

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

DATE OF MEETING: March 20, 2007
TIME OF MEETING: 6:15 Closed Executive Session
7 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
Jeff Moyer
James Byrne

Staff Present: Richard Crabtree, City Attorney
Martin Nichols, City Manager
Gerry Gray, Fire Chief
Al Shamblin, Police Chief
Margaret Van Warmerdam, Finance Director
Mark Barthel, Public Works Director
Scot Timboe, Planning Director
Donna Gordy, City Treasurer
Jo Anna Lopez, City Clerk
Andrea Warren, Parks and Recreation Director
Tessa Pritchard, Human Resources Director

Mayor Wayne Brown asked Marshall Pike to lead the pledge of allegiance and the assembly joined in.

CITIZEN COMMENT

None

CLOSED EXECUTIVE SESSION

PUBLIC EMPLOYEE PERFORMANCE REVIEW

Title: City Manager (Government Code Section 54957)

The City Council gave direction to the City Manager.

CONSENT AGENDA

Councilmember Moyer requested that item #1 be pulled.

Councilmember Byrne requested that item # 2 be pulled.

Mayor Pro Tem Flynn requested that item #3 be pulled.

M/S/C Flynn, Byrne to approve the remainder of the consent agenda.

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

NOES: None

ABSENT OR NOT VOTING: None

APPROVAL OF MINUTES

March 6, 2007

Councilmember Moyer stated that he had rescued himself from the closed session Fire Negotiation item and asked that the minutes reflect this.

M/S/C Moyer, Flynn to approve the minutes with the change stated above.

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

NOES: None

ABSENT OR NOT VOTING: None

ACCEPTANCE OF EASEMENT DEED TO THE CITY OF RED BLUFF FROM CHARLES E. METRO AND BETTY J. METRO AS TRUSTEES OF THE CHARLES E. METRO PENSION PLAN

Recommendation: That the City Council accept the Easement Deed to the City of Red Bluff and authorize staff to record the Easement Deed.

Councilmember Byrne requested clarification on the value consideration on the deed.

Richard Crabtree, City Attorney, stated that this was a condition of approval of a parcel of land. The City granting approval is the consideration. If the land had not been donated the approval would not have been given.

M/S/C Irving, Flynn to accept the Easement Deed to the City of Red Bluff and authorize staff to record the Easement Deed.

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

NOES: None

ABSENT OR NOT VOTING: None

RED BLUFF BIKE/PEDESTRIAN PROJECT – BTA 3/04-02 THE 01-PROJECT ACCEPTANCE RELEASE OF RETAINAGE

Recommendation: That the City Council accept the completed project Improvements for the Red Bluff Bike/Pedestrian Project, Direct staff to file a notice of completion, release the retainage and begin the one year warranty period.

Mayor Pro Tem Flynn stated that everyone if they can get the chance should go down and take a look at the finished project as it is very nice.

M/S/C Flynn, Moyer, to accept the completed project improvements for the Red Bluff Bike/Pedestrian Project, direct staff to file a notice of completion, release the retainage and begin the one year warranty period.

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

NOES: None

ABSENT OR NOT VOTING: None

LUTHER ROAD SUBDIVISION DEVELOPMENT IMPACT FEE CREDIT

Recommendation: That the City Council authorize the Finance Director to reimburse Mr. Stenberg from the Traffic Impact Fee Account (as funds are received from the permits issued For this project) in the amount not to exceed \$11,415.00

Approved: 5/0/0

REPORT REGARDING CONTRACT AWARDS – FEBRUARY 2007

Recommendation: That the City Council accept the report.

Approved 5/0/0

TWELVE MONTH EXTENSION OF LEASE FOR COPIER MACHINE FOR COMMUNITY CENTER

Recommendation: That the City Council approve the extension of the lease for the copier machine for Community Center with Coastal Business Systems, Inc, until February 2008.

Approved: 5/0/0

UPDATE ON RED BLUFF FAÇADE PROGRAM

Recommendation: informational only

Approved: 5/0/0

ALCOHOL BEVERAGE LICENSE; PERSON TO PERSON TRANSFER; TYPE 41 (ON-SALE BEER AND WINE EATING PLACE); FULL SERVICE RESTAURANT 734 MAIN STREET; PAPA JOES PIZZA (NAME OF BUSINESS); MICHAEL PRYOR (FIRST OWNER)

Recommendation: That the City Council:

1. Acknowledge the application for a Person to Person transfer of a Type 41 (On-Sale Beer and Wine Eating Place) Alcoholic Beverage License for the Papa Joes Restaurant located at 734 Main St.
2. Affirm the conclusion of the Planning Director and the Chief of Police that protesting the license is not necessary provided the applicant complies with the following condition(s):
 - A. The applicant (Michael Pryor; First Owner) shall complete a City of Red Bluff Planning Application and pay the \$200 processing fee for the City reviewing the proposed ABC License; Person to Person of a Type 41 (On-Sale Beer and Wine Eating Place).

APPROVED: 5/0/0

FINAL GRANT REPORT OFFICE OF TRAFFIC SAFETY “TRAFFIC SAFETY ENHANCEMENT PROGRAM”

Recommendation: Informational only.

Approved: 5/0/0

CURRENT BUSINESS

CITY RESPONSE TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT REPORT REGARDING THE “FISH” PASSAGE (IMPROVEMENT PROJECT” AT THE RED BLUFF DIVERSION DAM.

Recommendation: That the City Council ratify the City Manager’s letter of March 14, 2007 regarding the draft DEIR/EIS on the Fish Passage Improvement Project at the Red Bluff Diversion Dam as current policy.

Martin Nichols, City Manager, gave a brief background on this issue. There are 2 alternatives to consider to the operation of the Red Bluff Diversion Dam. The Bureau of Reclamation is proposing an alternative that would reduce the in dam time to two months out of the year, instead of the four months. The Canal Authority is supporting of an alternative that would stop the operation of the Diversion Dam and convert to a pumping program to meet. So they will officially go into the process where the Canal Authority and the Bureau will have to review the comments. We have asked for a 30 day extension for more detailed comments. Mr. Sutton is here from the Canal Authority to speak.

Mayor Brown stated that the only action for the City Council was to ratify the letter.

Jeff Sutton, Canal Authority, stated that first he would like to clear a few things up. The Red Bluff Daily News, and the City Council staff report stated there was no notice of recirculation. He had spoken with Mr. Nichols and told him when it would be coming out, and where to find it. They had sent out a press release on February 6, 2007 telling people about this. On February 20, 2007 he met with Mr. Nichols and all the Department Heads a month before the comments were due. The City Council has also met with his Department heads on many occasions on this matter. So this has not been hidden from anyone. He would also like to say that there are not just 2 alternatives, there are about 6. He also had spoken with Mr. Nichols on March 19, 2007 and advised him we would be willing to extend the deadline for the comments until April 16, 2007.

Mr. Sutton continued by stating that this water supplies four counties and the cost of opening the gates and closing the gates on time is 3 hundred thousand dollars. Also the endangered fish are something to think about, as they are covered by Federal Law. The Canal Authority would like to work with the City of Red Bluff on this matter but in the next 5 to 10 years the dam will be done away with.

Mr. Crabtree, City Attorney, requested clarification on the deadline date for the comments.

Mr. Sutton stated April 16, 2007 was the deadline and that he would like to also clear the record, that he is always available to discuss this issue with anyone.

Linda Hayes, Corning Water District, stated she agreed with everything Mr. Sutton has said. She also stated that the loss of water means that crops die and they will not be able to be replanted because it costs millions of dollars to plant these orchards. They need the reliability of the water.

Marshall Pike, concerned citizen, stated that we need reliable water for the Tehama Colusa canal. Back in 2002 there was a lot of heat over this topic. When the dam was put in we needed to improve the traction flow, and get the fish ladders working the way they are supposed to. Right now we need to cooperate and compromise and look at the alternatives. We hope that you ratify the letter your City Manager wrote.

Councilmember Byrne asked for clarification on the date of the deadline.

Mr. Sutton stated the date is not being formally extended, but they said we would accept comments until April 16, 2007

Councilmember Byrne asked Mr. Sutton that if he represented the Tehama Colusa Canal, who represents the Bureau of Reclamation.

Mr. Sutton stated that he represented the Tehama Colusa Canal and no one was here to represent the Bureau, but it was his understanding is that they will accept the comments as well.

M/S/C Byrne, Flynn, that the City Managers letter be ratified.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PARCEL MAP 04-12, WAL-MART-ACCEPTANCE OF PARCEL MAP

Recommendation: That the City Council accept Parcel Map 04-12 and direct Staff to record Parcel Map 04-12.

Councilmember Irving recused himself.

Mayor Brown asked Mr. Crabtree if Councilmember Irving needed to still recuse himself since it has been approved.

Richard Crabtree, City Attorney stated it would be best since he has family members that work there.

Mark Barthel, Public Works Director, stated that his Parcel Map 04-12 has been reviewed and approved by Willdan as the City Engineer.

Mayor Pro Tem Flynn requested clarification on what looks like this includes parcel 1, 2, and 3, or was it just strictly parcel 1.

Mr. Barthel stated it is parcel 1, 2, 3, 4 and that formal parcel D is being included in with parcel 1.

Mayor Brown requested clarification on what PCLD stood for.

Mr. Barthel stated it is rearranging the parcels to fit in the new Wal-Mart site.

Mayor Brown stated that all the other meetings we had Wal-Mart was talking about buying a small portion on Luther to deal with the traffic,

Mr. Barthel stated this was not included in this parcel map and that was something that would come along later.

Mayor Pro Tem Flynn stated that Parcel 3 was not part of the Wal-Mart Parcel.

Mr. Barthel stated that was correct.

Councilmember Byrne stated that on the cover sheet it shows as part of the property.

Mr. Barthel stated it appears that it's true, but it's just a vicinity map so it carries no barring to the actual Parcel Map.

M/S/C Flynn, Moyer to accept Parcel Map 04-12 and direct staff to record Parcel Map 04-12.

AYES: Councilmembers Flynn, Moyer, Byrne and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Irving (rescued self from discussion)

USE OF FUNDS IN DONATION ACCOUNTS

Recommendation: That the City Council:

1. Recognize the donation funds received
2. Authorize the use of funds in donation accounts as described in the staff report.

Margaret Van Warmerdam, Finance Director, stated that in the past 6 years people have dropped off donations for Fire, Police or other departments. The donated funds are listed by account number, description and amount available, followed by a description of what staff plans to spend the money on.

Mayor Brown requested clarification on if there computing needs, or how did staff come to this list.

Ms. Van Warmerdam stated that she turned it over to the Department Heads and asked what their highest priority was within reason.

Mayor Pro Tem Flynn asked if these were donations made directly to each department.

Ms. Van Warmerdam stated yes and that when the donations were brought in they did not designate what they wanted the donations to be used for.

Councilmember Irving asked why we weren't putting the money in the general fund.

Ms. Van Warmerdam stated that when people walk in they ask that the money be donated to the Fire Department or the Police Department so that money is kept separately.

M/S/C Flynn, Moyer to recognize the donation funds received and authorize the use of funds in donation accounts as described in the staff report.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

USE OF PROPERTY BUREAU FOR CITY DEPARTMENTS

Recommendation: That the City Council consider approval of the use of Property Bureau for other departments in the City of Red Bluff to sell surplus capital assets once approved by the City Council.

Margaret Van Warmerdam, Finance Director, reported that the Police Department has used this online service for unclaimed property and it has been very successful so staff would like to open this service up to other departments. We would come to City Council before we would surplus any equipment. The City Council would approve the equipment to be surplus. Then the City Council would be advised that the surplus would be going through the bureau for sale and at that time it would be decided on how the money would be used.

Martin Nichols, City Manager, stated that staff was not asking to surplus any equipment at this time, but are just asking to use the same process as the Police Department should we have any equipment to sell.

Mayor Brown asked if Property Bureau is the name of the company that's doing the selling.

Ms. Van Warmerdam stated yes, they are generally connected with law enforcement firms but they are willing to let us as a jurisdiction come aboard. Other Cities have had great success.

Councilmember Irving questioned if staff would consider this an orthodox process for non Police.

Ms. Van Warmerdam stated yes.

Mayor Pro Tem Flynn requested clarification on whether this opens our market up to a lot wider area than just Redding.

Ms. Van Warmerdam stated that was correct.

Councilmember Byrne questioned if there was a list of surplus property available.

Mrs. Van Warmerdam stated that at this time no list was available.

Councilmember Byrne questioned if other departments have a chance to pick up the surplus, or is it just sold.

Ms. Van Warmerdam stated that once she gets a piece of equipment surplus from a department staff makes the determination on if this equipment is in heavy need of repair and if so then we don't want to keep it.

Councilmember Irving questioned if we generally have a heavy load in comparison to the Police Department's surplus.

Ms. Van Warmerdam stated that she believed it was heavier for Police and Fire.

M/S/C Byrne, Flynn to approve of the use of Property Bureau for other departments in the City of Red Bluff to sell surplus capital assets once approved by the City Council.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

TIME SHEET POLICY

Recommendation: That the City Council approve the Timesheet Policy.

Margaret Van Warmerdam, Finance Director, stated that one of the comments that she received from the auditor was that we needed to do more work in payroll, one of the things they would like to see was time sheets for certain staff members. They aren't looking for exempt employees but more for the rank and file. Most of the departments submit timesheets this is just putting it in writing.

M/S/C Irving, Moyer to approve the Timesheet Policy.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF WARRANT LIST

Recommendation: That the City Council approve check warrants no. 54983 through 55236 dated February 1, 2007 through February 28, 2007.

Councilmember Byrne requested clarification on what all the food purchases were for.

Margaret Van Warmerdam, Finance Director, stated that it was for the Senior Nutrition Program.

M/S/C Irving, Byrne, to approve the warrant list.

AYES: Councilmembers: Irving, Byrne, Flynn and Moyer

NOES: NONE

ABSENT OR NOT VOTING: Councilmember: Brown (abstained)

COMMITTEE REPORTS/COUNCIL COMMENTS:

Mayor Pro Tem Flynn stated that he had attended the Tri-County Economic Development meeting last week and was made an Executive Member. This will involve him attending more meetings.

There being no further business Mayor Brown adjourned the meeting at 8:45 p.m. until the meeting of April 3, 2007.

s/b Wayne Brown, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk