect 30 days following final adoption (after a second reading). OR
2. As an Urgency Ordinance that would become effectively immediately after adoption by a four-fifths (i.e., at least 4 affirmative votes) of the City Council.

During its meeting of October 15, 2013, the City Council heard and viewed a presentation from Alan Abbs, Air Pollution Control Officer, Tehama County Air Pollution Control District (TAPCD) regarding open outdoor residential burning. Some Council members noted that they had received citizen complaints regarding permissive outdoor burning. City Staff has also received citizen complaints regarding the irritating and harmful effects of smoke generated by outdoor residential burning.

The ordinance for the City Council's consideration which would ban outdoor residential burning with limited exceptions. The ordinance is proposed in alternative formats for adoption either as a regular City Ordinance or as an Urgency Ordinance:

- **Urgency Ordinance:** Ordinance does not require two readings and becomes effective immediately upon adoption. Adoption requires a minimum four-fifths vote (i.e., 4 affirmative votes) of the City Council and a finding that the ordinance is needed for the immediate preservation of the public peace, health or safety.
- **Regular Ordinance:** First and Second reading of the ordinance required. Actual reading can be waived on motion adopted by a majority of the Council Members present. Cannot be passed within 5 days of introduction (second reading must occur at least 5 days after the first reading). Ordinance not effective for 30 days after final adoption.

The proposed ordinance would ban all outdoor residential burning with the following exceptions:

- Fire used for the cooking of food products for human consumption within an appropriate barbeque on public or private property.

- Land Clearing and Special Events, subject to certain conditions including a permit from both the Red Bluff Fire Department and TAPCD.
- With the prior written approval of the Fire Chief and the Air Pollution Control Officer, fires set to instruct or train public or industrial employees in methods of firefighting.

Barbara McIver stated that it was good for government to step in for protection of the people and burning results in bad air quality.

Robert Springer wanted the Urgency Ordinance passed because the smoke affects our health.

Ron Shank provided 6 major known points on why burning is bad and should be banned.

Cindy Fralin stated she would like the Urgency Ordinance passed.

Betsy Palubeski provided a PowerPoint presentation in favor of the burn ordinance.

Les Wolfe stated that he was opposed to the ban.

Jeff Foater spoke in opposition to the Burn Ban Ordinance stating it was not on a ballot to be voted for or against and stated that it is 'we the people' and not 'I the government.

M/S/C Councilmembers Parker and Eliggi to adopt the Urgency Ordinance.

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

Failed due to not having a 4/5 vote.

M/S/C Councilmembers Parker and Eliggi to waive the first reading and introduce Ordinance No. 1024.

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

#### **4. REPORT ON BUDGET UPDATE FOR FY 2012/13, 2013/14 AND 2014/15**

Sandy Ryan, Finance Director, provided an informational budget update for FY 2012/13, 2013/14 and 2014/15.

The final audited General Fund Balance for June 30, 2012 is \$472,905.

The estimate for the General Fund Balance for June 30, 2013 is increased from the August 2013 report balance of \$703,614 to **\$739,159**.

The estimate for the General Fund Balance for June 30, 2014 is decreased from the August 2013 report balance of \$452,631 to **\$435,754**.

The very preliminary estimate for the General Fund Balance for June 30, 2015 is **\$97,075**. (With the end of the Office of Traffic Safety (OTS) grant funding for a full-time traffic officer on October 1, 2014, this number assumes that position is not filled after that date.)

Informational only, no action required.

## **5. REPORT ON SALES TAX – 2<sup>ND</sup> QUARTER OF 2013**

Sandy Ryan, Finance Director, provided an informational updated report on Sales Tax for the 2<sup>nd</sup> quarter of 2013.

Receipts for Red Bluff's sales, occurring from April through June 2013 were 4.2% higher than the same quarter of 2012. Actual sales activity increased 7.2% for the same prior year quarter. Actual sales for all of Tehama County increased 13.3%, and the Far North State sales grew 5.4% for the same prior year quarter.

Informational only, no action required.

## **6. REPORT ON PROPERTY TAX REVENUE UPDATE**

Sandy Ryan, Finance Director, provided an informational updated report on Property Tax Revenue.

Estimated taxable property value is estimated to increase this year (2013/14) for the first time since 2008/09. The estimated increase is 2.4%. Final taxable property values decreased approximately 4.5% for the 2012/13 fiscal year, compared to 2.2% decrease in the prior year.

Informational only, no action required.

## **7. AMENDING CHAPTER 24 WATER; SECTION 24.22 (C) OF THE CITY CODE**

Bruce Henz, Public Works Director, reviewed the staff report and provided staff's recommendation that the City Council waive the first reading and introduce Ordinance No. 1025, amending Chapter 24 Water; Section 24.22 (c) of the City Code.

This section addresses Time and Place of Payment; Delinquencies. These provisions govern the applicable notice requirements before water service may be interrupted due to non-payment of the water bill. The existing City Code contains requirements which are inconsistent with those contained in State law. The proposed Ordinance would remove the inconsistent local requirement in favor of the notice requirements set forth in Public Utility Code § 10010.1.

M/S/C Councilmembers Jackson, Eliggi to waive the first reading and introduce Ordinance No. 1025, amending Chapter 24 Water; Section 24.22 (c) of the City Code.

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

NOES: None

ABSENT OR NOT VOTING: None

## **8. CONTRACT AWARD FOR THE WELL HOUSE 12 RESTORATION 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 SafeCon Inc in the amount of \$12,905.00 for the restoration of the roof at Well House 12.

The Well House building at Well 12 was damaged by a grass and brush fire that occurred earlier this summer in an area adjacent to the Airport. Funds for this repair are available within the currently budgeted authorization for the maintenance and repair of City Well facilities. The award of this Contract will provide for the Well House 12 roof restoration.

M/S/C Councilmembers Eliggi, Jackson to award a contract to SafeCon Inc. in the amount of \$12,905.00 for the restoration of the roof at Well House 12.

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

NOES: None

ABSENT OR NOT VOTING: None

## 9. STREET CLOSURE; CHRISTMAS PARADE; RESOLUTION NO. 31-2013

Scot Timboe, Interim Community Development Director, reviewed the staff report and provided staff's recommendation that the City Council adopt Resolution No. 31-2013 authorizing street closures from the 300 through 600 blocks of Walnut Street, the 600 through 700 blocks of Main Street, the 300 block of Oak Street, the 400 block of Pine Street, and the 600 through 700 blocks of Madison Street for the annual "Christmas Parade" for related Parade and Christmas activities on November 30, 2013 from 5:30 p.m. to 6:00 p.m. In addition, the Madison Street Section will be closed from 3:00 p.m. to 6:00 p.m. for parade setup, and the 300 block of Pine Street (between Main and Washington Streets) will be closed to parking from 8:00 a.m. to 7:00 p.m. for the Parade and Christmas related activities.

The Downtown Red Bluff Business Association holds an annual Christmas Parade in downtown Red Bluff each November. This year the event will be held on Saturday November 30, 2013 with the parade starting at 5:30 p.m. The parade is expected to be complete by 6:00 p.m.

M/S/C Councilmembers Jackson, Eliggi to adopt Resolution No. 31-2013 authorizing street closures for the annual "Christmas Parade" and related activities on November 30, 2013.

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

NOES: None

ABSENT OR NOT VOTING: None

## 10. APPROVAL OF MINUTES

### November 5, 2013

M/S/C Councilmembers Jackson and Eliggi to approve the November 5, 2013 minutes as written.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: Mayor Brown (abstained-absent that meeting)

## 11. APPROVAL OF WARRANT LIST

### *Action Item*

### Recommendation:

That the City Council approve Check Warrant No. 76764 through 77041 dated October 1, 2013 through October 31, 2013.

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

M/S/C Councilmembers Schmid and Jackson to approve Check Warrant No. 76764 through 77041 dated October 1, 2013 through October 31, 2013.

AYES: Councilmembers: Eliggi, Jackson, Parker and Schmid

NOES: None

ABSENT OR NOT VOTING: Mayor Brown (abstained)

**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) – *The Gerber CSD will take over the park. Finalizing the Corning Water District*

3 Core – *No Meeting*

Tehama County Transportation Commission – *No Meeting*

Downtown Red Bluff Business Association – *No Meeting*

Community Action Agency – *No Meeting*

Tehama Economic Development Corporation – *No Meeting*

Tehama County Sanitary Landfill JPA I – *No Meeting*

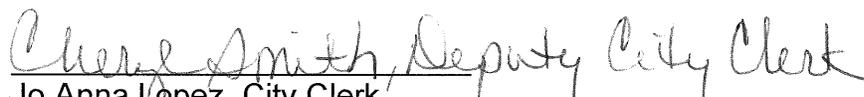
Executive Committee -- Tehama County/City of Red Bluff Landfill Management Agency JPA II – *No Meeting*

**ADJOURNMENT:**

There being no further business Mayor Brown adjourned the meeting at 8:50 p.m. until the meeting of December 3, 2013.

  
Daniele Jackson, Mayor

ATTEST:

  
for Jo Anna Lopez, City Clerk