

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

DATE OF MEETING: November 7, 2006

TIME OF MEETING: 6:15 P.M. CLOSED EXECUTIVE SESSION
7:05 P.M. REGULAR MEETING

PLACE OF MEETING: RED BLUFF COUNCIL CHAMBERS, CITY HALL

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

Council members Absent: None

Staff Present: John Blacklock, Interim City Manager
Richard Crabtree, City Attorney
Gerry Gray, Fire Chief
Al Shamblin, Police Chief
JD Ellison, Building Director/Official
Scot Timboe, Interim Planning Director
Mark Barthel, Public Works Director
Tessa Pritchard, Human Resources Director
Donna Gordy, City Treasurer
Jo Anna Lopez, City Clerk
Cheryl Smith, Deputy City Clerk

Chief Al Shamblin led the Pledge of Allegiance at the request of Mayor Houghton and the Assemblage joined in.

CLOSED EXECUTIVE SESSION – 6:15 P.M.

**CONFERENCE WITH LEGAL COUNSEL – REGARDING LAWSUIT
OF LARRY STEVENS VS. CITY OF RED BLUFF.**

City Council gave direction to City Attorney.

REGULAR MEETING: – 7:00 P.M.

Mayor Houghton called the meeting to order at 7:05 P.M.

Mayor Houghton introduced the new City Clerk Jo Anna Lopez.

CITIZEN'S COMMENTS

Alan Abbs, Tehama County Landfill Agency, reported that phase one of the landfill expansion for household hazardous waste facility would be complete on November 9, 2006 and open to the public on Saturday November 11, 2006. Mr. Abbs stated in the winter time it would be open every other Saturday, in spring and summer time the facility will be open every Saturday for free disposal.

CONSENT CALENDAR

M/S/C BROWN, FLYNN to approve the Consent Calendar.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES

- a) October 17, 2006 - REGULAR ADJOURNED MEETING
- b) November 2, 2006 – Special Meeting

Approved 5-0-0

REPORT ON SALES TAX

Recommendation: Informational Only.

Approved 5-0-0

REPORT REGARDING CONTRACT AWARDS – OCTOBER 2006

Recommendation: That the City Council accept the report.

Approved 5-0-0

FIRE APPARATUS REPAIR FACILITY SOLE SOURCE REQUEST

Recommendation: That the City Council recognizes Burton's Fire Inc. as a sole source vendor for emergency and planned repairs and equipment purchases for fire apparatus.

Approved 5-0-0

TREASURER'S REPORT

Recommendation: That the City Council accept the report for the third quarter of Fiscal Year 2005/2006.

Approved 5-0-0

CURRENT BUSINESS

ISO EVALUATION REPORT ON FIRE PROTECTION SERVICES:

Fire Chief Gerry Gray stated the final report from the Insurance office previously was rated a three and is still rated a three but has significantly improved in the rating and are only a few points away from a two rating. The Red Bluff Fire Department is rated in the top five percent of fire department's nation wide. Chief Gray stated that the harshest penalty they received was that they need a significant increase in staffing.

Councilmember Stevens asked if the response time was a part of this rating.

Chief Gray stated that it is a large component of the ISO rating.

PUBLIC HEARING TO CONSIDER: TENTATIVE TRACT MAP 05-1007; MITIGATED NEGATIVE DECLARATION; RESOLUTION NO. 69-2006; MONTEBELLO ESTATES/ HIGHLAND BLUFFS EXTENSION; ANDREW MEGHDADI (APPLICANT / OWNER)

Scott Timboe briefed the staff on the Tentative Tract Map 05-1007 and Resolution No. 69- 2006 Highland Bluffs and Country Village 1 and 2. Mr. Timboe recommended adoption of Resolution No. 69-2006.

Mayor Houghton opened the Public Hearing at 7:13 p.m.

Peter Harvey stated that his concern is that his street was a dead end and GreenWaste and emergency vehicles must use his driveway to turn around and he was concerned that the weight in his drive way may cause cracks in his cement. He was also concerned for other lots that will be built that would suffer the same problem with GreenWaste and emergency vehicles. Mr. Harvey also stated that the 6' masonry walls will be landscaped and property owners are supposed to maintain this strip on the other side of the wall. Mr. Harvey doesn't feel that the owners would want to maintain this since they would have to go around the fence to keep it up. He also expressed concern over the sewer lift station and the additional charge for the pumping station.

Mr. Timboe explained that the cost of the water would be added on to each lot at \$2.50 per lot. The landscape strip provides shade but Scott wasn't sure if there would be a landscape strip on Road F and that the City would probably end up taking care of that strip if there is.

Mayor Pro Tem Brown questioned why they didn't extend Walton all the way out to Main Street.

Mr. Timboe explained that Walton is problematic issues as it can only queue up a couple cars before traffic backs up on Main Street. It is also too close to the Adobe Road intersection and this would cause flooding in that intersection.

Frances Leach expressed her approval for this project.

Mayor Houghton closed the Public Hearing at 7:23 p.m.

Councilmember Irving stated that he had concerns with the Charter School Traffic.

Mr. Timboe stated that Omni Means did the study and they didn't take into consideration the parent traffic and children running out into the street. Omni Means installed a traffic counter and that is what they based their count on.

Councilmember Irving expressed concerns about the park and the access to the park.

Mr. Timboe explained that at least 2 or 3, 20 foot pedestrian and emergency vehicle access points to the park. There is at least 30 feet access on Monroe Street, but that stairs would need to be put in.

Councilmember Stevens questioned if there was any ADA access since it is a public park.

Mr. Timboe explained that there would be ADA access.

Councilmember Stevens expressed concern with fire response time.

Mr. Timboe explained that the Fire Suppression Assessment District will allow them to spend money for more equipment and more personnel with benefits.

Richard Crabtree, City Attorney, stated that they could also spend the money on another fire station.

Mr. Timboe explained that there will be a bike lane that goes in and out along the Monroe Street frontage.

Councilmember Irving questioned if the developer would be responsible for all of the street improvements.

Mr. Timboe explained that the developer is responsible for widening half the street.

Councilmember Irving questioned who will be responsible for the other half of the street.

Mr. Timboe explained that the City could help or possibly the land developer on the other side of the Street

Councilmember Irving requested clarification on the City park 100 feet of frontage.

Mr. Timboe stated yes the park has at least 100 feet of frontage on Monroe across from Forward Park. The access needs to be dealt with from Monroe Street there is plenty of access to the park by other roads.

Councilmember Irving requested clarification on Map 2 of 6 and the space not designated as lot space or open space.

Mr. Timboe explained that if it isn't designated as lot space, it is open space.

Councilmember Flynn questioned if the two lots at the end of Meadowview create an emergency situation.

Mark Barthel, Public Works Director stated that Staff is comfortable with the situation.

Councilmember Flynn questioned Chief Gray if he see's any special problems for E.M.S. on Monroe.

Chief Gray stated that there will be a delay in response time due to the traffic.

Councilmember Irving expressed his concerns of turning Monroe Street into traffic patterns for trucks going to the landfill.

Mr. Timboe stated that Monrovia Street could get a truck or weight restriction on it to avoid that.

Mr. Abbs stated that the main routes are Hwy 36, Luther Road, Paskenta, and Walnut to Baker Road.

Councilmember Irving questioned if this was part of the traffic study.

Mr. Timboe stated no it was specifically a traffic counter not just for large trucks. Monroe Street is looking at being a level C which is still a good level of service.

Mayor Pro Tem Brown questioned if an alternate route needed to be looked at.

Mr. Timboe stated that is what was planned with Monrovia as it will run from Baker to Monroe Street and that this would be a good start for something the City needs.

Mayor Pro Tem Brown stated that he still thought Walton would be the best bet.

Mr. Timboe stated that later the City could realign Walton, but for now with Adobe Road, it is not possible and that he supported this project.

