

**RED BLUFF  
CITY COUNCIL  
SPECIAL MEETING MINUTES**

**DATE OF MEETING:** NOVEMBER 13, 2006  
**TIME OF MEETING:** 7:00 P.M.  
**PLACE OF MEETING:** RED BLUFF COMMUNITY  
CENTER/SENIOR CENTER  
1500 SOUTH JACKSON ROAD  
RED BLUFF, CA

**Councilmember's Present:** Andy Houghton, Mayor  
Wayne Brown, Mayor Pro Tem  
Forrest Flynn  
Larry Stevens

**Councilmember's Absent:** Daniel Irving (recused self from meeting)

**Staff Present:** John Blacklock, Interim City Manager  
Richard Crabtree, City Attorney  
Gerry Gray, Fire Chief  
Al Shamblin, Police Chief  
Scot Timboe, Interim Planning Director  
Mark Barthel, Public Works Director  
Jo Anna Lopez, City Clerk  
Cheryl Smith, Deputy City Clerk

**Forrest Flynn led the Pledge of Allegiance at the request of Mayor Houghton and the Assemblage joined in.**

## CITIZEN'S COMMENT

**Greg Latourell, citizen, commented on the Military Family Support Group. They help supply our soldiers with necessity and asked the community to help support this group.**

## CURRENT BUSINESS

### **PUBLIC HEARING ON FINAL ENVIRONMENTAL IMPACT REPORT AND PROJECT APPLICATION FOR THE WAL-MART SUPERCENTER PROJECT. 608 LUTHER ROAD: APN'S 033-180-08, 21, 26, 46, 47, AND 70; SCH NO. 2004012088.**

Scot Timboe, Interim Planning Director, thanked everyone for attending the meeting and gave a power point presentation with a review of the project [A copy of this presentation is contained in the project file]. He reported that a new condition had been worked out with Wal-Mart in which Wal-Mart will provide for the signalization of the So. Jackson St./Luther Road intersection with an 8 phase signal system, Preemptive devise (Fire Department) and interconnect with other signals on Luther Road and include the pedestrian push button systems for ADA.

He advised that the City Council should consider the following actions:

1. Conduct the Public Hearing.
2. Consider all public testimony and all other information relating to this project submitted to the Commission.
3. Acknowledge and accept all PMC comments and responses to comments memo into the project record.
4. **Adopt Resolution No. 70-2006**, Certifying the Final October 2006 EIR (FEIR) for the Wal-Mart Super Center Project at 608 Luther Rd. Red Bluff CA (SCH No. 2004012088) as adequate and complete with the Final Mitigation Monitoring Plan and adopting the "CEQA Findings of Fact and Statement of Overriding Consideration".
5. **Adopt Resolution No. 71-2006**, approving the General Plan Land Use Map Amendment (GPA-03-002) and Waive the first reading and introduce Ordinance No. 967; Rezone No. 194, Rezoning of the Zoning Map.
6. **Adopt Resolution No. 72-2006**, approving Tentative Parcel Map (TPM-04-12), Administrative Use Permit (AUP-03-007), Design Review (DRG-04-02-15), Parking Space Reduction (PCA-05-001), Tree Replacement Plan (TRP-04-02-15), with attached Conditions of Approval, Mitigation Measures, and reduced project plans.

Shell MacPherson, PacLand, introduced Kevin Mosketoff from Wal-Mart Stores Inc., Judy Davidoff, of Steefel, Levitt & Weiss, Virginia Tran with WP2DC Consulting Architects, Kathleen Smith and Ashley Dyer of Runyan Salesman Public Relations. Mr. MacPherson thanked the City Staff and the Planning Commissioners for working with them. Mr. MacPherson presented a power point presentation on the super center, showing the design and the features that will be inside the store [Copies included in the project file]. Mr. MacPherson also spoke in regards to traffic mitigations and other locations, which he stated that this location is the best location for this store. He also stated that Wal-Mart will design and construct the So. Jackson/Luther Road signal light system for maximum effectiveness with the existing right-of-way.

Kevin Loskatovf, Public Affairs Manager from the Wal-Mart Stores, thanked the citizens of Red Bluff and the Councilmembers for attending. He stated that Wal-Mart will add a positive impact on the community and add 300 new quality jobs. There will be an increase in sales tax revenue as well as charitable donations that Wal-Mart gives. There will be a 17 to 20% grocery savings. He asked that we listen to the recommendations made by staff, as well as the planning commission in terms of approving this project.

Mayor Andy Houghton opened the public hearing at 7:15 p.m. and stated that each person would have a 3 minute time limit to speak.

Greg Latourell, concerned citizen, asked that he be given 15 minutes to present his presentation to which Mayor Houghton stated that all speakers would be allowed 3 minutes. Mr. Latourell stated that he had sought legal council who feels that it would be an abuse of Mayor Houghton's position to limit speaker's time.

Richard Crabtree, City Attorney, stated it is within the right of the City Council to put a limit on the speaker's time.

Mr. Latourell stated that he would be submitting something for the record. Mr. Latourell stated he was concerned that the Traffic Study was done when only one of the three schools were in session and felt the study was flawed. Mr. Latourell stated that with all the new homes that are going in the Traffic Study could not be accurate.

Steve Codner, concerned citizen, spoke in favor of Wal-Mart and stated that he thinks the location will help the traffic problem.

Donna Dufault, concerned citizen, stated she was concerned with the heavy traffic around her home 24 hours a day. She was also concerned about the removal of the trees and she also wanted to know what the truck dock hours would be.

Ron Fortenbury, Pastor of the Bethel Church, stated that he was concerned with the traffic on Luther Road near his church entrance on Sundays.

Bob Meurer, concerned citizen, does not like the Wal-Mart Store due to the fact that Wal-Mart supports the homosexual agendas.

Charles Jackson, concerned citizen, stated that Wal-Mart will help with the traffic lights and the roads being fixed he thinks that's a good thing.

Tamara LaBorde, concerned citizen, stated that she works for Wal-Mart and thinks the City Council should adopt all the resolutions before them.

Jay Harn, President Elect of the Tehama County Chamber of Commerce stated that the Chamber is in support of the Wal-Mart Superstore.

Joan Codner, concerned citizen, stated that she is excited about the signals that will be going in for traffic and that she thinks that it will keep people in town to shop.

Bill Taft, concerned citizen, stated that he didn't think that people would drive from out of town to shop in Red Bluff and that Red Bluff needs a different kind of business not Wal-Mart.

Tim Gage, concerned citizen, stated that he thinks we need money coming in to the community.

DJ Miller, concerned citizen, stated she feels that Wal-Mart is a bully and that they should find another location for their stores. The parcel that Wal-Mart bought should be made into an incubator building for local artists to sell their crafts.

Jim Watt, represents the local grocery stores, stated that he had turned in a report to Mr. Timboe [included in project file] and stated that the EIR was wrong. He stated that Raley's and two Holiday markets may close due to the Wal-Mart Superstore.

Frank McCaughey, concerned citizen, stated that he felt the traffic will be way too heavy for this area.

Melissa (no last name given), concerned citizen, stated that she feels Wal-Mart is a good thing for jobs as well as a variety store to shop in since there are few places in Red Bluff to shop.

William Kopper, Attorney, stated that he represented Gary Ramsey and Frank McCaughey and stated that Home Depot offers more parking spaces per 1000 sq ft. Mr. Kopper is concerned with the number of parking spaces.

Mr. Guzman, concerned citizen, stated that Wal-Mart should expand vertically instead of horizontally.

Jeff Farrar, Main & Main Investments of Chico, stated that after a lot of research this sight had the least amount of traffic impact and that it also didn't make sense to break up your retail hub.

Tony Betzold, concerned citizen, stated that Wal-Mart has been in the community for sixteen years and that they give low prices and good quality.

Don Busby, concerned citizen, stated that in Arkansas they have Wal-Mart grocery stores and questioned why they couldn't do that here instead of the superstore.

Jackson Williams, concerned citizen, stated that the Wal-Mart traffic won't be much different than it is right now and that he felt that we need the superstore because of all the new housing projects going in.

David Gilliat, concerned citizen, wanted to know if the Wal-Mart Distribution Center is staying in Red Bluff or if it is moving to Nevada. He also stated that the supercenter should go out by the Hospital and that he also is concerned with the traffic problem.

Vickie Latourell, concerned citizen, stated she is very concerned with the Traffic Study, that she has never heard of a three minute time limit to speak and she thinks it was wrong to cut her husband off. Mrs. Latourell stated they had consulted an attorney and the City Council will be hearing from them.

Kit Reynolds, concerned citizen, stated she thinks Wal-Mart needs to add a second story then we wouldn't have to cut down the heritage trees.

Toby Gray, Assistant General Manager at Wal-Mart Distribution Center, stated that the Wal-Mart Distribution Center was not moving, that the grocery stores around the area have a much higher cost than the Wal-Mart Supercenter would have and that Wal-Mart will also add 300 more jobs to Red Bluff.

Gary Ramsey, concerned citizen, stated his attorney has asked that the record reflect that he submitted documents [Home Depots Site Plan Parking calculations], which can be found in the project file. Mr. Ramsey also stated that the parking space reduction should not be allowed as it is a favor and Wal-Mart should have to follow the rules like everyone else does. Mr. Ramsey also stated there is a discrepancy in how many jobs Wal-Mart will be filling and questioned if it is 150 or 300.

Mariah Mays, concerned citizen and Wal-Mart employee, stated the community is growing and we need the Wal-Mart Supercenter.

Tim Prest, concerned citizen and Manager of Food Max store, stated his employees average 15 dollars per hour, they have benefits at no cost to them and that a full time employee at Wal-Mart earned the average wage of 10 dollars an hour.

Doug Duggins concerned citizen, stated he is very concerned with the church traffic across the street from the Wal-Mart sight and that he was also concerned with the safety of the children who live and play in that area.

Anita Guzman, concerned citizen, stated that our roads are not adequate to hold all the extra traffic in that area.

Brandon Tandy, General Manager at Wal-Mart Distribution Center, stated he hoped the project will move forward as it will be a benefit to everyone and will save customers money.

Richard Morgan Jr., President of Holiday Markets, stated that Red Bluff can't support another grocery store and that he was concerned that this will put some of the grocery stores out of business.

Gail Locke, concerned citizen, stated that she is very content with the existing Wal-Mart and that there is no reason to make a superstore.

Carol Banwarth, concerned citizen, stated she is in favor of the superstore to keep the tax dollars in Red Bluff.

Debbie Elliott, concerned citizen, stated Red Bluff is growing lets let this happen.

Steve Gains, Director of Retail Efficiency out of Modesto which operates the Food Max Store in Red Bluff, stated that every time a Wal-Mart Superstore comes into a town Food Max has either had to close or has experienced a 37% to 40% loss. Red Bluff has enough grocery stores they don't need another one.

Wilkie Talbert, concerned citizen, stated he is not in favor of the supercenter due to traffic issues and the site issues.

Ryan Schmidt, concerned citizen, is in favor of the superstore and stated there isn't going to be any more traffic than there is now.

John Elko, concerned citizen, opposes the supercenter and stated there are much better locations like on the outside of town. Mr. Elko stated we should not allow this project just to get our streets fixed.

Neil Foster, Wal-Mart Employee for 11 years, stated Wal-Mart is a great place to work and stated that people are always afraid of the unknown if they haven't been to a super center they don't know what to expect and that Wal-Mart Supercenters are great places.

Jan Ivanoff, concerned citizen, stated that when the Wal-Mart store first came to town it put a lot of stores out of business and she isn't eager to see the super enter put grocery stores out of business. Ms. Ivanoff is also worried about emergency personnel getting through traffic.

Susan German, concerned citizen, stated she fully supports the Wal-Mart superstore, she thinks the people in this community need more choices in order to keep spending their money in Red Bluff.

Kathleen Spencer, concerned citizen, stated that she would like to put the letter to the editor in tonight's paper by Greg Latourell into the project file. She also stated that she

is also worried about the new houses that are going up in the area and that nobody has considered the traffic they will create.

Nan Rogers, concerned citizen, stated she works with Wal-Mart and people in Red Bluff are always asking her when we are getting our superstore. She also stated that Wal-Mart does have good benefits and wages.

Ted Chaffin, concerned citizen, stated he thinks a lot of people benefit from Wal-Mart, but he doesn't think the location is in the right place.

Richard Clapp, concerned citizen, stated he doesn't think we should cut down the trees and that the Montgomery Road sight would be a much better sight for this project than Wal-Mart could have their lube and tire center.

Alan Lukehart, concerned citizen, thanked the City Council for their hard work with this Wal-Mart project.

Mayor Houghton closed the Public Hearing at 9:31 p.m.

Shell MacPherson stated that the Distribution Center is going to stay in Red Bluff and as to the parking issue he stated they worked with the City on the parking requirements and that the location needs to be where the main population is so there is less travel.

Councilmember Stevens thanked all the citizens for coming. He stated that he has looked at both the pro and cons in this project and that he doesn't think that the Wal-Mart Supercenter will interfere with other businesses because you can't get everything at Wal-Mart. He finished by saying that Red Bluff needs to grow.

Councilmember Flynn thanked all the citizens for coming and asked about the parking with the seasonal items taking up spaces, that the widening of Luther Road will take up about 34 spaces and questioned if this was something the City can live with.

Mr. Timboe stated that the seasonal parking is a temporary situation, only usually only comes around in October, November, December and January. He stated that the parking space reduction of 34 is allowed in the code, as there are parking reductions for other businesses and that the last one was the Riverside Shopping Center for the Dutch Brothers Coffee.

Councilmember Flynn asked how the 90 day per year parking reduction would be enforced.

Mr. Timboe stated that the City now has a Code Enforcement Officer.

Councilmember Flynn asked how long it will take to widen the Luther Road intersection.

Mr. Timboe answered staff was uncertain of that time frame.

Councilmember Flynn asked about the underpass on South Main Street as Section 2.0-225 states that it would be about 15 years before this would be widened.

Mr. Timboe stated that this whole process started with a notice of preparation and at that point in time we did not have our new Development Impact Fees, which contribute to the Transportation Capital Improvement Program and can fund infrastructure projects as prioritized by the City Council.

Councilmember Flynn stated that it would be less than 15 years if it's up to the City Council.

Mr. Timboe stated that the railroad crossing would be about 4 to 6 million.

Councilmember Flynn asked will all the utilities will be underground along Wal-Mart's frontage on Luther Road, Reeds Street and Mills Street.

Mr. Timboe answered yes.

Councilmember Flynn stated that he isn't a big fan of Wal-Mart but he does believe in free enterprise and competition. He also stated that he didn't think this was the best location but that he feels we really need changes to keep this community growing in a positive direction.

Mayor Pro Tem Brown thanked everyone for all their hard work on this project. He stated that he didn't agree with Mr. MacPherson about the hub of business, anywhere Wal-Mart is would be the hub and that on Page 4.13-7 Economic Impact, it states that Wal-Mart would take away 12.3 million dollars away from other local stores. He also requested clarification regarding page 4.315 the re-circulated portion of the EIR and the City's Transportation Capital Improvement Program.

Mr. Timboe stated that the applicant must pay the Impact Fees that will go into the Transportation Capital Improvement Program, because a 40% traffic impact threshold was not reached.

Mayor Pro Tem Brown requested clarification regarding page 4.314 and questioned if this was done in line with the reduction of parking spaces and if we had done what the policy says.

Mr. Timboe stated this is something that could either be beefed up or lowered depending on the community and that built into our City Code that there are parking reductions allowed, but this is a flexible standard.

Mayor Pro Tem Brown requested clarification on page 4.313 regarding bikeways.

Mark Teague, PMC, stated that this project isn't proposing any new road ways, but it is expanding other road ways. The bike lane will be put in on Reeds Ave, Jackson Street

and Mills Road but Luther Road isn't the best place to have a bike lane and that this is not required in this project.

Mayor Pro Tem Brown requested clarification on page 4.3-21 regarding the traffic signal at Mills and Luther and if it meant that there would be a traffic signal at Mill Street, another traffic signal at the entrance to the project and at South Jackson Street.

Mr. Timboe stated that the traffic signal already exists at Mill/Luther, but there would be two additional signals on Luther Road at the project entrance and at the intersection of Luther and So. Jackson.

Mayor Pro Tem Brown asked if these will all be synchronized.

Mr. Timboe stated Cal Trans typically synchronizes the City's lights.

Mayor Pro Tem Brown requested clarification on page 4.3-24 of the mitigation, and questioned if there would be 2 east bound and 2 west bound lanes.

Mr. Timboe answered they would be expanding east and west. And that they would be adding lanes to the east for the north bound and to the west for the south bound.

Mayor Pro Tem Brown questioned if Reeds Ave and the intersection with South Jackson would be upgraded by Wal-Mart to accommodate truck deliveries, but if the trucks don't use that intersection why does Wal-Mart have to pay for it?

Mr. Timboe stated staff believes that was a typo it should be the Mill Street and Reeds Intersection that will be designed for heavy trucks.

Mayor Pro Tem Brown requested clarification on if the traffic calming measures and mid block flares would not accommodate truck traffic.

Mr. Timboe stated they are designed to make people feel a little uncomfortable going faster and that the trucks will not be able to turn out on to Reeds Ave unless they turn very tightly.

Mayor Pro Tem Brown stated parking spaces become very important to Developmental Impact Fees.

Mr. Timboe stated yes that is correct it will be going on the record as being charged for 814 parking spaces.

Mayor Pro Tem Brown requested clarification on how projects are chosen from the TCIP in regards to the South Main and Diamond intersection which will be operating at service level E, under short term the impact is considered significant and unavoidable the improvements to the under crossing are going to take a long time to collect this money.

Mr. Timboe stated that money is collected based on the number of parking spaces for commercial and then single family dwelling units. The City has just approved 223 single family dwelling units that is going to provide a lot of money for the TCIP and with Wal-Mart paying about \$620,000, the City would be at almost an 8<sup>th</sup> of the cost for the under crossing.

Mayor Pro Tem Brown questioned how big of a project would it take us to get to the amount we need for the under crossing.

Mr. Timboe stated the traffic study analyzes the impact of the project and they have indicated that this was about a 17% impact to that under crossing. If it would have been 41% they would have to replace or repair the under crossing at South Main Street.

Mayor Pro Tem Brown asked about an unacceptable level of service on Luther Road between South Jackson and South Main questioned why the City would consider this project at this location.

Mr. Timboe stated that Luther Road needs a three lane road in both directions at this point with this project its not reasonable or foreseeable to be done now, but over the years we will collect the money for that project.

Mayor Houghton questioned if the Wal-Mart project didn't pass what other business could go in that area since it is zoned commercial and what would those impacts be. He also questioned why Home Depot went in and didn't have these problems.

Mr. Timboe stated that when Home Depot first came into town and looked at a C-3 zoned property it felt was the perfect sight they put in an application for design review which is staff level approval and an Administrative Use Permit which is also a staff level approval. No part of the Wal-Mart project is at a staff level approval and if the Wal-Mart project did not go through a development could purchase the property and a project go through with staff level approval.

Mayor Houghton questioned if it would pay Impact Fees.

Mr. Timboe stated they would pay the Impact Fees but the City wouldn't be looking at any of the nexus conditions and mitigation measures that we are before them tonight.

Mayor Houghton questioned if most of the cost for the signal at Luther and Jackson would be bore by the citizens of Red Bluff and questioned when the signal would be ready.

Mr. Timboe stated no this is not true that as Shell MacPherson (PacLand) Wal-Mart representative indicated earlier they would pay for the design and construction and that the signal would be ready by the ~~finagling~~ finalizing of the Building Permit or they would pay 125% of all cost for a temporary occupancy.

Councilmember Flynn requested clarification that if there was no rezoning then anyone could just go in and build and they wouldn't need any of the EIR, etc.

Mr. Timboe stated the Tentative Parcel Map would be included in that and if they needed a parking reduction that would be included.

M/S/C Stevens, Flynn to:

1. Acknowledge and accept all PMC comments and responses to comments memo into the project record.
2. **Adopt Resolution No. 70-2006**, Certifying the Final October 2006 EIR (FEIR) for the Wal-Mart Super Center Project at 608 Luther Rd. Red Bluff CA (SCH No. 2004012088) as adequate and complete with the Final Mitigation Monitoring Plan and adopting the "CEQA Findings of Fact and Statement of Overriding Consideration".
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**AYES:** Councilmembers: Stevens, Flynn and Houghton

**NOES:** Councilmember: Brown

**ABSENT OR NOT VOTING:** Councilmember: Irving (absent)

At 10:50 p.m. Mayor Houghton adjourned the meeting to November 21, 2006 at 7:00 p.m. in the Red Bluff City Council.

*s/b Wayne Brown*  
Mayor

ATTEST:

*s/b Jo Anna Lopez, City Clerk*