

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

Date of Meeting: Tuesday, July 7, 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
James Byrne
Forrest Flynn
Bob Carrel
Jeff Moyer, Mayor Pro Tem

Councilmembers Absent: None

Staff Present: Martin Nichols, City Manager
Richard Crabtree, City Attorney
Margaret Van Warmerdam, Finance Director
Paul Nanfito, Police Chief
Mark Barthel, Public Works Director
Mike Bachmeyer, Fire Chief
Debbie Carlisi, Parks and Recreation Director
Donna Gordy, City Treasurer

Mayor Brown Called the Meeting to order at 7:10 p.m.

Police Chief Paul Nanfito led the pledge of Allegiance the the assembly joined in.

CLOSED EXECUTIVE SESSION:

1. CONFERENCE WITH LEGAL COUNSEL
Real Property Negotiations – Government Code Section 54956.8
2. PUBLIC EMPLOYEE PERFORMANCE REVIEW
Title: City Manager (Government Code Section 54957)

Mayor Brown reported that in Closed Executive Session the City Council had given direction to staff.

CITIZEN'S COMMENTS:

Jackson Williams asked who won the lawnmower races at the July 4th Heritage Days.

Councilmember Carrel thanked Councilmembers Flynn and Moyer for coming out and joining in on the challenge against the Board of Supervisors

John Elko, concerned citizen, stated that he felt the Transient Occupancy Tax is unconstitutional and should be repealed as this is taxation without representation. The taxes paid are not paid by the citizens, but by people who are passing through Red Bluff.

CONSENT AGENDA

M/S/C Councilmembers Moyer, Byrne to approve the Consent Agenda.

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

NOES: NONE

ABSENT OR NOT VOTING: None

1. REPORT REGARDING CONTRACT AWARDS – MAY 2009

Recommendation: That the City Council receives Contract Awards for May 2009.

Approved 5-0-0

2. ASPHALT CONCRETE, PAVING ASPHALT, PG&E SAND

Recommendation:

That the City Council accept the On-Call list for Asphalt Concrete, Paving Asphalt, and PG&E Sand for the Public Works Department for the period July 1, 2009 to June 30, 2010.

Approved 5-0-0

3. SHASTA COLLEGE LEASE EXTENSION

Recommendation:

That the City Council authorizes the City Manager to sign a new lease with Shasta-Tehama-Trinity Community College District on behalf of the City of Red Bluff for land located at 1545 Lincoln Street, for the period of August 1, 2009 through July 31, 2010.

Approved 5-0-0

4. EXPENDITURE AGREEMENT BETWEEN THE CITY OF RED BLUFF AND THE COUNTY OF TEHAMA FOR THE 2008 HOMELAND SECURITY GRANT PROGRAM FUNDS

Recommendation:

That the City Council authorize the Chief of Police to sign the expenditure agreement between the City of Red Bluff and the County of Tehama. Include appropriation of \$16,487 in the final 2009-2010 City Budget for the purposes of Personal Protection Gear.

Approved 5-0-0

CURRENT BUSINESS:

1. CHARTER UPGRADE STATUS REPORT

Trenton Rodin, Technical Operation Manager of Charter Communications, gave a brief update of the upgrades being done, such as more channels, high definition, video on demand and telephone service by August 3rd., subject to change depending on how

quickly they can coordinate with AT&T. Today, July 7th, was the day that they flipped the switch on the new channels.

Councilmember Flynn questioned when interconnect to broadcast Council Meeting etc and asked if there was any type of timeline.

Mr. Rodin stated that now that the customers have been taken care of they will begin focusing on the PEG portion of the upgrades.

Martin Nichols, City Manager, stated that staff had received some calls from customers in regards to the lineup.

Mr. Rodin stated that the new system carries channels up to 78, but they also have more than tripled the programming available.

Mayor Brown requested clarification on whether the City had any type of a time line for the PEG service.

Mr. Rodin stated that he would like to wrap everything up this year.

City Council and staff thanked Mr. Rodin for his update on the cable upgrades.

2. CALTRANS PRESENTATION – STATE ROUTE 99 TRANSPORTATION CONCEPT REPORT (TCR)

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council:

1. Hear the CalTrans presentation of the SR 99 Transportation Concept Report and
2. Approve the submittal of the attached comment letter to CalTrans prior to July 17, 2009 for inclusion in the final SR 99 TCR.

Kathy Graf, CalTrans Associate Transportation Planner, gave a brief PowerPoint presentation on the State Route 99 Transportation Concept Report (TCR) explaining how the data was collected and input into the report. She explained that they are concerned about what would happen with this route and that as traffic increases the commute time will be longer for this area of roadway. Is asking that comments be submitted to her by July 17th.

Councilmember Flynn stated that he could see where they were looking for input to do what's right.

Ms. Graf stated that she appreciated that comment, because that is what they were hoping that all three solutions are good concepts.

