

**RED BLUFF
CITY COUNCIL
REGULAR MEETING MINUTES**

Date of Meeting: Tuesday, August 18, 2009
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:

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

Staff Present:

Martin Nichols, City Manager
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

Donna Gordy, City Treasurer

Mayor Brown called the meeting to order at 7 p.m. and lead the Pledge of Allegiance and the Assembly joined in.

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 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 Police Unit Employees.**

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

CITIZEN'S COMMENT:

None

CONSENT CALENDAR:

John Elko requested that item number's 3 and 4 be pulled from the consent calendar.

M/S/C Councilmembers Moyer and Byrne to approve the remainder of the Consent Calendar.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES

A) July 21, 2009

B) July 28, 2009

5/0/0 Approved

PROPOSED RESOLUTION NO. 33-2009; A PROPOSED RESOLUTION TO AUTHORIZE THE CHIEF OF POLICE TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR THE USE OF THE RED BLUFF POLICE DEPARTMENT FIRING RANGE FOR FIREARMS TRAINING FOR THEIR PAROLE AGENTS

Recommendation: That the City Council adopt Resolution No. 33-2009 authorizing the Chief of Police to sign a Memorandum of Understanding (MOU) with the California Department of Corrections and Rehabilitation for the use of the Red Bluff Police Department firing Range.

Mr. John Elko, concerned citizen, feels that approval of these MOU's with outside agencies would not be safe for the residents surrounding the range and that there would be a noise problem when they use it late at night.

Chief Nanfito spoke on the safety of the range and stated that sometimes it is used at dark but not used late at night.

M/S/C Councilmembers Flynn and Byrne to adopt Resolution No. 33-2009 authorizing the Chief of Police to sign a Memorandum of Understanding (MOU) with the California Department of Corrections and Rehabilitation for the use of the Red Bluff Police Department firing Range.

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

NOES; NONE
ABSENT OR NOT VOTING; NONE

**PROPOSED RESOLUTION NO. 34-2009; A
PROPOSED RESOLUTION TO AUTHORIZE THE
CHIEF OF POLICE TO SIGN A MEMORANDUM OF
UNDERSTANDING WITH THE TEHAMA COUNTY
DISTRICT ATTORNEY, BUREAU OF INVESTIGATION
FOR THE USE OF THE RED BLUFF POLICE
DEPARTMENT FIRING RANGE FOR FIREARMS
TRAINING FOR THEIR INVESTIGATIORS**

Recommendation: That the City Council adopt Resolution No. 34-2009 authorizing the Chief of Police to sign a Memorandum of Understanding (MOU) with the Tehama County District Attorney, Bureau of Investigations for the use of the Red Bluff Police Department firing range.

Mr. John Elko's concerns in requesting this item be pulled along with item number 2 were discussed with previous item.

M/S/C Councilmembers Flynn and Byrne to adopt Resolution No. 34-2009 authorizing the Chief of Police to

sign a Memorandum of Understanding (MOU) with the Tehama County District Attorney, Bureau of Investigations for the use of the Red Bluff Police Department firing range.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

AIRPORT FUEL TANK FLOATING SUCTION ASSEMBLY REPLACEMENT REQUEST TO ADVERTISE FOR BIDS

Recommendation: That the City Council authorize the Public Works Director to advertise for bids for the purchase and installation of three floating suction assemblies at the Red Bluff Municipal Airport.

5/0/0 Approved

CURRENT BUSINESS:

RENEWABLE ENERGY INDUSTRIAL PROGRAMS AT SHASTA COLLEGE-PALM AVENUE SITE

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council endorse the Shasta College Renewable Energy Industrial Program at the Palm Avenue Site.

Mr. Nichols introduced Shasta College representatives Gary Lewis, District Superintendent and Suzie Clark, Project Manager.

Mr. Lewis and Ms. Clark gave Council an informational presentation on the Renewable Energy Industrial Program planned for the Palm Avenue site.

RESOLUTION NO. 31-2009; A RESOLUTION OF THE CITY OF RED BLUFF AUTHORIZING THE SUBMITTAL OF A REGIONAL APPLICATION TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FOR A RECYCLED MARKET DEVELOPMENT ZONE

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council:

1. Hear the presentation by Kristina Miller, Landfill Agency Manager
2. Adopt Resolution No. 31-2009; A Resolution of the City of Red Bluff authorizing the submittal of a regional application to the California Integrated Waste Management Board for a Recycled market Development Zone

Kristina Miller, Tehama County Landfill Agency Manager, gave a presentation to the City Council.

Mayor Brown requested clarification on why the composting would qualify for this program.

Ms Miller stated that a composting operation does qualify because some County's don't have a yard waste or composting site so the program does allow them to participate.

M/S/C Councilmember Moyer and Carrel to adopt Resolution No. 31-2009, a Resolution of the City of Red Bluff authorizing the submittal of a regional application to the California Integrated Waste Management Board for a Recycled market Development Zone

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

NOES: NONE
ABSENT OR NOT VOTING; NONE

**PUBLIC HEARING TO CONSIDER; TENTATIVE
PARCEL MAP 09-07; RESOLUTION NO. 32-2009; 275
SALE LANE; TEHAMA COUNTY FARM BUREAU
(OWNER)**

Scot Timboe, Planning Director, reviewed the staff 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. 32-2009 approving Tentative Parcel Map 09-07 with the Findings and Conditions of approval shown in City Council Resolution No. 32-2009.

Mayor Brown opened the Public Hearing at 7:32 p.m. and hearing no comment closed the Public Hearing at 7:32 p.m.

Mayor Pro Tem Moyer questioned if they were proposing to build a building, put a parking lot in and then market that property.

Mr. Timboe stated that they would build their building, and then they will sell parcel B to help finance the project.

M/S/C Councilmembers Flynn and Moyer to adopt Resolution No. 32-2009 approving Tentative Parcel Map 09-07 with the Findings and Conditions of approval shown in City Council Resolution No. 32-2009.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PUBLIC HEARING; CDBG APPLICATION SUBMITTAL; RED BLUFF LAKE MITIGATION PLAN

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council conducts the public hearing and receives all public testimony and/or comment regarding a possible CDBG Economic Development Grant Application.

Mayor Brown opened the Public Hearing at 7:35 p.m. and hearing no comments closed the Public Hearing at 7:36 p.m.

Mr. Nichols stated that there are more applications than money available, but it is always good to submit the application.

No other action taken.

ECONOMIC DEVELOPMENT OPPORTUNITY

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to respond to the request for Information regarding Solexant Corporation's effort to locate a manufacturing Facility in Northern California.

Mayor Brown asked if there had been a background done on this company and its needs.

Mr. Nichols stated no, we haven't done any real background yet. This will be an interest only letter just to let them know the City of Red Bluff is interested.

Mayor Pro Tem Moyer noted that the company wanted to start by mid 2010 and questioned if there was an existing building we are looking at.

Mr. Nichols stated that one of the parcels suggested does have a 75 thousand foot building already in place, the City does not own that parcel, but the City does own the parcel next door and they could develop into that. The letter does have to go out by tomorrow expressing interest.

M/S/C Councilmembers Moyer and Byrne to authorize the City Manager to respond to the request for Information regarding Solexant Corporation's effort to locate a manufacturing Facility in Northern California.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

HCD REVIEW OF CITY'S DRAFT HOUSING ELEMENT

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council receive this report on the State review of the Draft Housing Element.

Mayor Brown thanked Mr. Timboe for all his hard work.

NO ACTION NECESSARY

SECURITIZATION OF THE PROPOSITION 1A LOAN

Martin Nichols, City Manager, reviewed the informational staff report and reported that future action may be necessary by the City Council.

RESERVE POLICE OFFICER PROGRAM

Paul Nanfито, Police Chief, reviewed staff report and gave staff's recommendation that the City Council approve the allocation of funds for the Red Bluff Police Department Reserve Police Officer Program.

M/S/C Councilmembers Flynn and Carrel to approve the allocation of funds for the Red Bluff Police Department Reserve Police Officer Program.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT ON SALES TAX

Margaret Van Warmerdam, Finance Director, reviewed the staff report and gave staff's recommendation that the City Council accepts the report on Sales Tax.

Councilmember Flynn requested clarification on whether this included the loss of the Dodge and Ford Dealerships.

Ms. Van Warmerdam stated that the 2.8 percent does include those losses.

M/S/C Councilmembers Moyer and Byrne to accept the report on Sales Tax.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

LEAGUE OF CALIFORNIA CITIES CONFERENCE RESOLUTIONS AND DESIGNATION OF VOTING DELEGATE

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council:

1. Take no position on the Resolution relating to Social Host Liability.
2. Take no position on the Resolution urging City Governments and others to divest from banks that fail to cooperate with foreclosure prevention efforts.
3. Designate Martin Nichols, City Manager, as the Red Bluff voting delegate at the 2009 League of California Cities Annual Conference.

M/S/C Councilmembers Moyer and Carrel to approve staff's recommendation to:

1. Take no position on the Resolution relating to Social Host Liability.

2. Take no position on the Resolution urging City Governments and others to divest from banks that fail to cooperate with foreclosure prevention efforts.
3. Designate Martin Nichols, City Manager, as the Red Bluff voting delegate at the 2009 League of California Cities Annual Conference.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

ALCOHOL BEVERAGE LICENSE; NEW TYPE 41 ON-SALE BEER AND WINE; BONA FIDE EATING PLACE; 1150 MONROE STREET; JACK THE RIBBER (NAME OF BUSINESS); JAMES E. BYRNE (FIRST APPLICANT)

Mayor Brown asked Councilmember Byrne to leave Council Chambers while this item is discussed and voted on.

Councilmember Byrne left Council Chambers at that time.

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

1. Acknowledge the application of a New Type 41 (On-Sale Beer and Wine Eating Place) Alcoholic Beverage License for the Jack the Ribber Restaurant located at 1150 Monroe Street.
- 2 The applicant shall complete a City of Red Bluff Planning Application and pay the \$200.00 processing fee for the City reviewing the proposed ABC License.

Councilmember Carrel requested clarification on whether all eating establishments had to have this beer and wine license.

Mr. Timboe stated yes, but they have to sell more food than beer or wine to be a bona fide eating establishment.

M/S/C Councilmembers Flynn and Moyer to acknowledge the application of a New Type 41 (On-Sale Beer and Wine Eating Place) Alcoholic Beverage License for the Jack the Ribber Restaurant located at 1150 Monroe Street.

AYES: Councilmembers Flynn, Moyer, Carrel and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne
(recused himself)

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

None

ADJOURNMENT:

There being no further business Mayor Brown adjourned the meeting at 8:10 p.m. until the meeting of September 1, 2009 at 7:00 p.m.

s/b Wayne Brown, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk