

**RED BLUFF
CITY COUNCIL
REGULAR ADJOURNED MEETING MINUTES**

DATE OF MEETING: January 17, 2006

TIME OF MEETING: 7:00 P.M.

PLACE OF MEETING: RED BLUFF COUNCIL CHAMBERS, CITY HALL

Councilmembers Present: Andy Houghton, Mayor
Wayne Brown, Mayor Pro Tem
Forrest Flynn
Daniel Irving
Larry Stevens

Councilmembers Absent: None

Staff Present: Susan Price, City Manager
Richard Crabtree, City Attorney
Gloria Shepherd, City Clerk
Gerry Gray, Interim Fire Chief
Al Shamblin, Police Chief
Charlie Mullen, Planning Director
Margaret Van Warmerdam, Finance Director
J D Ellison Sr., Building Director/Official
Mark Barthel, Public Works Director
Nik Reikalas, Parks and Recreation Director
Tessa Pritchard, Human Resources Director

Barbara O'Keefe, Tehama County Transportation, led the Pledge of Allegiance at the request of Mayor Houghton and the Assemblage joined in.

CLOSED EXECUTIVE SESSION – 6:00 P.M.

CONFERENCE WITH LABOR NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representative, Nickolaus and Haeg, Labor Negotiators and Susan Price, City Manager, Tessa Pritchard, Human Resources Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Fire Unit.

City Council gave direction to Labor Negotiators.

CONFERENCE WITH LABOR NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representative, Nickolaus and Haeg, Labor Negotiators and Susan Price, City Manager, Tessa Pritchard, Human Resources Director, regarding the negotiable employee benefits for the Miscellaneous Unit, Police Unit, Fire Unit, Mid-Management and Management.

City Council gave direction to Public Works Director with Labor Negotiators.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Executive Session in accordance with Government Code Section 54956.8 –

1. Assessor's Parcel Number 035-490-40
2. Assessor's Parcel Number 031-220-17

City Council gave direction on negotiations of land.

REGULAR MEETING: - 7:00 P.M.

CITIZEN'S COMMENTS

None

CONSENT CALENDAR

M/S/C Flynn, Irving to pull item # 3 & # 4 and approve the remainder of the Consent Calendar

AYES:	Councilmembers:	Brown, Flynn, Houghton, Irving and Stevens
NOES:		None
ABSENT OR NOT VOTING:		None

REPORT REGARDING CONTRACT AWARDS – DECEMBER 2005

Approved 5-0-0

**RATIFY/APPROVE DECEMBER PAYROLL CHECKS NUMBERS 19002-19118;
DECEMBER PAYROLL DIRECT DEPOSIT NUMBERS 7185-7367**

Approved 5-0-0

**2005/2006 SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT FUNDS -
\$100,000 UPDATE**

Councilmember Brown asked whether there will be any more requests for CSO overtime and it was explained that no more was expected and the Community Service Officer overtime was to come from the grant funds.

M/S/C Brown, Irving to approve.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

FIRE HOSES BIDS

Councilmember Brown asked if there was a balance on the FEMA grant and it was explained that this money was only for this one item.

M/S/C Brown, Flynn to approve.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

**RESOLUTION NO. 5-2006 – DRAFT REGIONAL TRANSPORTATION
IMPROVEMENT PROGRAM**

Approved 5-0-0

CURRENT BUSINESS

RESOLUTION NO. 4-2006; A RESOLUTION ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR JULY 1, 2005 TO JUNE 30, 2006

Margaret Van Warmerdam, reviewed the staff report and gave staff's recommendation that the City Council adopt Resolution No. 4-2006 thereby adopting the 2005/2006 Final City Budget with final revenues and expenditures as contained in the City's 2004/05 City Audit, and all other revenues and expenditures approved by the City Council since the adoption of the 2005/06 Preliminary City Budget.

A Power Point was presented that led the City Council through each segment of the budget and other significant issues.

Councilmember Stevens questioned whether there would be funding for crossing guards at the schools and it was explained that the schools would provide the crossing guards and not the Police Department.

Councilmember Stevens asked about the Kimball Road Project and whether it may be eligible for grant funding with the change of ownership.

Mayor Pro Tem Brown asked why the City Council directed staff to use Impact Fees to make payments on the Fire Vehicle and it was explained that City Council directed the funds to be paid from either the Impact Fees Funds or the General Fund when it was purchased, and they have been setting funds aside for it and are ahead of the curve for now.

Mayor Pro Tem Brown mentioned the Antelope Sewer Study and a possible discussion regarding grant funding and it was explained that an update will be provided bringing additional information regarding funding options. The City has two grants for this project and the County also has one or two.

Mayor Pro Tem Brown asked about the Redevelopment Agency formation and if the Consultant could bring back a break down for the City Council and it was explained that this could be brought back with any revisions from the initial feasibility study.

Councilmember Flynn questioned whether the proposed Development Impacts Fees were reflected in this budget and it was explained that it was not.

Councilmember Irving questioned if this was a trend losing money and it was explained that they are conservative on revenue projections, while knowing these funds will come in. The expenditures are also on the conservative side and at this time they are able to meet the City's needs. This is also the last year of a 3-year State hit and many cities are facing the same problem of a shortage of funds.

Margaret Van Warmerdam, Finance Director, requested the City Council use \$20,000 of the Public Works Fund for material for road repairs and leave \$10,000 for a cushion.

Susan Price, City Manager, discussed the City's need to be conservative in budgeting revenues and expenditures and that they continue to set aside funds for Operating Reserves for 2006/2007 which would include standard business cost increases.

Susan Price, City Manager, mentioned that the PERS retirement costs continue to increase with the Fire and Police side until the funds with the State begins to see some investment returns.

M/S/C Stevens, Flynn to adopt the 2005/2006 Final City Budget with final revenues and expenditures as contained in the City's 2004/05 City Audit, and all other revenues and expenditures approved by the City Council since the adoption of the 2005/06 Preliminary City Budget.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

PUBLIC HEARING AND RESOLUTION NO. 7-2006 REGARDING FISCAL YEAR 2006 ASSESSMENT FOR DOWNTOWN RED BLUFF PARKING AND BUSINESS IMPROVEMENT AREA

Susan Price, City Manager, reviewed the staff report and gave staff's 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. 7-2006.

Mayor Houghton opened the Public Hearing at 7:50 pm and hearing no comments he closed the Public Hearing.

M/S/C Flynn, Stevens to adopt Resolution No. 7-2006.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

PUBLIC HEARING DEVELOPMENT IMPACT FEE STUDY

Susan Price, City Manager, reviewed the staff report and gave staff's recommendation that the City Council conduct the Public Hearing for final comments on the Development Impact Fee Study, reconfirm action taken by the City Council at the December 20, 2005 meeting, and direct staff to agendize the enabling resolution and ordinance, and finalized Development Impact Fee Study and Appendix prepared by the consultant, for placement on the February 21, 2006 agenda for adoption.

Mayor Houghton opened the Public Hearing at 7:53 pm

Bill Moule congratulated Mark Barthel on becoming the new Public Works Director and thanked the City Council for their patience in working together on this fee study and mentioned that they could look at it yearly if there is a need.

Mayor Houghton thanked all of the members of the committee for their hard work towards the fee study also.

Mayor Houghton closed the Public Hearing at 7:54.

Councilmember Flynn commented that Councilmembers are elected to listen to the Public and they hire staff to make sure it all fits together while not over burdening anyone and at the same time keeping the City solvent. Everyone has rights to come to the Council meetings and let the Council know how they feel and thanked everyone for participating on this.

A Developer Impact Fee form is being designed for the future, which will have economic justification for the 25% increase, expectations, and some reference to the City Code.

M/S/C Flynn, Brown to agendize the enabling resolution and ordinance, and finalize Development Impact Fee Study and Appendix prepared by the consultant, for placement on the February 21, 2006 agenda for adoption.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens

NOES: None

ABSENT OR NOT VOTING: None

RESOLUTION NO. 8-2006 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AMENDING WATER RATES

Susan Price, City Manager, reviewed the staff report and gave staff's recommendation that the City Council consider water rate increase options and, as determined, adopt Resolution No. 8-2006 – A Resolution of the City Council of the City of Red Bluff Amending Water Rates with the selected option.

Mayor Pro Tem Brown requested that the extra revenue be set aside for the Capital Replacement portion, and it was explained that in the City budget money comes in and revenue is split that places these funds into these appropriate accounts between the operating budget and the facilities capital replacement at the historic ratio.

M/S/C Brown, Flynn to approve option #2 and bring back a document showing the set up of line items and where the funds are separated and adopt Resolution No. 8-2006 – A Resolution of the City Council of the City of Red Bluff Amending Water Rates.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

ORDINANCE NO. 966 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AMENDING CHAPTER 24 OF THE CITY MUNICIPAL CODE - WATER

Susan Price, City Manager, reviewed the staff report and gave staff's recommendation that the City Council waive the first reading and introduce Ordinance No. 966 – An Ordinance of the City Council of the City of Red Bluff Amending Chapter 24 of the City Municipal Code – Water.

The changes were minor and updated old language to a more current terminology.

Meter reading will still be read every other month until the entire City is on meters.

M/S/C Brown, Irving to adopt Ordinance No. 966 – An Ordinance of the City Council of the City of Red Bluff Amending Chapter 24 of the City Municipal Code – Water.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

COMPOSITION OF THE TEHAMA COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD

Susan Price, City Manager, reviewed the staff report and gave staff's recommendation that the City Council consider the City Attorney's report on the legal background concerning the current composition of the Tehama County Air Quality Management District (AQMD) and how the current circumstance might be changed to include City Councilmembers on the AQMD governing Board in response to Councilmember Irving's request and provide direction to staff.

Richard Crabtree, City Attorney, explained that under the law the Cities are entitled to be on the AQMD Board, however all of the cities in 1994 adopted Resolutions opting out of participation and designated the Board of Supervisors as the Board for the AQMD. If the cities all rescind and request representing on the board then it could be changed.

Councilmember Irving explained the advantages were that when the law allows you representation then you should take advantage of it and he felt that with representation they may have caught the InEnTec issue and other issues like this.

If the City Council wanted to pursue this they should direct staff to draft an appropriate Resolution, adopt it, and contact other cities and ask that they consider adopting similar Resolutions.

Councilmember Stevens, commented that the Board of Supervisors are accountable to all the citizens as an elector and that the AQMD can contact the City for comment or send out a notice of important topics if necessary. The additional meetings will add to the responsibilities and time commitment of the Councilmembers. He felt it was important to know more about the responsibilities, rules and regulations of being on the Board of the AQMD before making a decision on this item.

This statute would probably require the majority of the cities to participate in order for the City of Red Bluff to sit on the Board.

Councilmember Flynn suggested they find out if the other cities are even interested.

M/S/C Irving, Brown to direct staff to draft an appropriate Resolution that would rescind the former Resolution 35-1994 and request participation of the City's participation on the AQMD Board.

AYES: Councilmembers: Brown, Flynn, Houghton and Irving
NOES: Councilmember: Stevens
ABSENT OR NOT VOTING: None

APPROVAL OF MINUTES

JANUARY 3, 2006

M/S/C Flynn, Brown to approve the Minutes for January 3, 2006.

AYES: Councilmembers: Brown, Flynn, Houghton and Irving
NOES: None
ABSENT OR NOT VOTING: Councilmember: Stevens (abstained)

RESOLUTION NO. 6-2006 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED BLUFF ADOPTING AN EMPLOYMENT AGREEMENT WITH MARK BARTHEL FOR THE POSITION OF PUBLIC WORKS DIRECTOR

Susan Price, City Manger, reviewed the staff report and gave staff's recommendation that the City Council adopt Resolution No. 6-2006 – A Resolution of the City Council of the City of Red Bluff Adopting an Employment Agreement with Mark Barthel for the Position of Public Works Director.

Mark Barthel, Public Works Director, thanked everyone for all of their support.

M/S/C Flynn, Irving to adopt Resolution No. 6-2006 – A Resolution of the City Council of the City of Red Bluff Adopting an Employment Agreement with Mark Barthel for the Position of Public Works Director.

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

MIXING ZONE STUDY CONSULTANT SELECTION

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council award the Mixing Zone Study consultant service contract to Larry Walker and Associates in the amount of \$54,440 and authorize the expenditure of funds from Fund 46-43-340-100.

No other proposals were turned in and a study of the costs had been determined appropriate.

M/S/C Stevens, Flynn to award the Mixing Zone Study consultant service contract to Larry Walker and Associates in the amount of \$54,440 and authorize the expenditure of funds from Fund 46-43-340-100 with a correction to Mark Bethels signature and delete the word" interim".

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

PUBLIC WORKS LANDSCAPE MAINTENANCE SERVICE CONTRACT AWARD

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to enter into a Landscape Maintenance Service Contract with D.P.M. Landscaping for a one year period with a two year renewal option in the amount of \$14,400 plus the discretionary amount of \$1,000 to be funded from account no.'s 43-42-340-100 (45%), 50-50-340-100 (45%) and 55-55-340-100 (10%).

M/S/C Stevens, Irving to enter into a Landscape Maintenance Service Contract with D.P.M. Landscaping fro a one year period with a two year renewal option in the amount of \$14,400 plus the discretionary amount of \$1,000 to be funded from account no.'s 43-42-340-100 (45%), 50-50-340-100 (45%) and 55-55-340-100 (10%).

AYES: Councilmembers: Brown, Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: None

RATIFY/APPROVE DECEMBER PAYABLES CHECK NUMBERS 50657-50915

M/S/C Flynn, Irving to ratify/approve December Payables Checks Number 50657-50915.

AYES: Flynn, Houghton, Irving and Stevens
NOES: None
ABSENT OR NOT VOTING: Councilmember: Brown (abstained)

COMMITTEE REPORTS/

Councilmember Irving attended a City Council League of California primer in Sacramento covering Ethics and proper functions of City Managers and City Councils. He praised the way the City of Red Bluff does things and felt that they do things the way they should be conducted.

He was contacted by the President of the Sacramento Division of the League and was asked if Irving would like to have his name put in to serve on one of four the committees and Councilmember Irving asked if the City Council had any thoughts on whether to take up on the offer.

City Council encouraged him to consider the offer if it would work with his schedule as he would be able to represent our area. He will determine what the other local cities represent in order to help him decide which of the four committees would be best for him to provide coverage on.

ADJOURNMENT

There being no further business Mayor Houghton adjourned the meeting at 9:30 p.m. until the Regular Meeting of February 7, 2006, at 7:00 p.m., City Council Chambers.

s/b Andy Houghton, Mayor

ATTEST:

s/b Gloria Shepherd, City Clerk