John Elko, concerned citizen, requested clarification on what would happen to the highway to the north if the alternate route that cuts across diagonally, would it revert back to the County or would it still be a State highway.

Ms. Graf stated that they would have to include the City's of Red Bluff, Tehama, Corning and the County of Tehama, as well as any public and community members, when they do decide to go ahead with the feasibility study because every one of the different alternatives offers different situations.

Jackson Williams, concerned citizen, questioned why if they were looking at putting in a freeway, don't they go out Antelope to the foothills and run along there.

Ms. Graf stated that was also a possible option, it just hasn't been highlighted as much, but would be on the table to discuss.

Councilmember Flynn stated that even with a new freeway, the existing highway 99 still would not be adequate for the people that live in the area (Los Molinos, Dairyville, Red Bluff area), so that needs to be addressed for the people that live in that area.

Ms. Graf stated that she had received a couple of different comments. One was that lived in the area said that she would like to see it become a small community where you could walk and ride your bike and take some of the bigger traffic off the community. The other gentleman that she spoke with said that you could take off the traffic and make it a community where people could just drive a little bit and go fishing, such as Half Moon Bay. We are saying that highway 99 needs to be four lanes to accommodate the traffic.

A gentleman from Gerber expressed his concerns with one of the routes shown that would go through neighborhoods.

Ms. Graf stated that the map he was referring to was the concept map and the line shown is just to show that they need to connect to I-5, a feasibility study would need to be completed to show the best route, but at this time they still are not sure of what the route will be.

Martin Nichols, City Manager, questioned if the City of Corning had received the presentation yet and if so, if they preferred the South Avenue route.

Ms. Graf stated that when she made the presentation there was no comments made as to a preference.

M/S/C Moyer, Flynn to approve the submittal of the comment letter to CalTrans prior to July 17, 2009 for inclusion in the final SR 99 TCR.

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

NOES: None

ABSENT OR NOT VOTING: None

3. AWARD PROFESSIONAL SERVICES FOR TRANSIENT OCCUPANCY TAX AUDIT SERVICES

Margaret Van Warmerdam, Finance Director, reviewed the staff report and gave staff's recommendation that the City Council authorize the City Manager to finalize the contract for Professional Audit Services for Tax Compliance Services (TCS) and approve the Supplemental Budget Appropriation for \$16,500 in the General Fund.

Councilmember Flynn stated that \$16,000 seemed like a lot of money, and questioned how soon the City would recoup that by implementing this.

Ms. Van Warmerdam stated that the City has never done this and when you have an outsider come in and look at what and how we do things. But to say that we are going to recoup it, she would be cautious, but over time it would be relevant for them to look at it. She will keep Council informed of the cost savings.

Mayor Pro Tem Moyer requested clarification on what type of procedures they were going to be following, do we have guidelines in the ordinance to ask for an audit.

Ms. Van Warmerdam stated that the City has the right to review their records, books by City staff. What we envision doing is mailing a letter to all the hotels and then have a meeting with the hotels and the audit company.

Mayor Brown requested clarification on how this was being handled now.

Ms. Van Warmerdam stated that they walk in with a tax return. She stated that most cities that have done this type of audit have found money.

Mayor Pro Tem Moyer questioned if the RV Park is something that is being looked at.

Ms. Van Warmerdam stated that was one of the reasons staff selected this consultant, because of the detail they go into.

M/S/C Moyer, Carrel to authorize the City Manager to finalize the contract for Professional Audit Services for Tax Compliance Services (TCS) and approve the Supplemental Budget Appropriation for \$16,500 in the General Fund.

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

NOES: None

ABSENT OR NOT VOTING: None

4. REQUEST FROM THE CHAMBER OF COMMERCE FOR CHANGE IN PAYMENT OF TRANSIENT OCCUPANCY TAX

This item was pulled from the agenda.

5. PERS CHOICE HEALTH INSURANCE RATES DECREASING EFFECTIVE JANUARY 1, 2010, PROVIDING A SAVINGS TO THE CITY EMPLOYEES

Martin Nichols, City Manager, reviewed the staff report, which outlined the decrease in health insurance rates for the Miscellaneous Employees.

Informational Item only.

6. APPROVAL OF MINUTES

M/S/C Flynn, Carrel to approve the minutes of June 16, 2009 as written.

AYES: Councilmembers: Brown, Byrne, Carrel and Flynn

NOES: None

ABSENT OR NOT VOTING: Councilmember: Moyer (absent that meeting)

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

Councilmember Byrne stated that he had spoken to the Contractors State Licensing Board this week and in the course of the conversation he complained about the \$150 which wasn't his fault but the State's fault. The employee told him he shouldn't be that considered about it because State Employees had given back 15% of their salary and he felt he should mention this as a bench mark.

ADJOURNMENT:

There being no further business Mayor Brown adjourned the meeting at 8:03 p.m. until the meeting of July 21, 2009 at 7:00 p.m.

s/Wayne Brown, Mayor

ATTEST:

s/Jo Anna Lopez, City Clerk