M/S/C Brown, Flynn to adopt Resolution No. 69-2006 approving Tentative Tract Map 05-1007 with the Findings and Conditions of approval shown in Resolution No. 69-2006.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

A 5-minute break was taken at 8:15 p.m.

**CONTINUED DISCUSSION OF DEVELOPER FUNDING PARTICIPATION
PERTAINING TO THE MUNICIPAL SERVICE REVIEW (MSR) STUDY ASSOCIATED
WITH THE CITY OF RED BLUFF SPHERE OF INFLUENCE (SOI) BOUNDARY MAP
EXPANSION**

Scott Timboe, Interim Planning Director reviewed the staff report and gave staff's recommendation that the City Council:

1. Approve the form of the New Draft Participation Agreement with the one developer, consisting of ½ split between the City of Red Bluff and Duke Leggett, Alexander Leggett Development and authorizing the Mayor and City Attorney to sign the agreement.
2. Approve payment of \$33,200.00 from the Municipal Service Review (Funds 21, 22, 23, 24, 25 & 61) Accounts to Tehama County LAFCO for the City's ½ share of the MSR Study cost proposal of \$66,400.00.
3. Direct staff to request Tehama County LAFCO to proceed with authorization of Diaz Associates to prepare the MSR Study for the proposed City of Red Bluff Sphere of Influence boundary map expansion upon receipt of all MSR funding cost payments from the City and the one developer.

Mr. Timboe explained that Mr. Leggett and the City of Red Bluff, were partnering to complete a Municipal Service Review Study. He explained that Mr. Leggett was not happy with the "not to exceed" amount being written in stone. Mr. Leggett, also in Section 7, wrote in a time limit that in October the contract would be void if there wasn't an agreement. Mr. Timboe rewrote the time limit and the cost for Mr. Leggett and faxed a copy to Mr. Leggett as well as a copy to Mr. Crabtree. He feel's confident that this is a good project and both parties will fulfill their obligations.

M/S/C Flynn, Brown to approve staff's recommendations #'s 1, 2 and 3.

AYES: Councilmembers: Brown, Irving and Flynn

NOES: Councilmembers: Stevens and Houghton.

ABSENT OR NOT VOTING: NONE

**USE OF DEPARTMENT OF CONSERVATION BEVERAGE CONTAINER
RECYCLING GRANT FUNDS TO TEST A MULTI-FAMILY RECYCLING PROGRAM.**

Alan Abbs, Tehama County Landfill Agency, reported that they would like the Council to consider allowing the agency to spend the City's portion of the Beverage Container Recycling Grant on a project they've been working on with Waste Connections.

Christina Miller, Tehama County Landfill Agency reported that they would like to use the grant for a multi-family recycling project for families in apartment complexes. She reported that only 2 of 14 complexes' offer recycling. GreenWaste has offered to provide several months of free services to apartment complexes for the trial period. The program will be staggered over a 6 month period and at the end of the of the trial period the agency will report back to the City Council the participation rates as well as results of the trial.

Councilmember Flynn stated that he aware until just recently that the apartments were not a part of the recycling.

Mayor Pro Tem Brown questioned when the landfill has to meet the 50 percent rate.

Ms. Miller stated that it had back in 2000.

Councilmember Irving questioned how the agency would go about getting these apartments to participate.

Ms. Miller stated that they would call and coordinate with them.

Mayor Houghton questioned if the apartment managers receptive to this.

Ms. Miller stated that most of them are interested in the program.

Councilmember Irving questioned if this was a test we were conducting ourselves in this county or if it a State wide test that we are participating in.

Ms. Miller stated that it was just the City.

Councilmember Stevens stated that he thought this is an excellent idea.

M/S/C Stevens, Irving approve the use of Department of Conservation Beverage Container Recycling Grant Funds to test a Multi-Family Recycling Program in the amount of \$5,000.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REQUEST TO AMEND RBCC CHAPTER 13, MOTOR VEHICLES AND TRAFFIC – CORNERSTONE BANK AND GUMM’S OPTICAL SHOPPE.

Mark Barthel, Public Works Director reviewed the staff report and gave staff's recommendation that Staff recommends maintaining the current parking restrictions per the Red Bluff City Code. At the recommendation of the City Council, staff could bring back an Ordinance modifying the current City Code as directed by Council.

John Gumm stated that he represented eight businesses. He explained that between Rio Street and Main Street on Hickory Street on the north side next to Dr. Cox's business there are ten parking spaces that are never used that are two hour parking and that they would like their employee to park there.

Councilmember Irving stated that as a business he would think they would want the two hour parking.

Mr. Gumm stated not where it currently is. He stated that originally when they put this together it was long term parking and that Dr. Cox had asked for the two hour parking. But he doesn't need the space now, as he has parking in the back.

Councilmember Irving questioned if it all two hour parking.

Mr. Gumm stated that only the two hour parking are the ones they are trying to change and the remaining is long term parking.

Councilmember Irving questioned if they were concerned if this goes to long term parking people will part there for days on end.

Mr. Gumm stated no and that people don't usually park there for days on end.

Mayor Houghton questioned why employees needed to park there and why they didn't park in the City parking lot.

Mr. Gumm stated that some of them do.

Mayor Houghton questioned if there was supposed to be a two hour limit there right next to Mr. Gumm's office.

Mr. Barthel stated there wasn't and that it is correctly signed right now.

Councilmember Stevens questioned the Public Works Director if he had evaluated this lack of vehicle parking in the two hour spaces.

Mr. Barthel stated that it had not monitored.

Councilmember Flynn questioned the Public Works Director if staff was recommending no change is this because they didn't want every parking spot changed periodically.

Mr. Barthel stated that a combination of long term and two hour parking spaces was needed.

Councilmember Stevens questioned if it could be flexible and change it back if it's not working.

Bill Ellison, Cornerstone Bank, stated that their request is that the eight spaces at the corner of Jefferson and Pine Streets be changed from unlimited to 30 minute parking.

Councilmember Irving stated that the big majority of the people who park there are from the court system and County employees.

Mr. Ellison stated that he believed they were mostly from Post Office employees.

Councilmember Irving stated that his concern is taking away the court's patron parking and believes that two hour is more reasonable than 30 minutes.

Mr. Ellison stated that he may not be at that location for a long period of time, but the next occupant of the building may want the same parking time for their business.

Dr. Ron Clark stated that the County vehicles have been an ongoing problem, as they park there 24-7 and he believes that they could park further down on Pine Street.

Councilmember Irving questioned if there any kind of parking study done there.

Dr. Clark stated that there was not.

Councilmember Stevens stated that if the downtown is going to grow then we need to be flexible.

Councilmember Stevens stated that he was in favor of accommodating these two gentlemen with their request. Cornerstone Bank, 2 hour parking and Gumm's Optical long term parking.

Councilmember Irving stated that the Council was bucking the Technical Advisory Committee and asked how strong the committee was in their findings.

Mr. Barthel stated that was why they had brought this to the City Council was to get a decision. Staff is fine with this, but we hope that we don't end up going back and changing it back in a few weeks.

M/S/C Stevens, Flynn to direct staff to prepare an Ordinance modifying parking in these areas and bring back to a future meeting.

Councilmember Irving stated that he felt that the court officers should be involved.

AYES: Councilmembers: Stevens, Flynn, Brown and Houghton

NOES: Councilmember: Irving

ABSENT OR NOT VOTING: NONE

BUILDING DEPARTMENT COMPUTER SOFTWARE UPGRADE PURCHASE OF THE "CRW SOFTWARE"

JD Ellison, Building Director/Official reviewed the staff report and gave staff's recommendation that the City Council approve the purchase of the CRW software as proposed, with the training included, for the total price of \$127,450. This price includes the approved 2006/07 FY budget of \$120,000 and the supplemental budget appropriation in the amount of \$7,450. He reported that over the last three years the Building Department has put money aside in their budget which was approved by the City Council. At this time staff is 6 to 8 months behind with the system they currently have.

Councilmember Stevens stated that sometimes the cost goes up and sometimes it goes down and also that sometimes new and improved versions come out. He felt that the purchase should wait for the new City Manager to come on board.

Mr. Ellison stated that the problem he saw with waiting is that there is a deadline and that a Contract needs to be signed to hold this price. He continued by say that if the system the department currently has goes down and it can't be recovered the department can't issue Building Permits.

Councilmember Irving questioned if CRW was the only bidder.

Mr. Ellison stated yes and that everyone else wanted \$160,000 to \$189,000. The County of Tehama has had the system for 12 years and they love it.

Councilmember Irving stated that he felt that the Council didn't have enough information to make this purchase.

Mr. Ellison stated that at this time everything has to be done by hand and that with the new system staff won't have to do that anymore.

Councilmember Irving stated that he would like both the City Manager and the Finance Director available prior to making a decision.

Mr. Ellison stated that the bid was going to expire and then the cost may go up.

Councilmember Stevens stated that he would make a motion to table this with the request to the vendor to extend this price till the 4th of December.

Mayor Houghton stated that he felt this should be fast tracked and bring it back at the next meeting in November, as this would allow us to keep within the vendor's deadline.

Councilmember Stevens questioned if there were any impacts on the server, as in terms of space and if there would be any security problems.

Mr. Ellison stated that there would be no impacts on the server as the main server is in Sacramento and that there would be no security problems.

Scot Timboe, Interim Planning Director stated that he felt this was a good price and that it will pull the Planning, Finance and Public Works Departments together in addition to saving a lot of time and money.

Mayor Pro Tem Brown stated that he thought it was a great program, but that he felt the new City Manager should be involved.

Councilmember Stevens stated that it could be brought back after Mr. Nichols had a chance to look at it.

Mayor Houghton stated that he felt the Council should approve this tonight and that they had the approval of Mr. Timboe, Mr. Ellison, the Finance Department, as well as confirmation from the county that it is great and that he felt the Council was stalling.

Mayor Pro Tem Brown questioned what more needed to be known after the County gave such a good review.

M/S/C Stevens, Irving that staff bring this back on November 21, 2006 after Mr. Nichols has had a chance to review and comment.

AYES: Councilmembers: Brown, Flynn, Irving and Stevens

NOES: Councilmember: Houghton

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES – September 19, 2006

M/S/C Brown, Flynn to approve the minutes of September 19, 2006.

AYES: Councilmembers: Brown, Irving, Stevens and Houghton

NOES: NONE

ABSENT OR NOT VOTING: Councilmember: Flynn (abstained – absent that meeting)

SAFE ROUTES TO SCHOOL DESIGN AWARD

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council award the Safe Route to School Design Project to Winzler and Kelly in the amount of \$39,604.

Mayor Pro Tem Brown requested clarification on how staff went about getting the low bid.

Mr. Barthel explained that the State requires that you go out for proposals complete a matrix review of the proposals and then the person with the highest score you can negotiate with and if they won't negotiate, then you go can move on to the next bidder. Staff estimated a cost of \$40,000 and the bid came in under that amount.

Councilmember Irving questioned why the City Council was not brought in on this decision.

Mr. Barthel stated that Staff went by the State's requirements and that this one came in way over the boundaries.

Councilmember Stevens questioned if a right side bike lane would be installed.

Mr. Barthel stated yes and that there is the ability to also have an off road bike lane and that this project was time sensitive.

M/S/C Flynn, Brown to award the Safe Route to School Design Project to Winzler & Kelly in the amount of \$39,604.

AYES: Councilmembers: Brown, Flynn, Stevens and Houghton

NOES: NONE

ABSENT OR NOT VOTING: Councilmember: Irving (abstained)

At 9:57 p.m. Mayor Houghton adjourned the meeting to November 21, 2006 at 7:00 p.m. in the Red Bluff City Council.

s/b Andy Houghton, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk