

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, February 15, 2011
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

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

Councilmember's Absent: None

Staff Present: Martin Nichols, City Manager
Dawn Arnett Financial Management Specialist
Cheryl Smith, Deputy City Clerk
Paul Nanfito, Police Chief
Scot Timboe, Planning Director
Mark Barthel, Public Works Director
J. D. Ellison, Building Director/Official
Donna Gordy, City Treasurer
Tessa Pritchard, Human Resources Director
Debbie Carlisi, Parks and Recreation Director

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Forrest Flynn led 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 Carrel reported that the City Council had given direction to the City Manager during the closed Executive Session.

CITIZEN'S COMMENTS:

Bob Harvey wanted to make sure that the City Council had received the flyers he left for them concerning the Antelope Sewer meeting for those affected in the Antelope area.

Don Williams provided the City Council with an update of his purchase of the Red Bluff Ford building and that he was looking for partners for the acquisition.

CONSENT CALENDAR:

M/S/C Jackson, Flynn to approve the consent calendar with the minutes of January 2, 2011 and February 1, 2011 amended to show that she had voted no on the Shop Local Program.

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

NOES: None

ABSENT OR NOT VOTING: None

1. APPROVAL OF MINUTES

February 1, 2011

Approved 5-0-0

2. RESOLUTION NO. 4-2011; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AUTHORIZING THE TEHAMA COUNTY SANITARY LANDFILL AGENCY TO SUBMIT A REGIONAL GRANT APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY TIRE RECYCLING GRANT PROGRAM

Recommendation: That the City Council:

1. Adopts Resolution No. 4-2011; a resolution of the City Council of the City of Red Bluff authorizing the Tehama County Sanitary Landfill Agency to submit a Regional Grant Application to the Department of Resources Recycling and Recovery Tire Recycling Grant Program; and
2. Authorize and/or empower the Landfill Agency Manager of the Tehama County Sanitary Landfill Agency, or his/her designee to execute in the name of the City of Red Bluff all necessary applications, contracts, agreements and amendments hereto for the purposes of securing grant funds to implement and carry out the purpose specified in the grant application.

Approved 5-0-0

3. **1800/1804 AIRPORT BLVD. HVAC PROJECT – PROJECT ACCEPTANCE – RELEASE OF RETAINAGE**

Recommendation: That the City Council approve the final contract amount of \$18,036.00, accept the completed project, direct staff to file a Notice of Completion, release the retainage and start the one year warrant period.

Approved 5-0-0

4. **REPORT REGARDING OPEN MARKET PURCHASES & CONTRACT AWARDS JANUARY 2011**

Recommendation: That the City Council accepts the open market purchases & contract awards for January 2011.

Approved 5-0-0

5. **QUIT CLAIM DEED RELINQUISHING PUBLIC UTILITY EASEMENT TO REDDING HOTEL, LLC**

Recommendation: That the City Council Quit Claim the Public Utility Easement to Redding Hotel, LLC and authorize staff to record the Quit Claim deed.

Approved 5-0-0

CURRENT BUSINESS:

- 1. PUBLIC HEARING TO CONSIDER; REZONE NO. 217 (ORD. 1009) AND GENERAL PLAN LAND USE MAP AMENDMENT NO. 11-001 CONSISTING OF 3.48 ACRES; 320 BRECKENRIDGE STREET IS CURRENTLY C-3 GENERAL COMMERCIAL ZONING AND C COMMERCIAL GENERAL PLAN WHICH IS PROPOSED TO BE CHANGED TO M-2 MEDIUM INDUSTRIAL ZONING AND I INDUSTRIAL GENERAL PLAN DESIGNATION; MR. & MRS. KREMER (OWNERS), POOR AND THE HOMELESS (P.A.T.H.) (INTERESTED PARTY)**

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

1. Conduct the public hearing and consider all public testimony and other information submitted relating to Ordinance No. 1009 along with City Council Resolution No. 5-2011.
2. Find that Ordinance No. 1009 and GPA 11-001; Resolution No. 5-2011 are exempt from CEQA pursuant to Section 15061(b)3 of the CEQA Guidelines, will not cause a significant impact on the environment as infill development on a lot with the construction of a homeless shelter will enhance, preserve and protect the environment by reducing a critical environmental threat as indicated in SB 2.
3. Adopt City Council Resolution No. 05-2011 (Attachment D) with the findings, Waive the First Reading and Introduce Ordinance No. 1009 (Rez No. 217) Rezoning of the Zoning Map (REZ-217), and City Council approving General Plan Land Use Map Amendment (GPA-11-001).

