

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, April 3, 2012
Time of Meeting: 6:15 p.m. Closed Executive Session
7 p.m. Regular Meeting
Place of Meeting: Red Bluff Community/Senior Center
1500 S. Jackson Street
Red Bluff, CA 96080

Councilmember's Present: Forrest Flynn, Mayor
Wayne Brown Mayor Pro Tem
Bob Carrel
Daniele Jackson
Rob Schmid

Staff Present: Richard Crabtree, City Manager/City Attorney
Cheryl Smith, Deputy City Clerk
Jo Anna Lopez, City Clerk
Paul Nanfito, Police Chief
Scot Timboe, Planning Director
Vi Cobb, Human Resources Analyst II
Mike Bachmeyer, Fire Chief
Debbie Carlisi, Parks and Recreation Director
Donna Gordy, City Treasurer

CLOSED EXECUTIVE SESSION:

- 1. CONFERENCE WITH LABOR NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representatives Richard Crabtree, City Manager/City Attorney and Vi Cobb, Human Resource Analyst, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Police Unit Employees.**

2. **CONFERENCE WITH LABOR NEGOTIATORS: Executive Session in accordance with Government Code Section 54957.6 for the purpose of instructing the City's designated representatives Richard Crabtree, City Manager/City Attorney and Vi Cobb, Human Resources Analyst, regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits with the Miscellaneous Unit Employees**
3. **PUBLIC EMPLOYEE PERFORMANCE REVIEW Title: City Manager (Government Code Section 54957)**

Mayor Flynn reported that the City Council had given direction to staff.

PLEDGE OF ALLEGIANCE:

Mayor Flynn led the Pledge of Allegiance and the assembly joined.

CITIZEN'S COMMENTS:

Mayor Flynn thanked Cheryl Smith for all her hard work as the Interim City Manager and then welcomed Rick Crabtree as the new City Manager/City Attorney.

Don Williams thanked staff and the City Council for working with him and explained that due to the economy the Ice Rink project would have to be put on hold.

PROCLAMATIONS:

1. **DRESS WESTERN WEEK:**

Mayor Flynn read the Proclamation".

2. **CHILD ABUSE PREVENTION MONTH:**

Councilmember Jackson read and awarded the Proclamation to Lavonne Fawver. Lavonne Fawver thanked everyone.

STAFF ITEMS / REPORTS / STAFF UPDATES OF COMING EVENTS:

NO STAFF COMMENTS.

CONSENT AGENDA:

M/S/C Councilmembers Carrel and Jackson to approve the Consent Agenda.

AYES: Councilmembers Carrel, Jackson, Brown, Schmid and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

1. APPROVAL OF MINUTES

March 20, 2012

Approved 5/0/0

2. PROFESSIONAL SERVICES CONTRACT AMENDMENT IN RESPONSE TO THE THIRD APPELLATE DISTRICT (TEHAMA) COURT REGARDING COMPLAINT AND CROSS DATED 12-7-11 FOR ADDITIONAL ENVIRONMENTAL INFORMATION 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 and City staff administrative cost of 12% for a total of \$5,400, which is an amount in addition to the \$10,000 as authorized on December 20, 2011 for additional environmental information for the Super Wal-Mart Project.

Approved 5/0/0

3. OFFICE OF TRAFFIC SAFETY (OTS) TRAFFIC RECORDS GRANT TY 2013

Recommendation: That the City Council authorize staff to apply for the Office of Traffic Safety (OTS) Traffic Records Grant FY 2013.

Approved 5/0/0

4. REQUEST TO FILL VACANT RECORDS SPECIALIST POSITION DUE TO A RECENT RESIGNATION

Recommendation: That the City Council:

1. Authorize City staff to establish an eligibility list and to hire from that list to fill the vacancy created by the resignation of the Records Specialist. There is only one Records Specialist position authorized.
2. Authorize City staff to hire a temporary employee to work in the Records Unit until the Records Specialist position can be filled.

Approved 5/0/0

CURRENT BUSINESS:

1. PUBLIC HEARING; COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION SUBMITTAL

Cheryl Smith, Deputy City Clerk, reviewed the staff report and gave staff's recommendation that the City Council:

1. Conduct the Public Hearing and receive all public testimony and/or comment regarding the submittal of an application for CDBG funds under the State CDBG program.
2. Adopt Resolution No. 14-2012, a resolution approving an application for funding and the execution of a grant agreement and any amendments thereto, from the 2012 allocation of the State CDBG Program.

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

1. M/S/C Councilmembers Schmid and Brown to adopt Resolution No. 14-2012, a resolution approving an application for funding and the execution of a grant agreement and any amendments thereto, from the 2012 allocation of the State CDBG Program.

AYES: Councilmember Schmid, Brown, Carrel, Jackson and Flynn

NOES: NONE

ABSENT OR NOT VOTING: NONE

2. PUBLIC HEARING ON AN ADDENDUM FOR THE WAL-MART SUPERCENTER PROJECT AT 608 LUTHER ROAD IN RESPONSE TO COURT OF APPEAL OF THE STATE OF CALIFORNIA, THIRD APPELLATE DISTRICT RULING ON PETITION FOR WRIT OF MANDATE FILED DECEMBER 7, 2011.

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

1. Conduct there Public Hearing on the addendum.
2. Consider all public testimony and all other information relating to the proposed Addendum submitted to the City Council and staff.
3. Adopt Resolution No. 8-2012 (Attachment A) rescinding Resolution No. 2-2010 (the December 22, 2009 Addendum) and adopting the March 7, 2012 Addendum making certain findings (Exhibit A of the Resolution 8-2012) for the Wal-Mart Supercenter project located at 608 Luther Road.

Mayor Flynn opened the Public Hearing at 7:29 p.m. and advised the Public they may only speak on the issue of the noise of the parking lot sweeper study.

James Collins of Red Bluff asked that this item be explained in layman's terms that he could understand as he is not an attorney and does not understand the legal language.

Rick Crabtree, City Manager/Attorney provided clarification on the noise complaint.

William Kopper, Attorney representing the Citizens of Healthy Community and other Red Bluff residents, spoke on the 2nd Addendum stated there was something really wrong with the test results. Mr. Kopper stated the further away you get the test should show it is lower however these results are all over the place the test needs to be repeated.

Hearing no more comments Mayor Flynn closed the Public Hearing at 7:42 p.m. and brought it back to the City Council for discussion.

Paul Ballard, noise Consultant for the Wal-Mart Project, first explained to the City Council how the sound test worked and he assured the City Council that the text was accurate.

M/S/C Councilmembers Carrel and Jackson to adopt Resolution No. 8-2012 rescinding Resolution No. 2-2010 (the December 22, 2009 Addendum) and adopting the March 7, 2012 Addendum making certain findings for the Wal-Mart Supercenter project located at 608 Luther Road.

AYES: Councilmembers Carrel, Jackson, Brown, Schmid and Flynn
NOES: NONE
ABSENT OR NOT VOTING: NONE

COMMITTEE REPORTS/COUNCIL COMMENTS:

Local Agency Formation Commission (LAFCO): *No Meeting*
3 Core: *No Meeting*
Tehama County Transportation Commission: *No Meeting*
Downtown Red Bluff Business Association: *No Meeting*
Community Action Agency: *No Meeting*
Tehama Economic Development Corporation: *No Meeting*
Tehama County Sanitary Landfill JPA I: *No Meeting*
Executive Committee – Tehama County/City of Red Bluff Landfill Management Agency
JPAll: *No Meeting*

ADJOURNMENT:

There being no further business Mayor Flynn adjourned the meeting at 7:52 p.m. until the meeting of April 17, 2012.

s/ Forrest Flynn, Mayor

ATTEST:

s/ Jo Anna Lopez, City Clerk

The City of Red Bluff is an equal opportunity provider