

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

Date of Meeting: Tuesday, May 20, 2008
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: Forrest Flynn, Mayor
Daniel Irving, Mayor Pro Tem
Wayne Brown
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
Tessa Pritchard, Human Resources Director
Debbie Carlisi, Parks and Recreations Director
J.D. Ellison, Building Official/Director
Donna Gordy, City Treasurer

Mayor Flynn led 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, Martin Nichols, City Manager and Tessa Pritchard, Human Resource Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits
With the Miscellaneous Unit**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: one potential case. Government Code Section 54956.9

CONFERENCE WITH LEGAL COUNSEL – Executive Session in accordance with Government Code Section 54956.8 – REAL PROPERTY NEGOTIATIONS

Mayor Flynn stated Council gave direction to staff.

CITIZEN'S COMMENT:

No Comments at this time

CONSENT AGENDA:

Councilmember Brown Pulled item # 5, Jackson Williams had Mayor Flynn pull item # 6, and Mayor Pro Tem Irving pulled item #9.

M/S/C: Councilmembers Brown and Moyer to approve the remainder of the Consent Agenda.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT REGARDING CONTRACT AWARDS – APRIL 2008

Recommendation: That the City Council accept the report.

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, 2008 to June 30, 2009.

Approved 5/0/0

RESOLUTION NO. 28-2008; A RESOLUTION AUTHORIZING A WEEKLY STREET CLOSURE FOR THE SATURDAY “RED BLUFF FARMERS’ MARKET”

AND

RESOLUTION NO. 29-2008; A RESOLUTION AUTHORIZING WEEKLY STREET CLOSURE FOR THE WEDNESDAY “RED BLUFF FARMERS’ MARKET”

Recommendation: That the City Council adopt resolution No. 28-2008 and 29-2008 and authorize the street closure for the Saturday morning Farmers’ Market to begin June 7, 2008 and continue through October 2008 and Wednesday evening Farmers; Market beginning July 2, 2008 through September 24, 2008

Approved 5/0/0

RESOLUTION NO. 33-2008; A RESOLUTION AUTHORIZING A STREET CLOSURE FOR THE ANNUAL DOWNTOWN ART AND WINE FESTIVAL

Recommendation: That the City Council adopt Resolution No. 33-2008 and authorize the Street closure for the 5th Annual Downtown Art and Wine Festival on June 14, 2008 from 4 p.m. to 7 p.m.

Approved 5/0/0

**SUPERCEDE RESOLUTION 52-2007 ADOPT RESOLUTION NO. 32-2008
APPROVING THE AGREEMENT BETWEEN THE CITY OF RED BLUFF AND THE
COUNTY OF TEHAMA FOR ADMINISTRATION AND EXPENDITURE OF CERTAIN
SMALL COMMUNITY WASTEWATER GRANT FUNDS**

Recommendation: That the City Council supercede Resolution No. 52-2007, adopt Resolution No. 32-2008 and authorize the City Manager to sign the Agreement with Tehama County.

Councilmember Brown pulled this item for clarification on the extension of the JPA.

M/S/C: Councilmember Brown and Irving to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

Approved 5/0/0

**PROFESSIONAL SERVICES CONTRACT AMENDMENT IN RESPONSE TO COURT
ORDER & CASE NO. 58342 FOR THE PREPARATION OF AN AMENDED/MODIFIED
SCOPE OF WORK WITH PACIFIC MUNICIPAL CONSULTANTS TO PREPARE
ADDITIONAL ENVIRONMENTAL STUDIES AND ANALYSIS AS PART OF THE
ENVIRONMENTAL IMPACT REPORT FOR THE WAL-MART SUPERCENTER
PROJECT; LUTHER ROAD; MILL STREET**

Recommendation: That the City Council authorize the City of Red Bluff Planning Department to enter into an amended/modified scope of work with PMC for an amount up to \$41,200 in order to complete the necessary studies and prepare the Final Environmental Impact Report for the Proposed Wal-Mart Super center Project.

Jackson Williams had Mayor Flynn pull this item for clarification on the amount this new study will cost the City of Red Bluff.

Richard Crabtree, City Attorney, stated this will not cost the City of Red Bluff anything as it is up to Wal-Mart to pay the costs.

M/S/C: Councilmembers Brown and Byrne to approve staff recommendation.

AYES: Councilmembers Brown, Byrne, Moyer and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Irving (did not vote)

TREASURER'S REPORT

Recommendation: That the City Council accept the report for the tenth month of Fiscal year 2007.

Approved 5/0/0

EXTENSION OF GARBAGE FRANCHISE

Recommendation: That the City Council extends the Franchise Agreement to August 1, 2008 to allow for staff to complete negotiations with Waste Connections on the Contract issues remaining.

Approved 5/0/0

AGREEMENT BETWEEN THE CITY OF RED BLUFF AND THE RED BLUFF JOINT UNION HIGH SCHOOL DISTRICT FOR THE OPERATION OF THE RED BLUFF UNION HIGH SCHOOL SWIMMING POOL

Recommendation: That the City Council authorize the City Manager to sign the agreement between the City of Red Bluff and Red Bluff Joint Union High School District for the use of the Red Bluff Joint Union High School swimming pool.

Mayor Pro Tem Irving pulled this item for clarification on why we are using the High School pool.

M/S/C: Councilmembers Irving and Brown to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

CURRENT BUSINESS:

RESCISSION OF WAL-MART SUPERCENTER APPROVALS. WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 986, AN ORDINANCE WHICH RESCINDS ORDINANCE NO. 967

Richard Crabtree, City Attorney, reviewed staff report and gave staff's recommendation that the City Council waive the second reading and adopt Ordinance No. 986, which upon final adoption would rescind Ordinance No. 967.

M/S/C: Councilmembers Byrne and Brown to waive the second reading and adopt Ordinance No. 986.

AYES: Councilmembers, Byrne, Brown, Moyer and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Irving (not voting)

CROSS WALK REQUEST

Scott Capilla, Police Chief, reviewed the staff report and gave staff's recommendation that the City Council authorize the Public Works Director to install a crosswalk as described in this report.

Councilmember Brown asked is there any additional cost other than painting the cross walk.

Mark Barthel, Public Works Director, stated there was no additional cost.

M/S/C: Councilmember Moyer and Brown to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

Mayor Flynn pulled item 3 Firefighter of the Year from the agenda.

BIDWELL FIRE INCIDENT

Gerry Gray, Fire Chief, gave a power point presentation on the Bidwell Fire Incident. Chief Gray also thanked Fire, Police and Emergency Medical personnel. Chief Gray also thanked Vista Middle School for their cooperation in locking down the school to keep the children from coming to the fire site. This item was informational only no action needed.

EVALUATION OF FIRE DISPATCH SERVICES

Gerry Gray, Fire Chief, reviewed staff report and gave staff's recommendation that the City Council discusses the report on Fire Dispatch Services and provides feedback and direction to staff. Three options have been provided with approximate costs.

Council discussed the options and the costs of each plan with Chief Gray and other Staff Members. The consensus was to stay with CalFire for Fire Dispatch Services. The final contract will be brought back to the City Council at a future date for final approval.

WATER RATES ANNUAL CPI-U DISCUSSION

Margaret Van Warmerdam, Finance Director reviewed staff report and gave staff recommendation that the City Council approves the postponement of CPI-U until after the fourth year of the four-year incremental increase of the water rates, but complete the third year rate increase of 5%.

M/S/C: Councilmember Irving and Brown to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING; NONE

ACTUARIAL STUDY OF RETIREE HEALTH LIABILITIES

Margaret Van Warmerdam, Finance Director reviewed staff report and gave staff recommendation that the City Council accept the Actuarial Study of Retiree Health Liabilities for the City of Red Bluff. Specific action related to the establishment of a funding plan is anticipated to be addressed in conjunction with the 2008/09 Final Budget.

M/S/C: Councilmembers Irving and Brown to accept the Actuarial Study of Retiree Health Liabilities for the City of Red Bluff.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT ON 2007-2008 PROPERTY DATA FOR THE CITY OF RED BLUFF'S FINAL PROPERTY TAX REPORTS

Margaret Van Warmerdam, Finance Director reviewed staff report and gave staff recommendation that the City Council:

1. Hear staff's presentation on 2007-08 Property Tax Data for the City of Red Bluff
2. Accept the Report on 2007-2008 Property Data for the City of Red Bluff's Final Property Tax Reports.

M/S/C: Councilmembers Brown and Irving to accept the staff's report.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

EMINENT DOMAIN REFORM – PROPOSITIONS 98 AND 99

Richard Crabtree, City Attorney, gave a power point presentation of these two Propositions that will be on the June 3rd ballot.

Informational only.

STATE BUDGET REPORT

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation that the City Council receives a report on the Governor's proposed changes to the State Budget and its potential impacts on City operations.

The City Council discussed this item with staff no action was taken, informational only.

APPROVAL OF WARRANT LIST

Margaret Van Warmerdam, Finance Director, reviewed staff's report and gave staff's recommendation that the City Council approves Check Warrant No. 59410 through 59748 dated April 4, 2008 through April 30, 2008.

M/S/C: Councilmembers, Irving and Moyer to approve Warrant List.

AYES: Councilmembers, Irving, Moyer, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Brown (abstained)

ADOPTION OF RESOLUTION NO. 34-2008, 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 IN ACCORDANCE WITH THE NEWLY ADOPTED RED BLUFF FIREFIGHTERS MOU.

Tessa Pritchard, Human Resource Director, reviewed staff's report and gave staff's recommendation that the City Council adopt Resolution No. 34-2008, 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.

M/S/C: Councilmembers, Irving and Brown to adopt Resolution No. 34-2008.

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

NOES; NONE

ABSENT OR NOT VOTING; NONE

COMMITTEE REPORTS/COUNCIL COMMENTS

NONE

ADJOURNMENT

There being no further business Mayor Flynn adjourned the meeting at 8:55 p.m. until the meeting of June 3, 2008.

s/b Forrest Flynn

ATTEST:

s/b Jo Anna Lopez, City Clerk