Councilmember Jackson requested and received clarification on what type of business would be allowed if the rezone is approved and P.A.T.H. decides not to build in this location, which would be C-3 Commercial.

Mayor Carrel opened the Public Hearing at 7:14 p.m.

Richard Mazzucchi stated that he has lived in homeless shelters and found them very conducive for his recovery as they made him feel he was part of the community.

E. C. Ross, P.A.T.H. consultant, reported that they had looked at 3 other sites that could have been used, but had issues with each of them. This parcel is surrounded by C-3 zoning, so an M Zone would be a good use for this location and it would also be a good location for P.A.T.H.

Sharon Eliggi, concerned citizen, expressed her concerns with increased crime and the affect it would have on property values.

Allene Dering, P.A.T.H., spoke about why it was best to approve and that it would comply with State Law. She stated that she had walked Breckenridge Street and it was littered with garbage and that they can adjust their schedules so that people are not leaving the shelter at the same time as residents leaving for work.

Sandy Runnings, concerned citizen, expressed her concerns with the people going to the shelter and that she would not be comfortable with homeless people in the neighborhood.

Fred Hilt, property owner, express his concerns with camping and fires in the area. He understands the need for a shelter, but feels that there are a number of vacant buildings within the city that could be retro fitted for the shelter.

Greg Olson expressed his concerns with the impact it would have on Dog Island Park.

Don Williams stated that he feels the homeless shelter should be located on Antelope Blvd near 1-5.

Katie Gleim Clark stated that she has compassion for the homeless and there is a need but questioned if this was a good area for the shelter.

Jody Cordial stated that she works with the homeless women and children in the Sale Lane house and that they have a zero crime rate in that area.

Ali Abbassi spoke in favor of this location for the homeless shelter and that if it was rezoned to M2 it could go back to the current zoning as there's no guarantee that P.A.T.H. will build at this location. He questioned if other businesses have come forward to develop this area.

Mr. Timboe stated that a few years ago the location had been looked at for retail.

Marilee Adair, Pastor of St. Peters Church, spoke in favor of the location. She stated that the church has housed homeless and that P.A.T.H. has been very cooperative and they have not had any complaints from neighbors, or trash left in the area.

Pam Klein, P.A.T.H., questioned if the City was willing to provide a shelter as the State is requiring. She feels that P.A.T.H. would be an asset to the Breckenridge area and they will keep the area cleaned up.

Kathy Patterson, resident, expressed her concerns about the effects on property values and that families would not be able to use Dog Island Park if the shelter goes into this area. She asked that the City Council reconsider the rezoning and find a better location for the shelter.

Sarge Kennedy spoke in favor of the location. He feels the City has stalled P.A.T.H. for four years and stated that property values are going down all over at this time, not due to the homeless.

Mattie Gates, concerned citizen, stated that she lives next to a church and is not aware of when the homeless are there, but she is concerned with this site because of the drainage issues.

Dawn Cipprain, concerned citizen, stated that she is concerned with homeless wandering the neighborhood and the safety of children in the area.

Pat Kennedy, concerned citizen, stated that she had been feeding the homeless for years and that they are very grateful. The homeless are not villains, just disadvantaged people.

Cynthia Cook, concerned citizen, spoken in favor of the rezoning.

Nicki Karrford, Social Services, stated that she has never had an issue with the homeless as if they are treated with respect they will give in kind.

Mayor Carrel closed the public hearing at 8:03 p.m.

Councilmember Schmid requested clarification on the other locations in town that were looked at.

Mr. Timboe stated that his biggest concern that he has voiced over the years was the shelters vicinity to schools and that the closest school to this site was approximately ¼ mile away.

Mayor Pro Tem Flynn requested clarification from Police Chief Nanfito on whether the Police would have better control if the shelter was in one area compared to moving from church to church.

Chief Nanfito stated that there is a need for the shelter and that it was his experience that the homeless have been here for years. He could not say that this was going to generate additional crime as everyone is seeing an increase in crimes and that the homeless are in residential areas now.

Councilmember Brown requested clarification on finding number 5 and who would determine and on SB 2 State mandated but no funding provided.

Mr. Timboe stated that it would be the City Council making the determinations and that the State requires us to provide a zone for transitional housing shelters, which we have done. If the Council adopts this rezone we are just showing further support of the requirements.

Councilmember Brown requested clarification on whether the City assumed the liability of the funding provided to P.A.T.H.

Mr. Nichols stated that the City has no obligation to provide financial assistance.

Councilmember Brown requested clarification on the funding from Ms. Dering.

Ms. Dering stated that they have to operate the program for 10 years in order to have the loan forgiven and that they have fundraisers to help pay for staff time.

M/S/C Flynn, Jackson to:

1. Find that Ordinance No. 1009 and GPA 11-001; Resolution No. 5-2011 are exempt from CEQA pursuant to Section 15061(b)3 of the CEQA Guidelines, will not cause a significant impact on the environment as infill development on a lot with the construction of a homeless shelter will enhance, preserve and protect the environment by reducing a critical environmental threat as indicated in SB 2.
2. Adopt City Council Resolution No. 05-2011 (Attachment D) with the findings, Waive the First Reading and Introduce Ordinance No. 1009 (Rez No. 217) Rezoning of the Zoning Map (REZ-217), and City Council approving General Plan Land Use Map Amendment (GPA-11-001).

AYES: Councilmembers: Carrel, Flynn and Jackson

NOES: Councilmembers: Brown and Schmid

ABSENT OR NOT VOTING: None

Mayor Carrel called for a recess at 8:20 p.m. and reconvened at 8:29 p.m.

2. RED BLUFF REBOUND RECOMMENDATION ON ELECTRONIC MESSAGE BOARD

Martin Nichols, City Manager, reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to sign an agreement with Allvision Inc. to complete, at no costs to the City, a feasibility analysis of potential City owned sites along I-5 to locate an electronic message board.

Mayor Pro Tem Flynn questioned why the City was doing this and not the Chamber.

Bill Moule, member of the Local Governmental Services Committee, stated that Red Bluff Rebound was not a Chamber group, but a citizen group.

After further discussion of the item a motion was made by Mayor Pro Tem Flynn, seconded by Councilmember Schmid to authorize the City Manager to sign an agreement with Allvision Inc. to complete, at not costs to the City, a feasibility analysis of potential City owned sites along I-5 to locate an electronic message board.

AYES: Councilmembers: Carrel, Flynn, Jackson and Schmid

NOES: Councilmember: Brown

ABSENT OR NOT VOTING: None

3. RECOMMENDATION FROM BUDGET COMMITTEE ON SUSPENSION AND DEFERRAL OF DEVELOPMENT IMPACT FEES

Councilmember Brown reviewed the Budget Committee's report and stated that they believed that this was the best thing to promote economic growth. He thanked Scot Timboe for the work that he had done on the project.

M/S/C Brown, Flynn to direct staff to prepare a draft resolution to suspend and/or defer development impact fees.

After further discussion and clarification on the benefits and/or concerns of development impact fees and whether they were hindering economic growth, a motion was made by Councilmember Brown and seconded by Mayor Pro Tem Flynn to direct staff to prepare a resolution to suspend and/or defer development impact fees.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

4. RED BLUFF REBOUND RECOMMENDATIONS

Bill Moule, Ken Robison and Brian Ramsey of Red Bluff Rebound, presented to the City Council a list of items it felt would stimulate the economy within the City. Their first item of the freeway billboard had previously been addressed by Council.

Shovel Ready Projects:

After a presentation by Brian Ramsey and discussion of concerns by the City Council of possible shovel ready projects a motion was made by Councilmember Brown, seconded by Mayor Pro Tem Flynn to reaffirm Council August 17, 2010 direction to staff for a recommendation back to the City Council.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

Sewer Interceptor:

After a presentation by Brian Ramsey and the discussion of concerns off constructing a sewer interceptor a motion was made by Councilmember Schmid and seconded by Mayor Pro Tem Flynn to reaffirm Council's August 17, 2010 direction to staff for a recommendation.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

Mr. Ramsey stated that Red Bluff Rebound would bring this project back to the City Council for discussion in July.

Development Impact Fees:

After a presentation by Brian Ramsey and a discussion by Council of creating an AdHoc Committee to meet with two representatives from Red Bluff Rebound and the Chamber of Commerce to review and discuss the Development Impact Fees a motion was made by Councilmember Brown, seconded by Councilmember Schmid to continue to the meeting of March 1, 2011, at which time Red Bluff Rebound would submit their recommendation for committee members..

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

Mayor Carrel called for a recess at 10:05 p.m. and reconvened at 10:11 p.m.

Local Bid Preference:

Bill Moule provided a presentation to the Council and after the Council discussed the implementation and the costs associated with this idea a motion was made by Mayor Carrel, seconded by Councilmember Brown to consider the Local Bid Preference idea, but not with the percentages requested by Red Bluff Rebound and directed staff to bring back numbers and wording the 2nd meeting in March, which would be March 15, 2011.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

Fair Grounds Resolution:

Ken Robison presented and after discussion by the City Council a motion was made by Mayor Pro Tem Flynn, seconded by Councilmember Jackson to direct the City Manager to work with Mark Eidman on recommendations.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

ADA Suspension:

Brian Ramsey addressed this issue and asked that the City Council suspend the implementation of CASP inspections and provide the Building Director/Official with personal protection from lawsuits.

After a discussion by the City Council on the ramifications of this policy a motion was made by Councilmember Schmid, seconded by Councilmember Brown to table this item for 90 days.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

City Owned Property:

Ken Robison provided a presentation and requested that the City Council direct the City Manager to develop language for a Non-Binding Letter of Intent, similar to what the City of Redding uses, for City owned property. He also asked that the City request Shasta College to gift to the City the portable buildings previously used as Shasta College satellite campus and specifically use them to attract a technologically advanced educational or product development company.

After discussion by the City Council on whether to form a new committee or refer to the current committee a motion was made by Councilmember Jackson, seconded by Mayor Pro Tem Flynn to refer this matter to the current City Owned Property AdHoc Committee.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

5. REQUEST FOR AUTHORIZATION TO FILL THE PUBLIC WORKS DIRECTOR POSITION AND APPROVE THE PROPOSED REVISED JOB CLASSIFICATION OF PUBLIC WORKS DIRECTOR

Tessa Pritchard, Human Resources Director, reviewed the staff report and gave staff's recommendation that the City Council authorize staff to recruit for and fill the Public Works Director position, due to the June 1, 2011 retirement of the current Public Works Director, Mark Barthel and approve the revised Job Classification of Public Works Director.

After a Council discussion on the advantages and disadvantages of having a registered civil engineer a motion was made by Councilmember Schmid, seconded by Councilmember Brown to authorize staff to recruit for and fill the Public Works Director position, due to the June 1, 2011 retirement of the current Public Works Director, Mark Barthel and approve the revised Job Classification of Public Works Director.

AYES: Councilmembers: Brown, Carrel, Flynn and Schmid

NOES: Councilmember: Jackson

ABSENT OR NOT VOTING: None

Ken Robison stated that Red Bluff Rebound would like to have one person from their group and the Chamber on the applicant review and interview process.

Bill Moule stated that he would like to see a residential requirement added to the job description.

6. REQUEST FOR AUTHORIZATION TO FILL THE VACANT LEAD WORKER POSITION IN THE WASTEWATER COLLECTIONS DEPARTMENT AND TO MAINTAIN CURRENT STAFFING LEVELS IN THE OTHER PUBLIC WORKS LEADWORKER AND/OR MAINTENANCE POSITIONS IN THE CASE OF AN INTERNAL PROMOTION

Tessa Pritchard, Human Resources Director, reviewed the staff report and gave staff's recommendation that the City Council authorize staff to fill the vacant Wastewater Collections Leadworker position.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

7. APPLICATION FOR AN STATE OF CALIFORNIA, OFFICE OF TRAFFIC SAFETY (OTS) TRAFFIC GRANT

Police Chief Paul Nanfito reviewed the staff report and gave staff's recommendation that the City Council authorize the Chief of Police to apply for a traffic grant through the State of California, Office of Traffic Safety to fund (1) full-time Traffic Officer as well as associated equipment, training and other indirect costs.

Following a discussion by the City Council on the amount of traffic fines and how much comes back into the City a motion was made by Councilmember Schmid, seconded by Mayor Pro Tem Flynn to authorize the Chief of Police to apply for a traffic grant through the State of California, Office of Traffic Safety to fund (1) full-time Traffic Officer as well as associated equipment, training and other indirect costs.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

8. PURCHASE OF NEW PATROL CARS

Police Chief Paul Nanfito reviewed the staff report and gave staff's recommendation that the City Council:

1. Authorize the purchase of two (2) new patrol cars and necessary equipment to be funded through the Police Protection Impact Fees – Fund 24-33.
2. Approve the waiver of the City of Red Bluff bid process for the purpose of vehicle acquisitions, thereby enabling the City of Red Bluff to take advantage of the CMAS State of California contract pricing from Downtown Ford in the amount of \$44,309.43.
3. Authorize the purchase of the equipment needed to outfit each patrol car. This equipment is estimated to cost approximately \$16,515.54 and would be obtained through the normal bid process.

Following a discussion by the City Council on the use of DIF fees for the purchase and the use of CMAS for the purchase a motion was made by Councilmember Brown, seconded by Councilmember Jackson to:

1. Authorize the purchase of two (2) new patrol cars and necessary equipment to be funded through the Police Protection Impact Fees – Fund 24-33.
2. Approve the waiver of the City of Red Bluff bid process for the purpose of vehicle acquisitions, thereby enabling the City of Red Bluff to take advantage of the CMAS State of California contract pricing from Downtown Ford in the amount of \$44,309.43.
3. Authorize the purchase of the equipment needed to outfit each patrol car. This equipment is estimated to cost approximately \$16,515.54 and would be obtained through the normal bid process.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

9. LETTER IN SUPPORT OF AB 168 (to Support COPS funding)

Police Chief Paul Nanfito reviewed the staff report and gave staff's recommendation that the the City Council authorize the City Manager and Chief of Police to write letters in support of AB 168 providing for the funding sources for the resources to fund the Citizen's Option for Public Safety (COPS) and booking fee remediation, from the State General Fund.

A motion was made by Councilmember Brown, seconded by Councilmember Jackson to authorize the City Manager and Chief of Police to write letters in support of AB 168 providing for the funding sources for the resources to fund the Citizen's Option for Public Safety (COPS) and booking fee remediation, from the State General Fund.

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

NOES: Councilmember: None

ABSENT OR NOT VOTING: None

10. REQUEST FOR AUTHORIZATION TO REALLOCATE \$5,661 CDBG HOUSING REHABILITATION LOAN EXPENSE FROM GRANT FUND PROGRAM INCOME

Tessa Pritchard, Human Resources Director, reviewed the staff report and gave staff's recommendation that the City Council authorize staff to reallocate \$5,661 that was previously charged to Account 71-72-540-926, Home Housing Rehabilitation Loans, to be paid from the Fund 70, Department 70, Housing Grants Program Income. She noted that Councilmember Schmid was awarded the contract for the home rehab project prior to being elected to the City Council.

AYES: Councilmembers: Brown, Carrel, Flynn and Jackson

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Schmid (recused himself from the vote)

STAFF ITEMS/REPORTS/ /STAFF UPDATES OF COMING EVENTS:

None

COMMITTEE REPORTS/COUNCIL COMMENTS

Reports by City Council members on on the activities of their assigned agencies and/or committees.

Antelope Sewer Authority JPA – *None*

Local Agency Formation Commission (LAFCO) – *None*

3Core - *None*

Tehama County Transportation Commission – *Councilmember Schmid reported that at the Transportation Commission meeting the only item that pertained to Red Bluff was the Amtrak stop at Taco Bell which would be moved to the TRAX station on Rio Street.*

Downtown Red Bluff Business Association - *None*

Community Action Agency – *None*

Tehama County Sanitary Landfill JPA I – *None*

Tehama County/City of Red Bluff Landfill Management Agency JPA Full Board JPA II – *None*

Executive Committee -- Tehama County/City of Red Bluff Landfill Management Agency JPA II – *None*

ADJOURNMENT:

There being no further business Mayor Carrel adjourned the meeting at 11:28 p.m. until the meeting of March 1, 2011.

s/b Bob Carrel, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk