

**RED BLUFF
CITY COUNCIL
REGULAR MEETING MINUTES**

DATE OF MEETING: June 5, 2007
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
Forrest Flynn, Mayor Pro Tem
Daniel Irving
Jeff Moyer
James Byrne

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

Mayor Brown asked Hugh Anton to lead the Pledge of Allegiance and the assembly joined in.

CLOSED EXECUTIVE SESSION:

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 Martin Nichols, City Manager, Andrea Warren,. Parks and Recreation Director and Tessa Pritchard, Human Resources Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Fire, Police, Miscellaneous, Management and Mid-Management Units.

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

It should be noted that Councilmember Moyer recused himself from these Negotiations.

Martin Nichols, City Manager requested that Council add item # 13 the JPA Landfill Budget which we need to discuss and give direction to those representatives.

M/S/C: Councilmember Irving, Byrne to add item 13 JPA Landfill Budget to the current agenda.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

CITIZENS COMMENT:

Division Chief Mike Bachmeyer reported that fire season was here and that brings up weed abatement. Weed abatement is supposed to be done by June 1st and a lot of the properties around town have been completed. He wanted to recognize the personnel who have helped to get this work done, Reserve Engineer Chad Quinnell, and Reserve Firefighter Denise Ferraris. Both of which have been doing the weed eating on these abatements.

PROCLAMATION:

Mayor Brown read the Proclamation for the American Cancer Society Relay for Life.

Mayor Brown stated that Relay for Life would be held on June 9th and June 10th at Vista Middle School.

Kathy Bachmeyer accepted the proclamation on behalf of Relay for Life. Ms. Bachmeyer also spoke on behalf of the American Cancer Society about the cancer survivors, and about the coming up event Relay for Life.

CONSENT AGENDA:

Councilmember Irving pulled Item # 4 for clarification.

M/S/C: Councilmember Flynn, Moyer to approve the remainder of the Consent Agenda.

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

APPROVAL OF MINUTES

June 5, 2007

Approved 5/0/0

ADOPTION OF RESOLUTION NO. 28-2007 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.

Recommendation: That the City Council adopt Resolution No, 28-2007, 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.

Approved: 5/0/0

EXTENSION OF WEB-SITE DESIGN AND MAINTENANCE SERVICES AGREEMENT WITH CARLSON DESIGNS

Recommendation: That the City Council authorize the City Manager to enter into a Professional Services Agreement with Carlson Designs for the period of July 1, 2007 to June 30, 2008.

Approved: 5/0/0

ALCOHOL BEVERAGE LICENSE; NEW TYPE 48 ON-SALE GENERAL FOR PUBLIC PREMISES: 343 WALNUT STREET; P-N-R-S WILDHORSE (NAME OF BUSINESS); PAULA HENDRICKS (FIRST APPLICANT)

Recommendation: That the City Council:

Acknowledge the applications for a New (Type 48, On-Sale General for Public Premises) Alcoholic Beverage License for 343 Walnut Street, P-N-R-S Wildhorse Tavern; and,

Determines, in accordance with Business and Professions Code that issuance of the subject licenses would serve the public convenience and necessity, and therefore, directs staff to send a letter to ABC to that effect; and,

Affirm the conclusion of the Planning Director and the Chief of Police that protesting the license is not necessary.

Councilmember Irving requested clarification from Planning Director Scot Timboe on how 7 licenses are allowed and we have 21.

Scot Timboe, Planning Director stated that ABC goes through a process to accept the applications, they check for the zoning qualifications. In this case this has been an established bar. There has been no vandalism or domestic violence so he and Police Chief Shamblin didn't see a problem in that area since it has been already operating as a bar. There also has not been any crime in the area to recommend against the bar to ABC.

M/S/C: Councilmembers Irving, Flynn to approve this item.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

Approved: 5/0/0

STREET CLOSURE, RESOLUTION NO 24-2007, DOWNTOWN RED BLUFF BUSINESS ASSOCIATION ANNUAL ART AND WINE FESTIVAL

Recommendation: That the City Council adopt Resolution No. 24-2007 for a street Closure for the annual Art and Wine Festival on Washington Street between Pine and Oak Streets Between the hours of 12 noon to 8 p.m. on June 16th.

Approved: 5/0/0

CHLORINE BID AWARD

Recommendation: That the City Council approve the purchase of Chlorine for the Wastewater Treatment Plant for Fiscal Year 2007/08 from Pioneer Americas, LLC.

Approved: 5/0/0

CURRENT BUSINESS:

SELECTION OF PROFESSIONAL AUDIT SERVICES

Recommendation: That the City Council authorize the City Manager to finalize the contract for the Professional Audit Services with Nystrom & Company and include in the 2007/08 Preliminary Budget.

Margaret Van Warmerdam, Finance Director, gave a brief background on the selection of Professional Audit Services.

Councilmember Irving requested clarification on who did the audit last year.

Ms. Van Warmerdam stated that it was done by Nystrom and Company. Staff rated the two Companies that sent in their proposals by experience and qualifications. The cost was not looked at until later. Nystrom won on the qualifications and government experience and partners are rotated each year.

Robert Griffin, Nystrom & Company, stated that when rotating audit companies you end up with a lot more audit errors. By rotating audit partners you get the fresh look but you keep the background.

Councilmember Irving stated maybe another criteria was needed that deals with the repetition of the same audit company.

Ms. Van Warmerdam stated that could be done but her fear is that no one would want to bid on the audit and a financial statement needs to be issued by a deadline.

Mayor Pro Tem Flynn stated that Nystrom & Company was a very respected company and has done very well for the City in the past.

M/S/C: Councilmembers Byrne, Flynn to accept the staff recommendations.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

AUTHORIZATION OF THE MAYOR, ON BEHALF OF THE CITY OF RED BLUFF, TO SEND A LETTER IN OPPOSITION TO PROPOSED SENATE BILL 303.

Scot Timboe, Planning Director, gave a brief background on the opposition letter for Bill 303 and staff's recommendation that the City Council authorize the Mayor, on behalf of the City of Red Bluff, to send a letter in opposition to proposed Senate Bill 303.

Councilmember Byrne requested clarification on whether they were trying to increase low cost housing.

Martin Nichols, City Manager, stated no this is an Industrial Bill to try and make building more predictable.

M/S/C: Councilmembers Byrne, Irving to accept staff recommendation to write the letter and authorize the Mayor to sign on behalf of the City.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REQUESTED FEE WAIVER FROM KELLY GRIGGS MUSEUM

J.D. Ellison, Building Department Director gave a brief background on the fee waiver for Kelly Griggs Museum and staff's recommendation that the City Council approve the requested fee waiver of \$3,094.41.

Councilmember Byrne requested clarification on what the \$100,000 dollars was for.

Mr. Ellison stated it is for the structural repairs.

Councilmember Byrne asked if anyone else waiving any fees other than the City.

Mr. Anton stated that they had received a waiver on the fee for the concrete and that the Board was also working on fundraisers to help finance the construction.

Councilmember Irving requested clarification on whether the non-profit organization was the legal owner of the foundation.

Mr. Anton stated yes.

M/S/C: Councilmembers Flynn, Irving to waive the fee of \$3,094.41

AYES: Councilmembers: Flynn, Irving and Moyer

NOES: Councilmembers: Byrne and Brown

ABSENT OR NOT VOTING: NONE

FEE WAIVER REQUEST

Al Shamblin, Chief of Police gave a brief background on this request of the fee waiver for this permit, which is \$26.00. Staff's recommendation is to remain consistent in charging the fee and deny the request to waive the alcohol fee for non-profit organizations.

Martin Nichols, City Manager, stated that it may look inconsistent to approve the Kelly Griggs fee waiver and deny this event, but that both are consistent with past City practice and policy. Where Kelly Griggs request is for a one time building project, this one is not and we would have to waive the fee for all non-profit organizations.

Venita Philbrick stated that she questioned a \$26 fee for a 2 paragraph letter to ABC when they would accept the application with Chief Shamblin's signature on it and that ABC does not require the letter.

Mayor Pro Tem Flynn stated that maybe this was something staff needed to take a look at with the information Venita has provided to us.

M/S/C: Councilmembers Irving, Byrne to accept staff's recommendation and deny the request to waive the alcohol fee for non-profit organizations.

AYES: Councilmembers: Irving, Byrne, Moyer and Brown

NOES: Councilmember: Flynn

ABSENT OR NOT VOTING: NONE

AIRPORT IMPROVEMENTS PROGRAM (AIP) GRANT APPLICATION AIP-08

Mark Barthel, Public Works Director gave a brief background on the grant and staff's recommendation That the City Council approve the submittal of the AIP-08 grant application and authorize the City Manager to sign the necessary grant application documents.

Mayor Brown requested clarification on what the new deadline on this project was.

Mr. Barthel stated one year and that as soon as the FAA approves this we would be going out to bid providing that the application is approved here tonight.

Mayor Brown requested clarification on whether we were applying for the same thing but in a different way.

Mr. Barthel stated yes and that it was being split into two projects which are a design project and a construction project.

Mayor Brown questioned if some of the work already been done

Mr. Barthel stated yes, some of the work has been done in house.

M/S/C: Councilmembers Flynn and Byrne to accept staff recommendation

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED BLUFF APPROVING THE ISSUANCE OF TAX-EXEMPT BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR SENIOR HOUSING PROJECTS TO BE OWNED BY A LIMITED PARTNERSHIP OR A LIMITED LIABILITY COMPANY IN WHICH MERCY HOUSING CALIFORNIA OR AN AFFILIATE WILL SERVE AS A GENERAL PARTNER OR MEMBER.

Margaret Van Warmerdam Finance Director, gave a brief background and gave staff's recommendation that the City Council:

1. Conduct the Public Hearing.
2. Adopt Resolution No. 27-2007.
- 3.

Councilmember Byrne requested clarification on Mercy Housing.

John Stemper responded that Mercy Housing was a nationwide non profit helper in affordable housing for disabled, elderly, etc.

Councilmember Byrne questioned if is this was a state organization.

Mr. Stemper stated that their organization was made up of cities and counties.

Mayor Brown opened and closed the public hearing at 8:03 p.m. after receiving no comments.

M/S/C: Councilmembers Irving, Moyer to adopt Resolution No. 27-2007.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RESOLUTION NO. 30-2007; CLOSURE OF RIVER PARK MAIN PARKING LOT AND BOAT RAMP FOR FOURTH OF JULY FIREWORKS SHOW

Recommendation: That the City Council adopt Resolution No. 30-2007

Gerry Gray, Fire Chief gave a brief background the requested closure and staff's recommendation that the City Council adopt Resolution No. 30-2007 authorizing the closure of the main parking lot at the River Park to all vehicle traffic and the boat ramp between 10 p.m. on Tuesday July 3rd and 8 a.m. on Thursday, July 5th. This action will allow for the necessary clearance required by the State Fire Marshal for the July 4th fireworks display.

M/S/C: Councilmembers Byrne, Irving to adopt Resolution No. 30-2007.

Mayor Pro Tem Flynn asked for clarification on the parking lot being closed to everyone.

Chief Gray stated that the parking lot will be open to foot traffic just no vehicles. This will also make it easier for ambulances to get in and out of in case of an emergency.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RESOLUTION NO 29-2007, RED BLUFF FIRE DEPARTMENT DISPATCH CONTRACT RENEWAL WITH CALFIRE

Gerry Gray, Fire Chief, gave a brief background on the contract with CalFire and staff's recommendation that the City Council adopt Resolution No. 29-2007 authorizing City Manager Martin Nichols to renew and sign the contract with CalFire for the City of Red Bluff Fire and Emergency Medical Dispatch Services for the period of July 1, 2007 to June 30, 2008.

County Fire Chief Gary Durden gave a brief background on the contract that was up for renewal.

Mayor Brown asked if the 5% increase was every year through the term of the agreement.

Chief Durden stated that there were 5 steps in the class which start at entry level and top out on the 5th step.

Councilmember Byrne asked for a brief description of the services that are provided.

Chief Durden explained that they dispatch all of the Fire Departments and Ambulances within Tehama County and the City of Red Bluff excluding the City of Corning.

Councilmember Irving requested clarification on whether it has to go to Police first.

Fire Chief Gray responded that was the only way it could go, as in the State of California law enforcement comes first. He also reported that all cell phone calls go first to Highway Patrol.

Councilmember Irving requested on when the call gets transferred to fire dispatch if it loses any of the data such as the address and name of the caller.

Fire Chief Durden stated no, all the information is still there.

Councilmember Irving questioned if the dispatchers stay on the phone and give medical instruction in an emergency.

Fire Chief Durden stated that they have contracted with a company called AMR and in the case someone needs medical help over the phone the call is dropped to AMR and they stay on the phone until the Ambulance arrives.

Councilmember Irving stated he would like to see the AMR service written into the contract instead of just having an agreement with them.

Fire Chief Durden stated this is a standard contract which is used Statewide and that he might be able to get an attachment for the contract, but couldn't modify a standard contract.

M/S/C: Councilmembers Irving, Flynn to adopt Resolution No. 29-2007 conditioned upon receipt of a letter from CDF indicating that medical instructions would be provided to City residents during an emergency.

Mayor Pro Tem Flynn stated we have various types of dispatch and by far this one works the best.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

SELECTION OF ON-CALL CONSULTANTS FOR PLANNING ENGINEERING AND ARCHITECTURAL CONSULTING SERVICES

Margaret Van Warmerdam Finance Director gave a brief background on the on-call list and gave staff's recommendation that the City Council approve the consultants, listed in Exhibit "A" by the Selection Committee to provide contractual Planning Engineering and Architectural Consulting Services.

Mayor Brown questioned if is this was done every year.

Ms. Van Warmerdam stated that this was usually done for a three year period, but we can come back and add someone if needed.

M/S/C: Councilmembers Flynn, Moyer to approve the On-Call Consultant list.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

ORDINANCE NO. 978; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AMENDING CHAPTER 12 (BUSINESS LICENSES) OF THE CITY CODE

Margaret Van Warmerdam gave a brief background on Ordinance No. 978 and staff's recommendation that the City Council waive the first reading and introduce Ordinance No. 978 amending Chapter 12 (Business Licenses) of the City Code.

Councilmember Byrne requested clarification on who established the rates of \$2.00 and \$3.00.

Ms. Van Warmerdam stated that the Community Center wanted to charge a fee that wouldn't be out of range, but would still cover a portion of the cost.

M/S/C: Councilmembers Irving, Flynn to waive the first reading and introduce Ordinance No. 978.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

STATE CONTRACT PRICING - VERIZON WIRELESS CONTRACT- CITY OF RED BLUFF BID WAIVER

Margaret Van Warmerdam, Finance Director, gave a brief background on the Verizon Wireless Contract and staff's recommendation that the City Council approve the waiver of the City of Red Bluff bid process for the purpose of wireless services, thereby enabling the City of Red Bluff to take advantage of the CMAS State of California Contract Pricing.

Councilmember Irving questioned if Verizon was extending this to all City employees.

Ms. Van Warmerdam stated yes it would be for City employees, but would not be under the City's contract. She stated that there would be a 15% discount to employees.

M/S/C: Councilmembers Flynn, Byrne to approve the waiver of the City of Red Bluff bid process for the purpose of wireless services, thereby enabling the City of Red Bluff to take advantage of the CMAS State of California Contract Pricing.

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

ACCEPTANCE OF TWO EASEMENT DEEDS GRANTED TO THE CITY OF RED BLUFF FROM KEITH DAVIDGE OF THE PETERSON TRACTOR CO.

Andrea Warren, Parks and Recreation Director, gave a brief background on the Deed Easement Grant and staff's recommendation that the City Council accept the two Easement Deeds to the City of Red Bluff and authorize staff to Record the Easement Deeds.

Scot Timboe reported that this was for the bike path behind Sheri's to the Sacramento River and under the I-5 overpass.

M/S/C: Councilmembers Flynn, Moyer to accept the two Easement Deeds to the City of Red Bluff and authorize staff to Record the Easement Deeds.

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

JPA BUDGET LANDFILL

Councilmember Irving stated that the City Manager is considering implementation of a mechanism for bring some JPA issues before the City Council when they are significant issues.

After further discussion the City Council directed the City Manager to send a letter to Alan Abbs, Solid Waste Director Tehama County/City of Red Bluff Landfill Management Agency requesting that a report and further discussion on the reorganization and sharing of the Solid Waste Director position with the Air Pollution Control District be added to the June 12, 2007 agenda of the Full Board meeting.

M/S/C: Councilmember Moyer, Irving directing the City Manager to send letter to Alan Abbs requesting agenda item on the June 12, 2007 Full Board meeting agenda.

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

COMMITTEE REPORTS /COUNCIL COMMENTS

None

ADJOURNMENT

There being no further business Mayor Brown adjourned the meeting at 9:35 p.m. until the meeting of June 19, 2007.

s/b Wayne Brown, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk