

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, February 3, 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

Councilmembers Present: Wayne Brown, Mayor
Jeff Moyer, Mayor Pro Tem
Forrest Flynn
James Byrne
Bob Carrel

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 (absent)
Michael Bachmeyer, Fire Chief
Debbie Carlisi, Parks and Recreation Director
J.D. Ellison, Building Director
Donna Gordy, City Treasurer

Mayor Brown called the meeting to order at 7 p.m.

Mayor Brown asked Mr. Chamblin to lead the pledge of allegiance and the assembly joined in.

CLOSED EXECUTIVE SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL-
Government Code Section 54956.9
EXISTING LITIGATION
WHITSON, CONNIE VS. CITY OF RED BLUFF
CASE NUMBER: 60389**

2. **EXISTING LITIGATION
Sunseri v. Kimball Crossing, Tehama County Case No. 60414**

3. **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.**

4. **CONFERENCE WITH LEGAL COUNSEL:
Real Property Negotiations – Government Code Section 54956.8**

5. **CONFERENCE WITH LEGAL COUNSEL –
Government Code Section 54956.9
POTENTIAL LITIGATION – One potential case**

Mayor Brown reported that the City Council had given direction to staff.

PROCLAMATION:

Mayor Brown proclaimed February 2009 ABRAHAM LINCOLN MONTH.

Mayor Brown read and awarded the Proclamation to Caryn Brown, Tehama County Library.

CITIZEN'S COMMENT:

Mary Stevens was very concerned about the P.A.T.H. not being on this agenda. Mrs. Stevens stated because of the oversight of the City not putting the P.A.T.H. on the agenda the money the State is giving the program may be in jeopardy

John Elko, concerned citizen, is concerned that the City of Red Bluff does not want the P.A.T.H. program to come in to Red Bluff.

CONSENT CALENDAR:

Mayor Brown Pulled items number 1 and 4 from the Consent Calendar.

M/S/C: Councilmembers Moyer and Flynn to approve the remainder of the Consent Calendar.

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

1. REPORT REGARDING CONTRACT AWARDS – DECEMBER 2008

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

Councilmember Moyer requested additional clarification of items on the report.

M/S/C: Councilmembers Moyer and Flynn to approve the Report Regarding Contract Wards – December 2008.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

2. SPECIAL EVENT NO PARKING REQUEST; RESOLUTION NO. 7-2009

Recommendation: That the City Council adopt Resolution No. 7-2009, a Resolution of the City of Red Bluff authorizing the no parking area on Washington Street on February 21, 2009 from 8 a.m. to midnight.

5/0/0 Approved

3. RESOLUTION NO. 6-2009; PROHIBITING PARKING AND AUTHORIZING STREET CLOSURES; ROUND-UP PARADE

Recommendation: That the City Council adopt Resolution No. 6-2009 prohibiting Parking and street closures in the staging area and on the parade route.

5/0/0 Approved

4. TREASURER'S REPORT (pulled by Councilmember Moyer for clarification)

Recommendation: That the City Council accept the fifth month of Fiscal Year 2008.

M/S/C: Councilmembers Moyer and Byrne to approve the Treasurer's Report.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

5. AIRPORT LAND USE COMMISSION APPOINTMENT

Recommendation: That the City Council re-appoints Lynn Corda Chamblin to the Airport Land Use Commission for a term of 4 years.

5/0/0 Approved

6. QUARTERLY REPORT

Recommendation: That the City Council accept the report.

5/0/0 Approved

7. RECOGNITION OF EMPLOYEES' LENGTH OF SERVICE TO THE CITY OF RED BLUFF

Recommendation: That the City Council formally recognizes the employees listed and hold an employee recognition luncheon from 12:00 p.m. to 1:00 p.m. on Wednesday, February 11, 2009.

5/0/0 Approved

CURRENT BUSINESS

TEHAMA COUNTY LIBRARY REPORT.

Martin Nichols, City Manager, introduced Caryn Brown Tehama County Librarian.

Ms Brown reported to City Council what has been going on at the library and the various changes to the library. By rotating staff and making the libraries an easier place to use.

No Action needed.

CHARTER UPGRADE STATUS REPORT

Martin Nichols, City Manager, introduced Trinton Rhoads, Technical Support Manager for Charter Communications.

Mr. Rhoads was here to give an update on where they are and how much longer it will be before the operation is complete. Mr. Rhoads stated it will be coming into the Red Bluff Community, with phone, internet and TV, as well as High Definition. PG&E is already starting to hook up their part of the operation, so this project is going very well and quickly.

No Action Needed.

TEHAMA EDC

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation that the City Council listens to the presentation by Claudia Martin on the outlook for the coming year and an update on their activities. Mr. Nichols also serves on the Board of Directors of Tehama EDC.

Ms. Martin provided a packet of information to the Council Members and gave a brief update of activities.

No Action Needed.

STATE THEATRE FOR THE ARTS REQUEST

Martin Nichols, City Manager reviewed staff report and gave staff's recommendation that the City Council consider the request from the State Theatre for the Arts on allowing them to submit one alcohol permit for a series of events to be held at the Theatre over the next several months. Scott Capilla, Police Chief, is in agreement with this.

M/S/C: Councilmembers, Flynn and Moyer to approve staff's recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

SECOND READING AND ADOPTION OF ORDINANCE NO.991 (PREZONE/REZONE NO. 210) OF THE ZONING MAP FOR R-1 SINGLE-FAMILY RESIDENTIAL AND PUBLIC AGENCY REZONING; APN'S 31-220-13, 14, 18,19, 20 AND 31-310-1 THRU 59; LUTHER RD. AIRPORT BLVD; STENBERG ENT. (APPLICANT)

Scot Timboe, Planning Director, reviewed the staff report and gave staff's recommendation that the City Council waive the second reading and adopt Ordinance No. 99, (Prezone/Rezone No. 210), Prezoning/Rezoning of the Map to R-1 (Single Family Residential) and P-A (Public Agency) as contained in the City of Red Bluff Ordinance No. 991 with Exhibit A.

M/S/C: Councilmembers Flynn, Carrel to waive the second reading and adopt Ordinance No. 991 and Rezone Rezone No. 210.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PUBLIC SAFETY ANSWERING POINT (PSAP) 9-1-1 UPGRADE

Scott Capilla, Police Chief, with the assistance of Police Lieutenant Kyle Sanders, reviewed staff report and gave staff's recommendation that the City Council authorize staff to proceed with the 9-1-1 upgrade. The last upgrade was done in 2002. Included on peoples phone bill there is a small portion that goes toward this upgrade. Upgrades are supposed to be done every 5 years so this is very over due and the cost to upgrade is reimbursable.

Lt. Kyle Sanders stated that right now when you dial 911 on a cell phone it goes to the Highway Patrol first then they go and figure out which department the call needs to be routed to. This will stop as the call will go directly to the Red Bluff Police Department. Lt Sanders also went over all the new changes that would take place at each of the dispatcher's stations. This project is anticipated to start in May.

M/S/C: Councilmembers Byrne and Flynn to authorize staff to proceed with the 9-1-1 upgrade.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

EXPENDITURE AMENDMENT TO THE 2008-2009 SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT FUNDS

Scott Capilla, Police Chief, reviewed the staff report and gave the staff's recommendation that the City Council approve the expenditure amendment.

Councilmember Byrne requested clarification of what would happen if a car breaks down.

Chief Capilla stated they would just run the fleet with 7 instead of 8, but the Record Specialist was needed much more at this time.

M/S/C: Councilmembers Moyer and Carrel to approve the expenditure amendment.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

Mayor Brown called for a 5 minute break.

Mayor Brown called the meeting back to order.

ADOPT POLICY AND PROCEDURE 60-01 PER RECOMMENDATION FROM NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND (NCCSIF) RISK MANAGEMENT COMMITTEE AND THE PARK AND RECREATION COMMISSION TO ALLOW BICYCLES TO USE DIAMOND SKATE PARK

Debbie Carlisi, Parks and Recreation Director, reviewed staff report and gave staff's recommendation that the City Council adopt Policy and Procedure 60-01 as written by NCCSIF allowing bicycles to use the skate park. Helmets are to be worn by both skaters and bike riders, but this will be up to law enforcement to enforce this rule.

Davis Gooden stated that both the bike and the skate people all really get along well together and they have really never had any problems. The only problems are with the people who come in from out of town, then there is little bit of issues but it's never bad. Mr. Gooden also wanted to thank Debbie Carlisi for working so hard and getting this done so fast.

Debbie Carlisi stated that this would be the first policy for the Recreation Department.

Margaret Van Warmerdam, Finance Director, stated the insurance was in place for both skateboards and bikes to be put on the insurance policy.

M/S/C: Councilmembers Moyer and Flynn to adopt Policy and Procedure 60-01 as written by NCCSIF allowing bicycles to us the skate park.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PROFESSIONAL AUDITING SERVICES FOR THE ANNUAL FINANCIAL REPORTS FOR FISCAL YEAR END JUNE 30, 2009

Margaret Van Warmerdam, Finance Director, reviewed the staff report and staff's recommendation that the City Council has the following two options:

1. Authorize the City Manager to finalize the contract for Professional Audit Services with Nystrom & Company for a one-year period and include in the 2009-2010 Preliminary Budget.
2. Direct staff to prepare Request for Proposal and advertise for Proposal for Professional Auditing Services.

Mayor Brown stated that with the financial situation we should approve the 1 year extension as it will cost a lot less for the City and if next year we are doing better we can go out to bid but Nystrom has done very well for us.

Ms. Van Warmerdam stated that we could go out to bid at a later date, but the last time we did the closest bid was \$9,000 more than Nystrom and Company. But we can try again and see what we get after this year extension.

M/S/C: Councilmember Flynn and Moyer to authorize the City Manager to finalize the contract for Professional Audit Services with Nystrom & Company for a one-year period and include in the 2009-2010 Preliminary Budget.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

AWARD PROFESSIONAL SERVICES FOR TRANSIENT OCCUPANCY TAX AUDIT SERVICES

Margaret Van Warmerdam, Finance Director, reviewed staff report and gave staff's recommendation that the City Council has two options:

1. Authorize the City Manager to finalize the contract for Professional Audit Services with Azavar one year period with a two additional year option.
2. Direct staff to increase amount included in the Request for Proposal for Professional Audit Services for Transient Occupancy Tax Audit Services and go back out to bid with the increased Amount from the General Fund.

Ms. Van Warmerdam stated that this company was very interested in doing this project even though they usually do it with a 3 year contract, they were willing to do a one year contract.

Councilmember Carrel questioned with the economy the way it is if they back out of this.

Ms. Van Warmerdam stated no they were very interested in doing this project, they won't back out.

A Councilmember stated the gentleman at the Durango RV Parks stated they went to the City and were told they didn't have to pay anything.

Councilmember Moyer stated they may have talked to the County but they never talked to the City.

Ms. Van Warmerdam stated that you can only stay in an RV park for 30 days or less for this tax. Durango Park is not the only one, there are multiple locations that have this same problem so we need to have it clarified from this vendor so we can get everyone on the same page.

M/S/C: Councilmember Moyer and Byrne to Authorize the City Manager to finalize the contract for Professional Audit Services with Azavar one year period with a two additional year option.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT ON SALES TAX

Margaret Van Warmerdam, Finance Director, reviewed the staff report and gave staff's recommendation that the City Council accept the report on Sales Tax.

Councilmember Moyer asked when they could expect the quarter report.

Ms. Van Warmerdam stated that it would be brought to the City Council around April.

M/S/C: Councilmember Moyer and Carrel to accept the report on sales tax.

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

NOES; NONE

ABSENT OR NOT VOTING: None

ACCEPTANCE OF ASSISTANCE TO FIREFIGHTERS GRANT (AFG)

Michael Bachmeyer, Fire Chief, reviewed staff report and gave staff's Recommendation that the City Council accept the 2008 Assistance to Firefighters Grant in the amount of \$27,658, of which 5% \$2,383,00, are matching funds from the current Fire Department budget. Staff also requests that the City Council add this grant to the 2008/2009 Final Budget.

Councilmember Moyer requested clarification on a few of the items which the grant money would be used for.

Chief Bachmeyer gave a brief description of the items that would be purchased.

M/S/C: Councilmembers Moyer and Byrne to accept the 2008 Assistance to Firefighters Grant in the amount of \$27,658 of which 5% \$2,383, are matching funds from the current Fire Department budget and add this grant to the 2008/2009 Final Budget.

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

NOES; NONE

ABSENT OR NOT VOTING: None

2008 FIRE DEPARTMENT ANNUAL REPORT

Michael Bachmeyer, Fire Chief, reviewed staff report and gave staff's recommendation that the City Council:

1. Listens to a short presentation by staff on the Annual Report.
2. Accept the 2008 Red Bluff Fire Department Annual Report.

No Action Needed.

2009 RED BLUFF COMMUNITY CENTER RENTAL RATE CHANGES

Debbie Carlisi, Parks and Recreation Director reviewed staff report and gave staff's recommendation that the City Council approves the Red Bluff Community/Senior Center rate changes and Bridal/Special Event packages as recommended by the Center's AdHoc Committee.

Councilmember Flynn said as part of the Ad Hoc Committee this is the best way to go, and more people will be able to use the site with the lower rate.

Councilmember Moyer asked about the security with the rental of the Community Center.

Ms. Carlisi stated they would be getting back to staff when the whole project is finished.

M/S/C Councilmember Byrne and Moyer to approve the Red Bluff Community/Senior Center rate changes and Bridal/Special event packages as recommended by the Center's AdHoc Committee.

AYES: Councilmembers, Moyer, Carrel, Byrne, Flynn and Brown
NOES; NONE
ABSENT OR NOT VOTING: None

PARKS AND RECREATION DEPARTMENT PRESENTATION

Debbie Carlisi, Parks and Recreation Director reviewed staff report and gave staff's recommendation that the City Council hears the Parks and Recreation Department Presentation.

No action was needed.

APPROVAL OF MINUTES

a) November 24, 2008 – Special Meeting

M/S/C: Councilmember, Flynn and Moyer to approve the minutes of November 24, 2008

AYES: Councilmembers Flynn, Moyer, Byrne and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Carrel (not on Council at that time)

b) January 6, 2009- Regular Meeting

M/S/C: Councilmembers Carrel and Moyer to approve the minutes of January 6, 2009.

AYES: Councilmembers Carrel, Moyer, Flynn and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent that meeting)

APPROVAL OF WARRANT LIST

Recommendation: That the City Council approves Check Warrant No. 61949 through 62244 dated December 4, 2008 through December 30, 2008.

M/S/C: Councilmember Flynn and Moyer to approve the Warrant List.

AYES: Councilmembers Flynn, Moyer, Carrel and Byrne

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Brown (abstained)

ADJOURNMENT:

There being no further business Mayor Brown adjourned the meeting at 10:05 p.m. until the meeting of March 3, 2009.

Wayne Brown, Mayor

ATTEST:

Jo Anna Lopez, City Clerk