

**RED BLUFF  
CITY COUNCIL  
REGULAR MEETING MINUTES**

**DATE OF MEETING:** January 2, 2007  
**TIME OF MEETING:** 6:15 p.m. Closed Executive Session  
7:00 p.m. Regular Meeting

**PLACE OF MEETING:** RED BLUFF COUNCIL CHAMBERS, CITY HALL

**Councilmembers Present:** Wayne Brown, Mayor  
Forrest Flynn, Mayor Pro Tem  
Daniel Irving  
Jeffery Moyer

**Councilmembers Absent:** James Byrne (excused)

**Staff Present:** Martin Nichols, City Manager  
Jon Bennett, Fire Division Chief  
Al Shamblin, Police Chief  
Margaret Van Warmerdam, Finance Director  
Mark Barthel, Public Works Director  
Tessa Pritchard, Human Resources Director  
Donna Gordy, City Treasurer  
J.D. Ellison, Building Director/ Official  
Jo Anna Lopez, City Clerk

Mayor Wayne Brown asked that after the flag salute everyone take a few minutes in memory of our 38<sup>th</sup> President Gerald Ford. Mayor Brown asked Ms. Maureen Greer to lead the pledge of allegiance and the assembly joined in.

**CLOSED EXECUTIVE SESSION:**

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
Executive Session in accordance with Government Code Section 54956.9

CASE NO. 58342 -- CITIZENS FOR A HEALTH COMMUNITY, FRANK McCAUGHEY, WILKIE TALBERT, MARY ANKER, SHIRLEY AVILA AND CLARICE MEYER

2. **PUBLIC EMPLOYEE PERFORMANCE REVIEW**  
Title: City Manager (Government Code Section 54957)

The City Council gave direction to the City Manager and City Attorney.

**CITIZEN'S COMMENT:**

NONE

**PROCLAMATIONS:**

National Mentoring Month. Mayor Pro Tem Forrest Flynn read the proclamation on mentoring. Adults helping young people become responsible adults. January is declared mentoring month in Tehama County and January 25<sup>th</sup> is recognized as thank your mentor day in Tehama County.

Melissa Mendonca thanked everyone and gave a quick update on the program. Ms Mendonca stated the program has continued to grow and that it reaches more schools each year.

**CONSENT AGENDA:**

M/S/C Irving, Moyer to approve the consent calendar.

AYES: Councilmembers: Irving, Moyer, Flynn and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember: Byrne (absent-excused)

**RE-ADOPTION OF ORDINANCE NO. 976 UPDATING FEES IN CHAPTER 12 SECTIONS 12.21 THROUGH 12.25**

**Recommendation:** That the City Council waives the second reading and re-adopts Ordinance No. 976.

***APPROVED 4/0/1***

## **APPROVAL OF MINUTES-**

December 19, 2006

***APPROVED 4/0/1***

## **CURRENT BUSINESS:**

### **APPROVAL OF EMPLOYMENT AGREEMENT WITH SCOT TIMBOE FOR THE POSITION OF PLANNING DIRECTOR**

Martin Nichols, City Manager, reported that there had been a vacancy in the position of Planning Director since last fall. The City had conducted a professional process to recruit for Planning Director and had interviewed the applicants through a two step process that included meeting with both department heads and an outside professional panel. The result of that process was unanimous of all the people that were involved that Mr. Timboe was the best qualified and the best choice for the position. Mr. Nichols reported that as City Manager he had offered the position to Mr. Timboe. As has been past practice there is an appointment agreement that specifies the terms and salary conditions this protects the City as well as the employee. The employment agreement would become effective following City Council action. The term of the agreement is for a little over four years and Mr. Timboe has agreed to accept the position at the starting salary.

M/S/C Flynn, Irving, to approve the employment agreement with Scot Timboe for the position of Planning Director.

AYES: Councilmembers: Flynn, Irving, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Byrne (absent-excused)

### **PUBLIC HEARING AND RESOLUTION NO 1-2007 REGARDING FISCAL YEAR 2007 ASSESSMENT FOR DOWNTOWN RED BLUFF PARKING AND BUSINESS IMPROVEMENT AREA**

Margaret Van Warmerdam, Finance Director reviewed the staff report and gave staff 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 assessment. Depending on the outcome of the public hearing, the City Council may choose to adopt Resolution No. 1-2007.

Mayor Brown opened Public Hearing at 7:21 p.m. and after receiving no public comments closed the Public Hearing at 7:22 p.m.

Mayor Pro Tem Flynn requested clarification that this had absolutely no changes from the prior year.

Councilmember Irving replied that was correct, that there was no change at all.

Mr. Crabtree, City Attorney, reported that this just had to be re-adopted.

Martin Nichols, City Manager, stated that the appropriate motion would be to make a determination that there are not sufficient protests and adopt the resolution.

Mayor Brown reported that there were no protests received.

M/S/C Irving, Moyer that having received no written protests, to adopt Resolution No. 1-2007.

AYES: Councilmembers: Flynn, Irving, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Byrne (absent-excused)

## **OPERATIONAL AGREEMENT WITH RAPE CRISIS INTERVENTION**

Al Shamblin, Police Chief reported that this is an operational agreement with Rape Crisis Intervention and that there is an existing agreement with Rape Crisis. Staff had received a letter requesting an update on the existing agreement. The M.O.U. is for July 1, 2006 through June 30, 2009. Rape Crisis and the Red Bluff Police Department have worked together for a number of years to assist rape victims. The operational agreement with law enforcement fulfills rape crisis funding requirements with Home Land Security, which is one of their funding sources.

Councilmember Irving questioned if they indicated why they wanted a revision.

Police Chief Shamblin, reported that he had called and inquired how long we had on the existing agreement and was informed that it was down to the last few months and it was time for them to submit to Home Land Security. So it is an extension of time there's no change in anything else. What they are asking is that the City notify them when there is a rape and to allow them to come out and call a councilor.

M/S/C Irving, Flynn, to approve the request for staff to sign the operational agreement with the Rape Crisis and Intervention.

AYES: Councilmembers: Flynn, Irving, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Byrne (absent-excused)

## **FIRING RANGE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RED BLUFF AND THE DEPARTMENT OF CORRECTIONS AND REHABILITATION**

Al Shamblin, Police Chief, reported that staff had been working with Lloyd Strout the Unit Supervisor of the Red Bluff Parole unit and that they had contacted the department in regards to the use of the range. A couple of years ago they had an arrangement with the City to use the range. The Department of Correction and Rehabilitation has requested that the charge be removed from the M.O.U and that it be outlined in a separate billing. For outside agents we charge \$30.00 per person per year. The unit supervisor has indicated that he has 30 employees. At the current time the City has M.O.U agreements with California Department of Forestry and with the Tehama County District attorney's office.

Mayor Brown requested clarification on if the cost was the same as is charged to everyone else.

Police Chief Shamblin stated that was correct, the City currently charges everyone else \$30.00 per person.

Martin Nichols, City Manager stated that the City felt it is important to cooperate with them.

Councilmember Irving requested clarification on the insurance in Addendum A in regards to negligent.

Richard Crabtree, City Attorney stated no and that the City and the Department of Corrections would be named in any law suite that might arise from negligent.

M/S/C Flynn, Irving to approve the memorandum of Understanding between the City of Red Bluff and the Department of Corrections and Rehabilitation for the use of the City of Red Bluff Firing Range.

AYES: Councilmembers: Flynn, Irving, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Byrne (absent-excused)

## **RECOGNITION OF EMPLOYEES' LENGTH OF SERVICE TO THE CITY OF RED BLUFF**

Tessa Pritchard, Human Resources Director, reported that last September the City conducted its first recognition of employees' length of service. There were 60 or more people with 5 years and over service to the City recognized at that time. As of December 2006 there are 4 employees reaching 5 year mile stones and she would like for the City Council to formally recognize them tonight and set a date for the luncheon.

Mayor Pro Tem Flynn stated that this was something we have wanted to do for a long time for our long term employees and that he felt this is a step in the right direction.

M/S/C Flynn, Moyer to formally recognize employees' length of service for the City of Red Bluff and set the date for an informal luncheon ceremony to be held on January 16<sup>th</sup> from noon to 1 p.m. in the Council Chamber at which time the Mayor will hand out individual certificates to recognized employees

AYES: Councilmembers: Flynn, Moyer, Irving and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

### **PROFESSIONAL SERVICES – SPECIAL HOUSING NEEDS STUDY**

Margaret Van Warmerdam, Finance Director reported that this is the last CDBG grant that the City has to award. After sending the Requests for Proposals out, staff feels that they have found a consultant that they feel is qualified to do the study. This will be a partnership between Northern Valley Catholic Services, Tehama County Mental Health and the City of Red Bluff. Staff's recommendation is that City Council authorizes the City Manager to execute on behalf of the City the contract for Professional Services to the Special Housing Study with Laurin and Associates in the amount of \$38,000.00.

Mayor Brown questioned if there was a time limit in which the study needs to be completed.

Ms. Van Warmerdam reported that this study has an ending date of March of 2008.

Mayor Brown requested clarification on page 6 of Laurin and Associates response back to the City in which it referred to them doing the administrative functions, and questioned if the Finance Department would be doing those.

Ms. Van Warmerdam stated that was correct and that this reference was to the quarterly reports.

Mayor Brown requested clarification that it wouldn't put any hardship on the Finance Director.

Ms. Van Warmerdam stated no, that she is already doing it for four other grants.

M/S/C Irving, Moyer to authorize the City Manager to execute on behalf of the City the contract for Professional Services– Special Housing Needs Study with Laurin Associates, a division of Raney Planning & Management, Inc. in the amount of \$38,000.

AYES: Councilmembers: Irving, Moyer, Flynn and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

**SUSPENSION UNEMPLOYMENT INSURANCE ACCRUAL FOR THE REMAINDER OF THE 2006/2007 FISCAL YEAR.**

Margaret Van Warmerdam, Finance Director, reviewed the staff report and explained for the City Council how the Unemployment Insurance was handled. She reported that at this point staff feels that \$107,000 is sufficient to meet the needs and that last year this was suspended in April and the savings kept in the department. Ms. Van Warmerdam reported that by suspending from January 07 through June 07 the saving would be approximately \$17,000. It is required through the auditors that the City Council takes formal action on this suspension.

Mayor Brown questioned if the money came out of the General Fund to make these payments.

Ms. Van Warmerdam explained that it is charged to each department and each fund according to the wages.

Mayor Brown requested clarification on the amount.

Martin Nichols, City Manager, explained that it is a savings and that the City will have money left over at the end of the year.

Ms. Van Warmerdam stated that was correct and that it's up to the City Council what they want to do with those funds and that the fund balance will basically grow.

M/S/C Flynn, Moyer to suspend unemployment insurance accrual for the remainder of the 06-07 fiscal year.

AYES: Councilmembers: Flynn, Moyer, Irving and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

**CALIFORNIA STATE MINIMUM WAGE INCREASE AND SUPPLEMENTAL BUDGET APPROPRIATION REQUEST.**

Tessa Pritchard, Human Resources Director, reported that as of January 1, 2007 the State of California increased the minimum wage to \$7 per hour. Currently the City has about 40 employees that this will affect. They are from our Fire Department and seasonal Parks and Recreation. Staff is asking for a supplemental budget appropriation in the amount of \$600 to account # 60-60-110-100 (Parks and Recreation) for fiscal year 2006/2007

Mayor Brown stated that he would like to see a running balance and that although Ms. Pritchard said \$7.00 he assumed she meant \$7.50.

M/S/C Flynn, Moyer to authorize a supplemental budget appropriation in the amount of \$800 to account # 11-31-110-100 (Fire) and a supplemental budget appropriation in the amount of \$600 to account # 60-60-110-100 (Parks and Recreation) for fiscal year 2006/2007.

AYES: Councilmembers: Flynn, Moyer, Irving and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

**ADOPTION OF RESOLUTION NO. 02-2007, A RESOLUTION ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT AT OR GREATER THAN THAT PRESCRIBED BY SECTION 22892(B)(1) OF THE GOVERNMENT CODE.**

Tessa Pritchard, Human Resources Director, reported that in November at Closed Session the Department Heads brought a request to switch from Operating Engineers insurance to the PERS insurance. At that time she was directed to proceed with the change and is now bringing to the City Council the resolution that is required to implement the change. She noted that there would be a change of the date from October 2006 to January 2, 2007.

M/S/C Flynn, Moyer to adopt Resolution No. 02-2007, A Resolution to be subject to Public Employees Medical and Hospital Care Act and fixing the Employer's contribution at an amount at or greater than that prescribed by Section 22892(b)(1) of the Government Code.

AYES: Councilmembers: Flynn, Moyer, Irving and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

**COMMITTEE REPORTS/COUNCIL COMMENTS**

None

At 7:47 p.m. Mayor Brown adjourned the meeting to January 16, 2007 at 7:00 p.m. in the Red Bluff City Council Chambers.

*s/b Wayne Brown*  
Mayor

ATTEST:

*s/b Jo Anna Lopez, City Clerk*