

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, June 2, 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
James Byrne
Forrest Flynn
Bob Carrel

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
Mike Bachmeyer, Fire Chief
Tessa Pritchard, Human Resources Director
Debbie Carlisi, Parks and Recreation Director
J.D. Ellison, Building Director/Official
Donna Gordy, City Treasurer

Mayor Brown Called the Meeting to order at 7 p.m.

Mayor Brown asked Airport Commissioner Rob Schmid to lead the Pledge of Allegiance and the Assembly joined in.

CLOSED EXECUTIVE SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE REVIEW

Title: City Manager (Government Code Section 54957)

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

CITIZEN'S COMMENT:

Mayor Brown asked if anyone had a comment hearing none Mayor Brown moved on.

CONSENT CALENDAR:

Councilmember Byrne Pulled 1 a May 5, 2009 minutes.

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

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

NOES; NONE

ABSENT OR NOT VOTING: NONE

1. APPROVAL OF MINUTES

a) May 5, 2009

Councilmember Byrnes pulled (1 a) May 5, 2009 minutes regarding the City Manager's Employment Agreement. Councilmember Byrnes stated he said a lot more than what was in the minutes and would like all of it made part of the record.

Richard Crabtree, City Attorney stated that the minutes be modified to note Councilmember Byrnes submitted written comments that are attached to the minutes.

M/S/C Councilmembers Flynn and Moyer to adopt the May 5, 2009 Minutes with the written comments of Councilmember Byrne attached.

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

NOES; NONE

ABSENT OR NOT VOTING: NONE

b) May 19, 2009

c) May 28, 2009

5/0/0 Approved

2. WWTP FLOW METER – BID AWARD

Recommendation: That the City Council awards the WWTP Flow Meter Bid to Oratech Controls in the amount of \$13,620.00

5/0/0 Approved

3. UNCLAIMED CHECKS OVER THREE YEARS

Recommendation: That the City Council adopt Resolution No. 14-2009 to transfer funds for unclaimed checks from their respective fund(s) to the General Fund pursuant to California Government Code Section 50053.

5/0/0 Approved

CURRENT BUSINESS:

APPOINTMENT TO PARKS AND RECREATION COMMISSION

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation that the City Council appoint Alfredo Avila to fill the uncompleted term of Richard Clapp on the Parks and Recreation Commission with a term to expire December 31, 2009.

Mr. Alfredo Avila, a resident of Tehama County stated his reason for applying is just to help out and do his part in the community, he has been involved with Parks and Recreation and he enjoyed it.

M/S/C Councilmembers Moyer and Carrel to appoint Alfredo Avila to fill the uncompleted term of Richard Clapp on the Parks and Recreation Commission with a term to expire December 31, 2009.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

CONSIDERATION OF CALTRANS – STATE ROUTE 99 TRANSPORTATION CONCEPT REPORT

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council direct staff to forward copies of the State Route 99 Transportation Concept Report to the Chamber of Commerce and Planning Commission requesting a recommendation to the City Council on the preferred alignment of the Highway 99 upgrade.

M/S/C Councilmembers Flynn and Moyer to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

EMPLOYMENT AGREEMENT – CAPTAIN NANFITO AND LIEUTENANT SANDERS

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation that the City Council authorize the City Manager to sign employment agreements with Captain Paul Nanfito and Lieutenant Kyle Sanders regarding their assuming the duties of Chief of Police and Captain.

Councilmember Byrne stated that he was concerned about Captain Nanfito's Bi-Weekly salary not being what had been agreed on in the Budget Committee.

Martin Nichols, City Manager stated that was salary and benefits and that this \$3,780.59 is his guaranteed salary.

Councilmember Byrne stated that what he would like to see is what percentage of increase over their present salary, what their present salary is and what their future salary is going to be under this agreement.

Mr. Nichols stated that Captain Nanfito gets back that 7% reduction all other Police Officers took and gives him 10% on top of that so on July 3, 2009 Captain Nanfito will get a 17% pay increase. Now for the Lieutenant he gets back the 7% reduction for all officers and gets another 5% increase.

Councilmember Byrnes stated he wants this all in writing before he wants to vote on it.

Mayor Brown stated we already voted on this at our April 7, 2009.

Councilmember Byrne stated we voted on the reorganization of the Police Department but not the salaries. Councilmember Byrne feels the citizens should know that this agreement increases the Captain salary by 17%.

Councilmember Moyer asked if we need to rewrite their duties.

Tessa Pritchard, Human Resources Director, stated no because this is a temporary assignment. Captain Paul Nanfite will still do his Captain duties and some of the Chief's duties. Lieutenant Kyle Sanders also will still be doing his duties and some of the Chief duties.

M/S/C Councilmembers Flynn and Moyer to authorize the City Manager to sign employment agreements with Captain Paul Nanfite and Lieutenant Kyle Sanders regarding their assuming the duties of Chief of Police and Captain.

AYES: Councilmembers Flynn, Moyer, Carrel and Brown
NOES: Councilmember James Byrne
ABSENT OR NOT VOTING: NONE

FUNDING OF ACTUARIAL STUDY OF RETIREE HEALTH LIABILITIES

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

1. Staff has prepared a PowerPoint presentation to highlight the City of Red Bluff Actuarial Study of Retiree Health Liabilities for City Council consideration on June 2, 2009.
2. Direct staff to discuss this issue with Budget Committee for funding Discussion as part of the Annual Financial Report for 2008-09 with recommendation to the full City Council.

Councilmember Flynn inquired if this was a commitment we the City had made to our employee's.

Margaret Van Warmerdam stated after an employee has worked for the City for ten years they are entitled to the Retiree Health. The accounting rule states that the City needs to start putting money aside so you're able to pay for this. The Banks want to see this obligation and see the financials for this obligation.

M/S/C Councilmembers Moyer and Carrel to direct staff to discuss this issue with Budget Committee for funding discussion as part of the Annual Financial Report for 2008-09 with recommendation to the full City Council.

AYES: Councilmembers Moyer, Carrel, Byrne, Flynn and Brown
NOES: NONE
ABSENT OR NOT VOTING: NONE

REPORT ON SALES TAX

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

Councilmember Moyer asked if there is a ball park figure.

Margaret Van Warmerdam, Finance Director, stated there is a ball park figure and that there is concern how close that number will hold because of how drastically that number has dropped so quickly in the last year.

M/S/C Councilmembers Moyer and Flynn to accept the Report on Sales Tax.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

REPORT ON 2008-09 FINAL PROPERTY DATA FOR THE CITY OF RED BLUFF'S PROPERTY TAX REPORT

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

1. Hear Staff's presentation on 2008-2009 Final Property Tax Data for the City of Red Bluff.
2. Accept the Report on 2008-2009 Final Property Tax Data for the City of Red Bluff's Property Tax Reports.

Councilmember Byrne inquired about Omni Pipelines being in the City Limits.

Ms. Van Warmerdam stated she would look into it and get back to the Council.

M/S/C Councilmembers Carrel and Moyer to accept the Report on 2008-2009 Final Property Tax Data for the City of Red Bluff's Property Tax Reports.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

WATER RATES ANNUAL CPI-U DISCUSSION

Margaret Van Warmerdam, Finance Director reviewed staff report and gave staff's recommendation that the City Council approves the postponement of CPI-U until June 2010 and postponement of the four-year incremental increase of the water rates until June 2010.

M/S/C Councilmembers Flynn and Byrne to approve the postponement of CPI-U until June 2010 and postponement of the four-year incremental increase of the water rates until June 2010.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RESOLUTION NO. 20-2009; RED BLUFF FIRE DEPARTMENT ANNUAL AGREEMENT WITH CALFIRE FOR DISPATCH SERVICES

Fire Chief Mike Bachmeyer reviewed staff report and gave staff's recommendation that the City Council adopt Resolution No. 20-2009 authorizing City Manager Martin Nichols to renew and sign the contract with CalFire for the City of Red Bluff Fire and Emergency Medical Dispatch Services for the period of July 1, 2009 to June 30, 2010.

M/S/C Councilmembers Moyer and Carrel to adopt Resolution No. 20-2009 authorizing City Manager Martin Nichols to renew and sign the contract with CalFire for the City of Red Bluff Fire and Emergency Medical Dispatch Services for the period of July 1, 2009 to June 30, 2010.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PLANNING DEPARTMENT

Scot Timboe, Planning Department Director, gave a presentation on the Planning Department.

Councilmember Byrne expressed to the rest of the City Council what a good job Scot Timboe was doing in the Planning Department as Mr. Byrne got a chance to visit his office.

No action necessary

APPROVAL OF MINUTES – STUDY SESSION – ETHICS TRAINING

May 26, 2009

M/S/C Councilmembers Moyer and Byrne to approve the minutes of May 26, 2009 as written.

AYES: Councilmembers Moyer, Byrne and Brown

NOES: NONE

ABSENT OR NOT VOTING: Councilmembers Carrel and Flynn (absent from meeting)

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

Councilmember Byrne stated that at the last meeting we had a report from Winzler and Kelly regarding the Water System, he had asked the City Manager if he would schedule a report for the Public Works and the Water Department on that report. Because half of the water we are dumping is due to leakage and so far it hasn't been put on the agenda.

Councilmember Byrne stated the second thing is we had a joint meeting with Corning, Tehama, Red Bluff, and the Board of Supervisor regarding Water. The water report is very important to what we are talking about here and the part that bothers him is everyone was interested with the TANC Project. I suggested that they have a presentation to explain what was happening with the TANC Project and it doesn't appear in these minutes. He questioned if any of the other Council remember his suggestion.

Mayor Brown stated this was last Thursday I do remember that and what Mr. Byrnes said and it is not reflected here.

Mr. Nichols said we can contact them and have them added to the minutes. If Mr. Byrnes wants to amend the May 28, 2009 minutes to show what he said he can make a motion.

Mayor Brown stated would you like to make this a motion.

Councilmember Byrne yes I would like to make this a motion and make a motion that someone tell us what is happening with TANC, who is TANC, what are they doing and why are they doing it.

Mr. Nichols stated we could put that up as a suggestion for our next Joint Meeting that someone from TANC is there to update us. Then staff could report in general what it is.

Mayor Brown asked Mr. Byrne your motion is that your suggestion for meeting agenda to be placed in the minutes, also request that someone from TANC or staff give us a report on what it really is.

Mr. Byrnes stated yes.

Mayor Brown stated that Mr. Byrnes has made a motion and there is a second by Councilmember Flynn.

M/S/C Councilmembers Byrne and Flynn to place in the minutes that Mr. Byrne suggested TANC for the next joint meeting agenda, request that someone from TANC or staff give us a report on what it really is.

Richard Crabtree, City Attorney stated he had a suggestion to the change in the minutes, after the Robert Mitchell, Councilmember of Tehama suggested holding a discussion. In a similar way he would suggest that the next paragraph immediately following that read James Byrne, Councilmember of the City Red Bluff, suggested holding a discussion regarding the TANC project.

Mayor Brown and all Councilmembers agreed with the above wording.

AYES: Councilmembers Byrnes, Flynn, Moyer Carrel and Brown

NOES: NONE

ABSENT OR NOT VOTING: NONE

There being no further business Mayor Brown adjourned the meeting at 8:24 p.m. until the meeting of June 16, 2009 at 7:00 p.m.

s/Wayne Brown, Mayor

ATTEST:

s/Jo Anna Lopez, City Clerk