

**RED BLUFF
CITY COUNCIL
REGULAR MEETING MINUTES**

Date of Meeting: Tuesday April 15, 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
Scot Timboe, Planning Director
Jo Anna Lopez, City Clerk
Scott Capilla, Police Chief
Mark Barthel, Public Works Director
Gerry Gray, Fire Chief
Debbie Carlisi, Parks and Recreation Director
J.D. Ellison, Building Official/ Director
Donna Gordy, City Treasurer
Tessa Pritchard, Human Resources Director

Mayor Flynn asked Omar Farmer to lead the Pledge of Allegiance and the Assembly joined in.

CLOSED EXECUTIVE SESSION:

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
One potential case. Government Code Section 54956.9.**

- 2. 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 Resources Director, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Fire Unit.**

Mayor Flynn stated at this time the City Council had not reached an agreement and would resume Closed Session at the end of the Regular Meeting.

CITIZEN'S COMMENT:

No Citizen's Comments at this time

PROCLAMATION:

TEHAMA COUNTY PEACE OFFICERS' MEMORIAL DAY

Mayor Flynn read and presented the Proclamation for Tehama County Peace Officers' Memorial Day which will be held on May 7th, 2008 at the Bethel Church on Luther Road.

PRESENTATION:

Fire Chief Gerry Gray gave recognition to Nellie Lee Barber for her 36 years of service.

Mayor Flynn awarded Mrs. Barber with an award for her 36 years of service and wished her well in her retirement.

CONSENT AGENDA:

M/S/C: Councilmembers Brown and Irving to approve the Consent Agenda.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT REGARDING CONTRACT AWARDS – MARCH 2008

Recommendation: That the City Council ratifies the Contract Awards for March 2008 and approves the Disposal of Equipment with Proceeds deposited in Fund 19 Facilities and Equipment Reserve for each department under Capital Replacement.

Approved 5-0-0

RESOLUTION NO. 19-2008; RESOLUTION OF THE CITY OF RED BLUFF OF THE TEHAMA COUNTY SANITARY LANDFILL AGENCY APPROVING THE APPLICATION FOR A FARM AND RANCH SOLID WASTE CLEANUP AND ABATEMENT GRANT

For the following cleanup project:

- Parcel # 006-360-01-1 Washington Properties 18440 Farquhar Rd.
Tehama County, CA
- Parcel # 006-250-12-1 Mary Hamilton Properties 18435 Farquhar Rd.
Tehama County, CA
- Parcel # 006-040-47-1 Richard Edsall Properties 18521 Farquhar Rd.
Tehama County, CA

Recommendation: That the City Council adopt Resolution No. 19-2008; A Resolution of the City of Red Bluff of the Tehama County Sanitary Landfill Agency approving the application for a Farm and Ranch Solid Waste Cleanup and Abatement Grant for the following cleanup project:

- Parcel # 006-360-01-1 Washington Properties 18440 Farquhar Rd.
Tehama County, CA
- Parcel # 006-250-12-1 Mary Hamilton Properties 18435 Farquhar Rd.
Tehama County, CA
- Parcel # 006-040-47-1 Richard Edsall Properties 18521 Farquhar Rd.
Tehama County, CA

Approved 5-0-0

CURRENT BUSINESS:

FEMA FLOOD DAMAGE AND PREVENTION PUBLIC HEARING TO CONSIDER TEXT REZONE NO. 205 (ORDINANCE NO. 985); REVISING CITY CODE SECTIONS 26.4-3 BY THE ADDITION THERETO OF 26.4-3(C) (1) (a), (b), (c) AND 26.4-3(C) (2) (a), (b) AND 26.4-3(C) (3) OF THE RED BLUFF CITY CODE

Scot Timboe, Planning Director, reviewed staff report and gave staff's recommendation that the City Council waives the second reading, open the Public Hearing and adopt Ordinance No. 985 (Text Rezone No. 205), amending Red Bluff City Code Section 26.4-3 by the addition thereto of 26.4-3(C) (1) (a) (b) (c) and 26.4-3 (C) (2) (a) (b) and 26.4-3(C) (3) as contained in the attached City of Red Bluff Ordinance No. 985.

Mayor Flynn opened the Public Hearing at 7:18 p.m. hearing no comments
Mayor Flynn closed the Public Hearing at 7:18 p.m.

M/S/C: Councilmembers Irving and Moyer to waive the second reading and adopt Ordinance No. 985.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PUBLIC HEARING TO CONSIDER; TENTATIVE PARCEL MAP 07-23 AND PLANNED DEVELOPMENT USE PERMIT NO. 377; RESOLUTION NO. 22-2008; 80 BELLE MILL ROAD; CENTERVEST CAPITAL, LLC (OWNER)

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

1. Conduct the Public Hearing.
2. Consider all public testimony and all other information relating to this project submitted to the Commission.
3. Adopt Resolution No. 22-2008 approving Tentative Parcel Map 07-23 and PDUP No. 377 with the Findings and Conditions of approval shown in Resolution No. 22-2008.

Mayor Flynn opened the Public Hearing at 7:21 p.m. hearing no comments
Mayor Flynn closed the Public Hearing at 7:22 p.m.

M/S/C: Councilmember Brown and Byrne to adopt Resolution No. 22-2008 approving Tentative Parcel Map 07-23 and PDUP No. 377 with the Findings and Conditions of approval shown in Resolution No. 22-2008.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RESOLUTION 17-2008 RE-AFFIRMING SUPPORT FOR THE SPHERE OF INFLUENCE BOUNDARY MAP EXPANSION AND RELATED DOCUMENTS AS IDENTIFIED WITHIN THE MODIFIED MARCH 10, 2008 MUNICIPAL SERVICE REVIEW (MSR) STUDY

Scot Timboe, Planning Director reviewed the staff report and gave staff's recommendation that the City Council adopt Resolution No. 17-2008, supporting and recommending LAFCO Adopt/Approve the March 10, 2008 MSR Study and the proposed Sphere of Influence Boundary Map expansion.

Mayor Flynn asked if staff had been working with the County.

Scot Timboe, Planning Director, stated yes we have so everything will run through the whole County.

Mayor Pro Tem Irving stated his concern with being a responsible party with the Sphere of Influence.

Mr. Timboe stated we were not a responsible party, the City would a reviewing agency but not responsible.

Richard Crabtree, City Attorney, stated a responsible agency is the agency that has permitting authority.

M/S/C: Councilmembers Moyer and Irving to accept staffs recommendation to adopt Resolution 17-2008, supporting and recommending LAFCO Adopt/Approve the March 10, 2008 MSR Study and the proposed Sphere of Influence Boundary Map expansion.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

HOUSING ELEMENT REQUEST FOR PROPOSAL AND AUTHORIZATION TO PROCEED

Planning Director, Scot Timboe reviewed staff report and gave staff's recommendation that the City Council authorize the City of Red Bluff Planning Department to send out the attached request for Proposal (RFP) to seek and obtain a qualified professional consultant to seek and obtain a qualified professional consultant to Update the Housing Element to accordance with State Law (GC Section 65580-65589.8 et seq.) and Health and Safety Code Section 50459.

Councilmember Brown requested clarification on whether by law you have to do this first part and if we do this because we have to, does this lock us in to having to do the rest of it if we don't have the money. He also questioned where the money is coming from to pay for the project.

Scot Timboe, Planning Director, stated that was correct it does not lock us in. So you will be able to see exactly what is being stricken and what is being added. He stated that if he has a budget of \$100,000, then that's going to be what my RFP will state as funds budgeted.

M/S/C: Councilmembers Brown and Moyer to approve the Request for Proposal and authorization staff to proceed with the distribution of the RFP.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

FAA/STATE DIVISION OF AERONAUTICS GRANT APPLICATION. RED BLUFF MUNICIPAL AIRPORT-CONNECTOR TAXIWAY, TAXIWAY LIGHTS, HOLD SIGN, RUNWAY REJUVENATION, VASI (VISUAL APPROACH SLOPE INDICATOR) RELOCATION – RESOLUTION 21-2008

Mark Barthel, Public Works Director reviewed staffs report, gave a short power point presentation and gave staffs recommendation that the City Council authorize the Public Works Director/Airport Manager to prepare the grant application documentation for submittal to the FAA and the Division of the FAA and the Division and Aeronautics (Caltrans) and adopt Resolution 21-2008.

Mayor Flynn asked it this would shorten the runway.

Mark Barthel, Public Works Director, stated yes it would by 271 feet.

Councilmember Byrne asked where the money would come from.

Mark Barthel, Public Works Director, stated the money was given by the FAA and Division of Aeronautics grant.

Councilmember Brown asked how long we could hang on to the grant money before the grant is taken back.

Mark Barthel, Public Works Director, said we just wouldn't sign the grant. This grant will be brought back to the City Council for final approval, at which time staff would know the City's matching cost.

M/S/C: Councilmembers Moyer and Byrne to adopt Resolution No. 21-2008.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

CITY SUPPORT OF OLIVE OIL INDUSTRY FOR TEHAMA COUNTY

Martin Nichols, City Manager, reviewed the staff report and staff's recommendation that the City Council authorize the Mayor to sign on behalf of the City Council the attached letter supporting the County of Tehama request to Tehama Economic Development Corporation.

Councilmember Moyer asked that the letter be modified as there were some errors.

Martin Nichols, City Manager, stated yes correction would be made.

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

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

NOES; NONE

ABSENT OR NOT VOTING: NONE

REQUEST FOR STREET AND ALLEY-WAY CLOSURE ON SATURDAY, APRIL 26, 2008; RESOLUTION NO. 16-2008

J.D. ELLISON, Building Director reviewed staff report and gave staffs recommendation that the City Council adopt Resolution No. 18-2008 authorizing the street closure of Walnut Street from Main Street to Washington Street and close the alleyway from Walnut Street to Pine Street on Saturday, April 26, 2008 from 8:30 a.m. to 1:00 p.m.

M/S/C: Councilmembers Moyer and Byrne to adopt Resolution No. 18, 2008.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

POLICE DEPARTMENT QUARTERLY REPORT

Scott Capilla, Police Chief, reviewed the staff report and gave staffs recommendation that the City Council accept the report. ort.

M/S/C: Councilmembers Brown and Irving to accept the Police Departments Quarterly Report.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES

April 1, 2008

M/S/C: Councilmembers Irving and Byrne to approve April 1, 2008 minutes.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF WARRANT LIST

Recommendation: That the City Council approves Check Warrant Nos. 59138 through 59409 dated March 6, 2008 through March 27, 2008.

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

AYES: Councilmembers: Irving, Moyer, Byrne and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Brown (abstained)

COMMITTEE REPORTS/ COUNCIL COMMENTS:

Mayor Flynn reminded everyone about the Round-Up Parade on Saturday.

ADJOURNMENT:

Mayor Flynn adjourned the meeting at 8:19 p.m. to return to Closed Session.

Mayor Flynn reconvened open session at 9:31 p.m. and reported that the City Council had given direction to staff.

There being no further business the meeting was adjourned at 9:31 p.m. until the meeting of May 6, 2008.

s/b Forrest Flynn, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk