

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, September 16, 2008
Time of Meeting: Closed Executive Session 6:15
p.m.
Regular Session 7 p.m.

Place of Meeting: Council Chambers
555 Washington Street
Red Bluff, CA 96080

Councilmembers Present: Forrest Flynn,
Mayor
Daniel Irving, Mayor
Pro Tem
Wayne Brown
James, Byrne

Jeff Moyer

Staff Present: Martin Nichols, City Manager
Richard Crabtree, City Attorney
Margaret Van Warmerdam, Finance
Director
Jo Anna Lopez, City Clerk
Scott Capilla, Police Chief
Scot Timboe, Planning Director
Gerry Gray, Fire Chief
Debbie Carlisi, Parks and
Recreation Director
J. D. Ellison, Building Director
Donna Gordy, City Treasurer

Mayor Flynn asked Fire Chief Gerry Gray to lead the Pledge of Allegiance and the Assembly joined in

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 representative, Martin Nichols, City Manager and Tessa Pritchard, Human Resources Director, regarding the salaries, salary schedules, or compensation paid in the form or fringe benefits with the Management and Mid-Management Groups.**
- 2. CONFERENCE WITH LEGAL COUNCIL; In accordance with 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**

Mayor Flynn reported that the above items were discussed and direction given to staff.

Mayor Flynn reported that an item for consideration had been brought to the City Council's attention for immediate action by the City Council. This issue arose after the completion and posting of the City Council Agenda and could be added to the Agenda by a minimum 4 out of 5 votes of the City Council. It has been determined by staff that action on this item cannot wait until the next City Council meeting date of October 7, 2008.

M/S/C Moyer and Brown to add Resolution No. 50-2008; 17th Cycle Household Hazardous waste (HHW) Grant to the agenda.

AYES: Councilmembers: Brown, Byrne, Flynn, Irving and Moyer

NOES: None

ABSENT OR NOT VOTING: None

CITIZEN'S COMMENTS:

Lester Wolf, concerned citizen, asked the City Council to consider putting in cross walks on Rio Street.

CONSENT AGENDA:

Mayor Flynn requested that item #5 be pulled for discussion.

M/S/C: Councilmembers Brown and Irving to approve the remainder of the Consent Agenda.

AYES: Councilmembers: Brown, Irving, Moyer, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES

August 19, 2008

5/0/0 Approved

REPORT REGARDING CONTRACT AWARDS – AUGUST 2008

Recommendation: That the City Council ratifies Contract Awards for August 2008 .

5/0/0 Approved

**RESOLUTION NO. 48-2008; STREET CLOSURE;
ANTIQUÉ FAIRE**

Recommendation: That the City Council adopts Resolution No. 48-2008 authorizing the street and parking lot closures for the Sunrise Rotary Antique Faire on October 5, 2008.

5/0/0 Approved

**RESOLUTION NO. 49-2008; STREET CLOSURE;
MONSTER TRUCK DISPLAY**

Recommendation: That the City Council:

1. Adopt Resolution No. 49-2008 authorizing the requested street closures and the closure of the City of owned parking lot at the corner of Pine and Washington Streets for the Monster Truck display
2. Allow the City to assist with the pre-event Monster Truck “procession” on Walnut Street from the railroad tracks to Main Street and

south on Main to Oak Street at approximately
6 p.m. on Thursday, October 2, 2008

5/0/0 Approved

**RESOLUTION NO. 47-2008; AUTHORIZATION TO
CLOSE A DESIGNATED AREA OF THE RIVER
PARK PARKING LOT FOR THE ANNUAL
COMMUNITY FIREWORKS SHOW**

Recommendation: That the City Council adopt Resolution No. 47-2008 authorizing the closure of a designated area of the River Park parking lot to provide sufficient safety distances for the Community Fireworks Show from 6 a.m. on September 20th until 6 a.m. on September 21st. The Fireworks Display will be launched from the River Park on September 20th at dusk.

Fire Chief Gerry Gray explained that this would be the last time the Red Bluff Volunteer Fire Fighters will be hosting this display. They are hoping that another organization will come forward to take over this event.

M/S/C: Councilmembers Flynn and Irving to adopt Resolution No. 47-2008.

AYES: Councilmembers Flynn, Irving, Moyer, Byrne and Brown

NOES: NONE

ABSENT OR NOT VOTING: NONE

CURRENT BUSINESS

INTRODUCTION OF CHIEF JESSE SISNEROS INTERIM FIRE CHIEF

Martin Nichols City Manager, introduced Chief Jesse Sisneros who is on loan to the City of Red Bluff from CalFire until a new Fire Chief is hired.

RED BLUFF FIREFIGHTER OF THE YEAR

Fire Chief Gerry Gray along with Mayor Flynn and Councilmember Brown awarded Mathew Shobash Fire Fighter of the Year.

ADDITIONAL FUNDING FOR TEHAMA ECONOMIC DEVELOPMENT

Claudia Martin, Executive Director of Tehama Economic Development, gave a presentation to show how this organization has changed and developed and to ask for additional funding for this project.

Bill Moule spoke in favor of giving Tehama Economic Development additional funding. Mr. Moule stated that Claudia Martin in the 3 months that she has been in this position has made a huge difference.

Mayor Flynn was in favor of giving Tehama Economic Development the extra funding they are asking for.

Martin Nichols, City Manager, stated that Councilmembers Brown and Byrne were on the Finance Committee and their recommendation to the City Council is to continue the contribution of \$24,000 and that the additional funding not be authorized at this time but leave it open to bring back at a later date.

Councilmember Brown explained that because of State Budget cuts the City doesn't know how it will affect its budget and that departments have to cut back or postpone projects.

M/S/C: Councilmembers Brown and Byrne to stay with the current contribution of \$24,000, with no additional funding at this time, but leave it open for review at a later date.

AYES: Councilmembers, Brown, Byrne, Moyer, Irving and Flynn

NOES: NONE

ABSENT OR NOT VOTING; NONE

Mayor Flynn asked that Agenda Item # 4 be moved to Item # 6, Item # 5 be changed to item #4, and item #6 be changed to item # 5.

FIRE DEPARTMENT BRIEFING

Fire Chief Gerry Gray gave a presentation to City Council on what the Fire Department does, the ISO ratings, and how this rating was achieved.

REQUEST FROM THE FIRE CHIEF TO ADDRESS STAFF AND THE CITY COUNCIL

Chief Gray will be leaving Red Bluff for a position at the Redding Fire Department. Fire Chief Gray

thanked everyone for the last 17 years of service and stated he would miss everyone.

Mayor Flynn awarded Chief Gerry Gray with a plaque for 17 years of service with the City of Red Bluff.

Mayor Flynn stated that Chief Gray will be missed but congratulated him on his new position with Redding Fire.

REQUEST BY COUNCILMEMBER MOYER REGARDING “TACO TRUCKS”

Councilmember Moyer requested that this matter concerning the Taco Truck vendors be resolved at this meeting and not take the extra step of sending this to the Planning Commission first.

Scot Timboe, Planning Director, expressed his concerns with the original lots the taco trucks were on before, they need to meet standards such as parking, bathrooms, emergency access etc.

Mike Erb, Manager for the station at Belle Mill landing, has a taco truck at his location for the last 3 years and is in favor of keeping the taco trucks at their current locations.

Noah Morfin, taco truck owner, spoke in favor of taco trucks. He would like to see the taco trucks come back as he would like to have a business license for his taco truck to work inside the city limits.

Richard Crabtree, City Attorney, explained that Council could direct staff to prepare an ordinance, which would then go to the Planning Commission for review and recommendation to the City Council.

Una Jordan, Citizen, in favor of the taco trucks within the City of Red Bluff.

John Elko, Citizen, in favor of the taco trucks within the City limits

M/S/C: Councilmembers Moyer and Byrne to direct staff to prepare an ordinance amendment that would authorize mobile food vendors to operate in commercial zones (C-3) with the City of Red Bluff under the followings conditions:

1. Not locate in a residential zone
2. Require a City permit to assure compliance with the rules
3. Be subject to some reasonable design standards
4. Meet the parking, bathroom, and traffic requirements of other similar business
5. Have some limit on the number of mobile food vendors in any one area of town

AYES: Councilmembers Moyer, Byrne and Brown
NOES: Councilmembers, Irving and Flynn
ABSENT OR NOT VOTING: NONE

PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDMENT REGARDING RESIDENTIAL USES IN CERTAIN COMMERCIAL ZONES

Scot Timboe, Planning Director, reviewed staff report and gave staff's recommendation that the City Council waive the second reading and adopt Ordinance No. 987 (Text Rezone No. 206) amending Section 25.79 COMMERCIAL ZONES AND PERMIT REQUIREMENTS; removing Residential; Dwellings, ground floor and Dwellings, other than ground floor and Mobil home parks, in C-1, C-2 C-3, CF and Dwelling, ground floor in HC along with Section 25.138 Planned Development Use Permit Permitted Uses (B) for those planned development located within C-1, C-2, C-3 districts, any use permitted or uses permitted with a use permit in C-1, C-2, C-3, FC and HC districts, and associated zoning code typo (Next Allowed Changed to read as Not Allowed), or omissions of (M) 25.138 Planned Development Use Permit – Permitted Uses (C) within located -1,-2 districts (changed to read as located M-1, M-2).

John Elko, Citizen, spoke in favor of mixing residential and commercial zones.

M/S/C: Councilmembers Irving and Moyer to waive the second reading and adopt Ordinance No. 987.

AYES: Councilmembers Irving, Moyer, Brown, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT ON SALES TAX

Margaret Van Warmerdam reviewed the report of Sales Tax. Informational item only, no action needed.

DESIGNATION OF VOTING DELEGATE – LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 24-27, 2008

Martin Nichols, City Manager reviewed staff report and gave staff's recommendation that the City Council designate Martin J. Nichols as the voting delegate for the League of California Cities Annual Conference September 24-27, 2008 in Long Beach.

M/S/C: Councilmembers Brown and Irving to designate Martin J. Nichols as the voting delegate for the League of California Cities Annual Conference.

AYES: Councilmembers Brown, Irving, Moyer, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

2008-09 LEAGUE OF CALIFORNIA CITIES RESOLUTIONS

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation that the City Council adopt positions on the proposed League of California Cities Resolutions. Staff recommends:

1. Resolution relating to League by law amendments – oppose
2. Resolution relating to the 2-1-1 California Telephone Service – oppose
3. Resolution in support of extension of Federal Section 45 Production tax Credit – support
4. Resolution relating to comprehensive Statewide water infrastructure plan – no position

M/S/C: Councilmembers Irving and Moyer to approve staff recommendations.

AYES: Councilmembers Irving, Moyer, Byrne, Brown and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF WARRANT LIST

Recommendation: That the City Council approves Check Warrant No. 60771 through 61037 dated August 5, 2008 through August 28, 2008

M/S/C: Councilmembers Irving and Moyer to approve the August Warrant List.

AYES: Councilmembers Irving, Moyer, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Brown (abstained)

RESOLUTION NO. 50-2008; 17TH CYCLE HOUSEHOLD HAZARDOUS WASTE (HHW) GRANT

Martin J. Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council adopts Resolution No. 50-2008 which:

1. Authorizes the Tehama County Sanitary Landfill Agency to submit to the California Integrated Waste Management Board a regional application for the FY 2008/09 17th Cycle Household Hazardous Waste Grant on its behalf.
2. Authorizes and empowers the Tehama County Sanitary Landfill Agency to execute all grant documents necessary to secure grant funds and implement the approved grant project.
3. Authorizes and empowers the Solid Waste Director to execute in the name of the City of Red Bluff all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project.

Mr. Nichols reported that this resolution has to be to the State by October 1st which is why it was added

to this agenda as an urgency item that could not wait until the October 7th City Council meeting date.

M/S/C Irving, Brown to adopt Resolution No. 50-2008.

AYES: Councilmembers Irving, Moyer, Byrne, Brown and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

COMMITTEE REPORTS/COUNCIL COMMENTS:

Mayor Flynn reminded everyone that the Fireworks display will be at about 7:30 p.m. Saturday September 20, 2008.

Councilmember Byrne asked when the parking near Durango Park would be off limits to the big rigs.

Scot Timboe, Planning Director, stated that he was working on it.

ADJOURNMENT:

Mayor Flynn Adjourned the Meeting at 9:36 p.m.

There being no further business, Mayor Flynn adjourned the meeting at 9:36 p.m. until the meeting of October 7, 2008 at 7:00 p.m.

s/b Forrest Flynn, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk