

**RED BLUFF  
CITY COUNCIL  
REGULAR MEETING MINUTES**

**Date of Meeting:** August 7, 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 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  
Mark Barthel, Public Works Director  
Gerry Gray, Fire Chief  
Andrea Warren, Parks and Recreation Director  
J.D. Ellison, Building Director  
Tessa Pritchard, Human Resources Director  
Donna Gordy, City Treasurer

Mayor Brown began the meeting with the Pledge of Allegiance and the assembly joined in.

## **CLOSED EXECUTIVE SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL –  
Government Code Section 54956.9  
PENDING LITIGATION: CASE NO. 2:06-CV-00720-LKK-PAN  
LARRY STEVENS VS. CITY OF RED BLUFF**
  
2. **PUBLIC EMPLOYEE PERFORMANCE REVIEW  
Title: City Attorney (Government Code Section 54957)**
  
3. **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 and Tessa Pritchard, Human Resources Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Police Unit.**

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

Mayor Brown stated Council would resume the Closed Session after the Regular Meeting was adjourned.

## **CITIZEN'S COMMENT**

Mattie Gates, concerned citizen, gave the City Council a petition signed by 323 people to stop the demolition of the US National Bank Building, on the corner of Main Street and Walnut Street.

Norman Parsons, citizen of Red Bluff, wanted to thank the Fire Department and the Building Department for saving his house last week from a fire that burnt the house next door down.

## **CONSENT AGENDA**

Councilmember Byrne pulled item # 1 for clarification on what the \$2,500 would be used for.

M/S/C: Councilmembers Irving, Flynn to approve the remainder of the Consent Agenda

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

## **SAFE ROUTES TO SCHOOL - DESIGN CONTRACT AMENDMENT NO. 1**

**Recommendation:** That the City Council authorize staff to proceed with the Contract Amendment No. 1 with Winzler-Kelly regarding the Safe Route to School Design Project in the amount of \$2,500.

M/S/C: Councilmembers Byrne, Moyer to authorize staff to proceed with Contract Amendment No. 1 with Winzler-Kelly regarding the Safe Route to School Design Project in the amount of \$2,500.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

## **FIRE DEPARTMENT MID YEAR ACTIVITY REPORT**

**Recommendation:** No Action Needed Informational Only

## **DESIGNATION OF VOTING DELEGATE AND ALTERNATE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 5 – 7, 2007**

**Recommendation:** That the City Council designate City Manager Martin J. Nichols as the voting delegate for the League Annual Conference in Sacramento.

*Approved 5/0/0*

## **RESOLUTION NO. 35-2007; A RESOLUTION AUTHORIZING A STREET CLOSURE FOR FIRE DEPARTMENT TRAINING**

**Recommendation:** That the City Council adopt Resolution No. 35-2007 authorizing the closure of Walnut Street between Washington Street and Main Street on August 23<sup>rd</sup> between 6:30 p.m. and 10:30 p.m. for a large scale fire training exercise.

*Approved 5/0/0*

## **SEXUAL ASSAULT FELONY ENFORCEMENT TEAM (S.A.F.E.) GRANT 2006/2007**

**Recommendation:** That the City Council authorize staff to enter into a MOU to participate in the Region III Sexual Assault Felony Enforcement Team for fiscal year 2006/2007.

*Approved 5/0/0*

**AUTHORIZE LETTER OF OPPOSITION TO SB 619 (MIGDEN) RESTRICTING ABILITY TO SET APPROPRIATE CONTRACT RETENTION AMOUNTS FOR PUBLIC WORKS PROJECTS**

**Recommendation:** That the City Council authorizes the City Manager to send a letter of Opposition to SB 619.

*Approved 5/0/0*

**LETTERS OF OPPOSITION FOR WORKERS COMPENSATION LEGISLATION**

**Recommendation:** That the City Council authorize the City Manager to finalize the letter of Opposition for AB 338, SB 942, AB1212 and SB 936.

*Approved 5/0/0*

**REQUEST FOR AUTHORIZATION TO APPLY FOR FEDERAL FEMA GRANT (AFG)**

**Recommendation:** That the City Council authorize the Fire Chief to submit an application for the 2007 FEMA AFG. If awarded, staff will bring the matter back to the City Council for appropriation of the matching fund.

*Approved 5/0/0*

**CURRENT BUSINESS**

**PUBLIC HEARING ON COLLECTION OF DELINQUENT GARBAGE FEES**

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

1. Conduct the Public Hearing.
2. Provide direction to staff for the August 21<sup>st</sup> City Council agenda.

Mayor Brown opened the Public Hearing at 7:20 p.m.

Barry Bharat Jesrani, concerned citizen, stated that his tenants had moved and he is unable to find them to make them pay for their garbage bill. He doesn't think it is fair for him to have to pay unless the garbage company lets him know before he gives back a security deposit back.

Charles Comiskey, concerned citizen, reported that Green Waste is charging him for trash pickup but he has never had a garbage can even after he called twice and asked for one. He stated that he refuses to pay this bill.

Donna Dufault, Diversified Property Manager, homeowners are not getting notice until the bill is very high this isn't fair to the property owners who rent their houses out.

Ramona Hille, concerned citizen, stated she had just bought a house and she received a bill for trash that belonged to the previous owner. Ms. Hille has never had trash service before and she doesn't feel that it is right for her to pay a bill when she didn't own the house at that time.

Max Simmons, concerned citizen, has a rental property that received trash service for 30 months and he was never notified until the other day when he received a final notice. Mr. Simmons stated that his tenant didn't know he was supposed to be paying the bill because he never received a bill either. Mr. Simmons stated this was not fair to let this bill get so out of hand before they send a bill, or final notice.

Beverly Tonnemacher, concerned citizen, has a rental property and never received a bill until she got this final notice. Does not seem fair to put it on the taxes. The renter skipped out on the garbage bill and it doesn't seem fair to punish the owner for the renter's bill.

John Elko, concerned citizen, stated that he is not in favor of mandatory trash. Mr. Elko stated that a lot of trash along the road is due to GreenWaste truck drivers spilling it when they pick up the trash or the trash blowing out of the back of their trucks.

Sheila Foley Gildea, concerned citizen, stated that her renters moved and she had no idea that the renters hadn't paid their bills. Ms. Gildea gave the renters back the deposit because she didn't find out about the trash bill in time now she is responsible for the bill. This doesn't seem fair.

Natalie Ferguson, concerned citizen, stated she just bought the house a few months ago and she got a bill for trash from 2 owners ago. Ms. Ferguson does not feel this is fair for her to pay if she was not the owner at that time.

Karen Herrlie, concerned citizen, stated she had tenants that left with a bill of \$150. Ms. Herrlie called GreenWaste and gave them the tenant's names, new address and phone number. Ms. Herrlie just got a final bill for \$150 and now she has to pay it. She doesn't feel this is right.

Sandra Ferguson, Ferguson Realty Services, stated that she has a lot of owners from out of town and they are not aware of the mandatory garbage this should have been made more public.

Max Simmons, concerned citizen, stated he doesn't feel GreenWaste should get paid since they waited so long and didn't notify people in a timely manner.

Amanda Garrett, Site Manager for GreenWaste, stated that she would research all issues brought to the City Council and try to address individually.

M/S/C Flynn, Moyer to table until September.

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

NOES: None

ABSENT OR NOT VOTING: None

### **TEHAMA COUNTY GRAND JURY RESPONSE**

**Recommendation:** That the City Council approve the Grand Jury Response.

M/S/C Flynn, Irving to approve the Grand Jury Response as prepared.

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

NOES: None

ABSENT OR NOT VOTING: None

### **RESOLUTION NO. 33-2007 – PARKING RESTRICTIONS ON SISTER MARY COLUMBA DRIVE**

**Recommendation:** That the City Council adopt Resolution No. 33-2007 establishing a no parking zone for the described portions of Sister Mary Columba Drive and authorize the installation of "no parking" signs and the painting of red curbs at these locations.

M/S/C Flynn, Moyer to adopt Resolution No. 33-2007 establishing a no parking zone for the described portions of Sister Mary Columba Drive and authorize the installation of "no parking" signs and the painting of red curbs at these location.

AYES: Councilmembers: Brown, Byrne, Flynn and Moyer

NOES: Councilmember: Irving

ABSENT OR NOT VOTING: None

### **ADOPTION OF THE RED BLUFF COMMUNITY/SENIOR CENTER RENTER'S GUIDELINES FOR PRESENTATIONS TO SENIORS REGARDING FINANCIAL TOPICS**

**Recommendation:** That the City Council adopt the Red Bluff Community/Senior Center renter's guidelines for presentations to seniors regarding financial topics.

M/S/C Flynn, Moyer adopt staff's recommendation.

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

NOES: None

ABSENT OR NOT VOTING: None

### **RESOLUTION NO. 32-2007; APPROVAL OF AGREEMENT WITH THE MULTI-AGENCY SHASTA CASCADE HAZARDOUS MATERIALS RESPONSE TEAM (SCHMRT)**

**Recommendation:** That the City Council adopt Resolution No. 32-2007 approving the Letter of Understanding (LOU) with the Shasta Cascade Hazardous Materials Response team (SCHMRT) and authorize the Fire Chief to sign the agreement on the City Council's behalf.

M/S/C Moyer, Irving to adopt Resolution No. 32-2007.

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

NOES: None

ABSENT OR NOT VOTING: None

### **RESIGNATION OF GENERAL PLAN UPDATE COMMITTEE MEMBER AND DISBAND THE GENERAL PLAN UPDATE COMMITTEE**

**Recommendation:** That the City Council:

1. Accept the resignation of Mr. Hoss from the General Plan Update Committee.
2. Disband the General Plan Update Committee.

M/S/C Flynn, Byrne to accept staff's recommendation.

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

NOES: None

ABSENT OR NOT VOTING: None

### **CANCELLATION OF SEPTEMBER 4, 2007 CITY COUNCIL MEETING**

**Recommendation:** That the City Council provide direction on canceling the September 4<sup>th</sup>, 2007 meeting date.

M/S/C Irving, Moyer to cancel the September 4, 2007 City Council meeting date.

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

### **APPROVAL OF MINUTES**

M/S/C Irving, Byrne to approve the minutes of July 17, 2007 as written.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer  
NOES: None  
ABSENT OR NOT VOTING: Councilmember: Flynn (abstained-absent that meeting)

### **COMMITTEE REPORTS/COUNCIL COMMENTS**

NONE

There being no further business Mayor Brown adjourned the open meeting to Closed Session.

At the conclusion of the Closed Session Mayor Brown reported that the City Council had given direction to staff and adjourned the meeting at 9:47 p.m. until the meeting of August 21, 2007.

s/b Wayne Brown, Mayor

ATTEST:

s/b Cheryl Smith, Deputy City Clerk  
for Jo Anna Lopez, City Clerk