

## CITY COUNCIL

### A G E N D A

**Date of Meeting:** Tuesday, January 6, 2009  
**Time of Meeting:** 6:15 p.m. Closed Executive Session  
7 p.m. Regular Meeting  
**Place of Meeting:** Council Chambers, City Hall  
555 Washington Street  
Red Bluff, CA 96080

The City of Red Bluff welcomes you to their meetings, which are regularly scheduled for the first and third Tuesdays of each month. Your participation and interest are encouraged and appreciated. Meeting notices are available in appropriate alternative formats, upon request of a person with a disability. If accommodations are needed for individuals with disabilities, please contact the Deputy City Clerk's office prior to the day of the meeting.

The Agenda is divided into two sections:

**CONSENT AGENDA:** These items include routine financial and administrative actions and are usually approved by a single majority vote. Any City Councilmember, staff member or interested person may request that an item be removed from the Consent Agenda and those items are usually considered following approval of the remaining Consent Agenda.

**REGULAR AGENDA:** These items include significant financial and administrative actions of special interest that are usually approved individually by a majority vote. The Regular Agenda also includes noticed hearings and public hearings. The times on the agenda are approximate.

The deadline for items to be placed on the City's agenda is 5:00 p.m. on the preceding Tuesday, unless a holiday intervenes. Items not listed on the Agenda can only be considered by the City Council if they qualify under Government Code Section 54954.2(b) (typically this applies to items meeting the criteria as an off agenda emergency).

## **A. CLOSED EXECUTIVE SESSION:**

1. **CONFERENCE WITH LABOR NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representatives Martin Nichols, City Manager, and Tessa Pritchard, Human Resources Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Police Unit, Fire Unit Miscellaneous Unit, Mid-Management and Management Employees.**
  
2.
  - a) **CONFERENCE WITH LEGAL COUNSEL – Government Code Section 54956.9  
ANTICIPATED LITIGATION: Citizens for Sensible Planning v. City of Red Bluff**
  
  - b) **CONFERENCE WITH LEGAL COUNSEL – Government Code Section 54956.9  
CITY OF RED BLUFF VS. TEHAMA COLUSA CANAL AUTHORITY, UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION; CASE NO. 2:08-CV-01902 MCE/DAD**

## **B. PLEDGE OF ALLEGIANCE:**

## **C. PROCLAMATION:**

1. **RED BLUFF MENTORING MONTH  
Melissa Mendonca**

#### **D. CITIZEN'S COMMENT:**

*This time is set-aside for citizens to address the City Council on any item of interest to the public that is within the subject matter jurisdiction of the City Council. For items that are on the agenda, public comment will be heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the City Council after the public hearing is opened for public testimony. The Mayor reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the City Council cannot make decisions on matters not on the agenda and matters of concern will be referred to the City Manager's Office.*

## **E. CONSENT CALENDAR:**

1. **RESOLUTION No. 2-2009; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AUTHORIZING THE TEHAMA COUNTY SANITARY LANDFILL AGENCY TO SUBMIT A REGIONAL GRANT APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD TIRE RECYCLING GRANT PROGRAM**

**Recommendation:** That the City Council:

1. Adopts Resolution No. 2-2009; A resolution of the City Council of the City of Red Bluff authorizing the Tehama County Sanitary Landfill Agency to submit a Regional Grant Application to the California Integrated Waste Management Board Tire Recycling Grant Program; and
2. Authorize and/or empower the Solid Waste Director of the Tehama County Sanitary Landfill Agency, or his/her designee to execute in the name of the City of Red Bluff all necessary applications, contracts, agreements and amendments hereto for the purposes of securing grant funds to implement and carry out the purpose specified in the grant application.

2. **POLICE DEPARTMENT WOMEN'S RESTROOM CONVERSION PROJECT COMPLETION**

**Recommendation:** That the City Council approves the final contract amount of \$12,000.00, accepts the completed conversion and direct staff to file a notice of completion for recordation.

3. **APPROVAL OF MINUTES**

- a) **December 2, 2008**
- b) **December 16, 2008**

4. **PROFESSIONAL SERVICES CONTRACT AMENDMENT IN RESPONSE TO COURT ORDER & CASE NO. 58342 FOR THE PREPARATION OF AN AMENDED/MODIFIED SCOPE OF WORK WITH PACIFIC MUNICIPAL CONSULTANTS TO PREPARE ADDITIONAL ENVIRONMENTAL STUDIES AND ANALYSIS AS PART OF THE ENVIRONMENTAL IMPACT REPORT FOR THE WAL-MART SUPERCENTER PROJECT; LUTHER ROAD/MILL STREET**

**Recommendation:**

That the City Council authorize the City of Red Bluff Planning Department to amended/modified scope of work and associated costs with PMC for an additional amount of \$10,458.69 , in order to close out the Project with the Consultant of the Final Environmental Impact Report for the Proposed Wal-Mart Super center project.

**END OF CONSENT CALENDAR**

## **F. CURRENT BUSINESS:**

### **1. APPROVAL OF EMPLOYMENT AGREEMENT WITH MICHAEL BACHMEYER FOR THE POSITION OF FIRE CHIEF**

**Recommendation:** That the City Council approve the Employment Agreement with Michael Bachmeyer for the position of Fire Chief, and authorize the City Manager to execute the contract on behalf of the City.

### **2. CERTIFICATES OF APPRECIATION TO TEHAMA UNIT OF CALFIRE**

**Recommendation:** That the City Council adopt and present a Certificate of Appreciation to CalFire, Chief Durden and Chief Sisneros for service as City of Red Bluff Interim Fire Chief.

### **3. PRESENTATION AND ACCEPTANCE OF THE ANNUAL FINANCIAL REPORTS FOR FISCAL YEAR END JUNE 30, 2008**

**Recommendation:** That the City Council:

1. Hear the presentation by staff and comment as appropriate on the Audited Financial Statements.
2. Accept the Annual Financial Reports for the Fiscal Year end June 30, 2008.

documents: a b c d

### **4. ADOPTION OF NEW GARBAGE FRANCHISE AND ORDINANCE NO. 995**

**Recommendation:** That the City Council:

1. Authorize the City Manger to sign the amended City Garbage Franchise Agreement (effective January 1, 2009)
2. Waive the second reading and adopt Ordinance No. 995 amending Chapter 18A of the Municipal Code specifically providing for mandatory refuse collection.

### **5. 1050 KIMBALL ROAD POWER POLE RELOCATION, REIMBURSEMENT AGREEMENT**

**Recommendation:**

That the City Council authorize the City Manager to execute the revised Kimball Road power pole relocation reimbursement agreement eliminating the 10-year duration of the agreement.

**6. PUBLIC HEARING AND RESOLUTION NO. 1-2009 REGARDING FISCAL YEAR 2009 ASSESSMENT FOR DOWNTOWN RED BLUFF PARKING AND BUSINESS IMPROVEMENT AREA**

**Recommendation:**

That the City Council open the public hearing, receive any testimony and determine whether or not written protests constitute 50% or more of the assessments. Depending on the outcome of the public hearing, the City Council may choose to adopt Resolution No. 1-2009.

**7 PUBLIC HEARING TO CONSIDER; GENERAL PLAN AMENDMENT 08-001 (CC RESOLUTION NO. 03-2009) COMMERCIAL TO RESIDENTIAL LOW DENSITY AND PUBLIC SERVICE; PREZONE/REZONE NO. 210 (ORD. 991) FOR R-1 SINGLE-FAMILY RESIDENTIAL AND PUBLIC AGENCY FOR STENBERG ANNEXATION AT LAFCO (CC RESOLUTION NO. 04-2009); PLANNING COMMISSION RESOLUTION NO. 08-008; APN: 31-210-35; LUTHER ROAD – AIRPORT BLVD; STENBERG ENT. (APPLICANT)**

**Recommendation:**

That the City Council

1. Conduct the public hearing and consider all public testimony and other information submitted relating to Ordinance No. 991; Rezone No. 210 and General Plan Update 08-001 along with Resolution No. 4-2009 correspondence to LAFCO.
2. Find that Ordinance No. 991; Rezone No. 210 and General Plan Update 08-001 an Initial Study and Mitigated Negative Declaration was prepared previously on all lands and therefore, Per CEQA Guidelines 15162 No Subsequent Mitigated Negative Deceleration shall be prepared and is therefore exempt.
3. Adopt City Council Resolution No. 04-2009 accepting LAFCO as the Conducting authority to approve the 48.80 acre Stenberg Annexation of said properties

into the City Limits based on LAFCO adoption along with Adopting City Council Resolution No. 03-2009 (Attachment B) with the findings, Waive the First Reading and Introduce Ordinance No. 991 (Rez No. 210) Rezoning of the Zoning Map (REZ-210) and City Council approving General Plan Land Use Map Amendment (GPA-08-001).

## **8. PUBLIC HEARING FOR REVOLVING LOAN ACCOUNT**

### **Recommendation:**

That the City Council:

1. Conduct the Public Hearing.
2. Approval of moving funds in the amount of \$100,000 from the Economic Development Revolving loan Account to the Housing Rehabilitation Revolving Loan Account.

## **9. PUBLIC WORKS ENGINEERING SERVICES**

### **Recommendation:**

That the City Council authorize the Public Works Director to advertise for Request for Proposals from area Civil Engineering firms and to engage civil engineering services, for the preparation of Public Works Project Plans and bid specifications in anticipation of possible 2009 Federal and/or State infrastructure stimulus legislation.

## **10. PUBLIC WORKS DEPARTMENT BRIEFING**

### **Recommendation:**

That the City Council listen to the Public Works Department presentation.

## **11. APPROVAL OF MINUTES**

### **November 4, 2008 – regular meeting**

**G. STAFF ITEMS/REPORTS/COMMITTEE  
REPORTS/COUNCIL COMMENTS/STAFF UPDATES OF  
COMING EVENTS:**

*Reports by City Council Committee members on meetings held, City Council comments, staff updates of coming events and/or meetings.*

**H. ADJOURNMENT:**

**The City Council meeting of January 20, 2009 was cancelled by City Council action on December 2, 2008.**

**Next regular meeting of the City Council will be the Meeting of February 3, 2009, at the Red Bluff City Council Chambers.**