

**RED BLUFF
CITY COUNCIL
REGULAR MEETING MINUTES**

Date of Meeting: Tuesday September 15, 2009

Time of Meeting: 6:15 p.m. Closed Executive
Session

Place of Meeting: 7 p.m. Regular Session
Council Chambers
555 Washington Street
Red Bluff, CA 96080

Councilmembers Present:

Wayne Brown, Mayor
Jeff Moyer, Mayor Pro Tem
James Byrne
Bob Carrel

Councilmembers Absent:

Forrest Flynn (absent-excused)

Staff Present:

Martin Nichols, City Manager
Richard Crabtree, City Attorney
Margaret Van Warmerdam,
Finance Director
Jo Anna Lopez, City Clerk
Paul Nanfito, Police Chief
Scot Timboe, Planning Director
Mark Barthel, Public Works
Director
Mike Bachmeyer, Fire Chief
Tessa Pritchard, Human
Resources Director
Debbie Carlisi, Parks and
Recreation Director
J.D. Ellison, Building Director
Donna Gordy, City Treasurer

Mayor Brown called the meeting to order at 7 p.m.

Debbie Carlisi 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 representatives 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 Employees.

CONFERENCE WITH LABOR NEGOTIATORS:

Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representatives 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 Fire Unit Employees.

**CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION: FLOWERDEW – Workers
Comp Claim # 2007069332 Government Code
Section 54956.9**

Mayor Brown reported that the City Council had given direction to staff during the closed session.

CITIZEN'S COMMENTS:

No Citizen Comments.

CONSENT AGENDA:

M/S/C: Councilmembers Moyer and Byrne to approve the Consent Agenda.

AYES: Councilmembers Moyer, Byrne, Carrel and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (Absent-Excused)

1. APPROVAL OF MINUTES

August 18, 2009

4/0/1 Approved

2. APPROVAL OF WARRANT LIST

Recommendation: That the City Council approve Check Warrant No. 63818 through 63968 dated July 1, 2009 through July 30, 2009.

4/0/1 Approved

3. PROPOSED RESOLUTION NO. 37-2009; A PROPOSED RESOLUTION TO AUTHORIZE THE CHIEF OF POLICE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR THE USE OF THE RED BLUFF POLICE DEPARTMENT FIRING RANGE FOR FIREARMS TRAINING FOR THEIR GAME WARDENS

Recommendation: That the City Council adopt Resolution No. 37-2009 authorizing the Chief of Police to sign a Memorandum of understanding (MOU) with the

California Department of Fish and Game for the use of the Red Bluff Police Department Firing range.

4/0/1 Approved

4. RESOLUTION NO. 39-2009; STREET CLOSURE; MONSTER TRUCK DISPLAY

Recommendation: That the City Council:

- a. Adopt Resolution No. 39-2009 authorizing the requested street closures and the closure of the City owned parking lot at the corner of Pine and Washington Street for the Monster Truck Display.
- b. Allow the City to assist with the pre-event Monster Truck “procession” on Walnut Street from the railroad tracks to Main Street and south on Main to Oak Street at approximately 6 p.m. on Thursday, October 1, 2009

4/0/1 Approved

CURRENT BUSINESS:

PUBLIC HEARING; RESOLUTION NO. 38-2009; GENERAL PLAN AMENDMENT 2009-002; ADOPTION OF 2008-2013 HOUSING ELEMENT OF THE GENERAL PLAN AND APPROVAL OF RELATED NEGATIVE DECLARATION

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

1. Consider all public testimony and all other information relating to the 2008-2013 housing Element of the General Plan and Negative Declaration
2. Adopt Resolution No. 38-2009, considering the findings of the California Department of Housing and Community development, adopting the 2008-2013 Housing Element of the General Plan (GPA-002), and approving the related Negative Declaration.

Mayor Brown opened the Public Hearing at 7:12 p.m. and after hearing no comments closed the Public Hearing at 7:12 p.m.

Councilmember Byrne asked if Mr. Timboe had any comments on the letter from Alan Abbs of the County Air Pollution Control District.

Mr. Timboe stated that Mr. Abbs had the right to submit comments in writing, but that the Planning Commission had felt his comments were not relevant.

M/S/C Councilmembers Carrel and Byrne to adopt Resolution No. 38-2009, considering the findings of the California Department of Housing and Community development, adopting the 2008-2013 Housing Element of the General Plan (GPA-002), and approving the related Negative Declaration.

AYES: Councilmembers Carrel, Byrne, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

SUPPLEMENTAL BUDGET APPROPRIATION FOR REPLACEMENT HOLSTERS

Paul Nanfito, Police Chief, reviewed the staff report and gave staff's recommendation that the City Council authorize a supplemental appropriation in the amount of \$1,755.22 from Fund Account 19-33-540-100 for the purchase of replacement holsters.

M/S/C Councilmembers Moyer and Byrne authorize a supplemental appropriation in the amount of \$1,755.22 from Fund Account 19-33-540-100 for the purchase of replacement holsters.

AYES: Councilmembers Carrel, Byrne, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

COMMUNITY FIELD OFFICE PROGRAM

Paul Nanfito, Police Chief, reviewed the staff report on the Community Field Office Program.

No action needed.

ALCOHOL BEVERAGE LICENSE; PAST PRACTICE REVIEW AN RECONSIDERATION

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

1. Continue current practices with the Police Chief and Planning Director preparing staff reports and bring every ABC License whether it is a Bona Fide Eating or not to Council for consideration and review, or
2. Authorize the Police Chief and Planning Director to review Bona Fide Public Eating Place ABC Licenses an require all off-premises or on premises (Bar/Lounge) undo concentration ABC liquor licenses to be presented to City Council with a staff report and recommendation from the Planning Director and Police Chief.

M/S/C Carrel, Moyer to authorize the Police Chief and Planning Director to review Bona Fide Public Eating Place ABC Licenses an require all off-premises or on premises (Bar/Lounge) undo

concentration ABC liquor licenses to be presented to City Council with a staff report and recommendation from the Planning Director and Police Chief.

AYES: Councilmembers Carrel, Byrne, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

LETTER OF OPPOSITION TO SB 802(LENO) – PUBLIC CONTRACTING

Martin Nichols, City Manager reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to send a letter to Governor Schwarzenegger requesting veto of SB 802(Leno) – Public Contracting.

M/S/C Councilmember Moyer and Carrel to authorize the City Manager to send a letter to Governor Schwarzenegger requesting veto of SB 802(Leno) – Public Contracting.

AYES: Councilmember Moyer, Carrel and Brown

NOES: Councilmember Byrne

ABSENT OR NOT VOTING: Councilmember Flynn
(absent-excused)

NEW COUNTY COURTHOUSE LOCATION

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to send a letter to the Judicial Council of California supporting locating the new Courthouse at the County's Walnut Street Complex.

M/S/C Councilmember Moyer and Carrel to authorize the City Manager to send a letter to the Judicial Council of California supporting locating the new Courthouse at the County's Walnut Street Complex.

AYES: Councilmembers Carrel, Byrne, Moyer and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn
(absent-excused)

APPROVAL OF MINUTES

September 1, 2009

M/S/C Councilmembers Moyer and Carrel to approve the September 1, 2009 minutes as written.

AYES: Councilmembers Moyer, Carrel and Byrne

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused) and Brown (abstained)

APPROVAL OF WARRANT LIST

Recommendation: That the City Council approve Check Warrant No. 63969 through 64306 dated August 1, 2009 through August 31, 2009.

M/S/C Councilmembers Moyer and Carrel to approve Check Warrant No. 63969 through 64306 dated August 1, 2009 through August 31, 2009.

AYES: Councilmember Moyer, Carrel, and Byrne

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused) and Brown (abstained)

STAFF ITEMS/REPORTS/COMMITTEE REPORTS/ COUNCIL COMMENTS/STAFF UPDATES OF COMING EVENTS

Martin Nichols, City Manager, reported to the Council that there had been many inquires about medical marijuana and what the requirements are. What staff has advised people is that we have an exclusionary zone that is not allowed use. But there has been some concern that potentially is not

adequate in terms of stopping someone from opening a marijuana coop and/or dispensary within the city. The second issue is that there is a growing number of concerns about the medical marijuana being grown on property within the city. Staff would like to know if the City Council would like to bring these issues forward for consideration.

The City Council expressed their interest in bring the issues to the City Council for consideration.

ADJOURNMENT:

There being no further business, Mayor Brown adjourned the meeting at 7:40 p.m. until the next City Council meeting of October 6, 2009 at 7:00 p.m.

s/b Wayne Brown,

Mayor
ATTEST:

s/b Jo Anna Lopez, City Clerk