

**RED BLUFF
CITY COUNCIL
REGULAR MEETING MINUTES**

Date of Meeting: Tuesday November 6, 2007
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
Forrest Flynn, Mayor Pro Tem
Daniel Irving
James Byrne
Jeff Moyer

Staff Present:

Martin Nichols, City Manager
Richard Crabtree, City Attorney
Margaret Van Warmerdam, Finance Director

Jo Anna Lopez, City Clerk
Paul Nanfito, Police Department
Scot Timboe, Planning Director
Mark Barthel, Public Works Director
Gerry Gray, Fire Chief
Andrea Warren, Parks and Recreation Director
Tessa Pritchard, Human Resources Director
J.D. Ellison, Building Director
Donna Gordy, City Treasurer

Mayor Brown asked Una Jordan to lead the Pledge of Allegiance and the assembly joined in.

CLOSED EXECUTIVE SESSION

**1. CONFERENCE WITH LEGAL COUNSEL –
LIABILITY CLAIMS
CASE NO. 2007065693 – BETHEL CHURCH**

**2. CONFERENCE WITH LEGAL COUNSEL –
LIABILITY CLAIMS
CASE NO. 2006052081 – WATKINS, DOROTHY**

**3. CONFERENCE WITH LABOR NEGOTIATORS:
Executive Session in accordance with
Government Code Section 54957.6 for the
purpose of instructing the city's designated
representative, Martin Nichols, City Manager
and Tessa Pritchard, Human Resources
Director, regarding the salaries, salary
schedules, or compensation paid in the form of
fringe benefits with the Police Mid-
Management Unit.**

Mayor Brown reported that City Council gave direction to legal counsel and staff.

CITIZEN'S COMMENT

NONE

PROCLAMATION

ADOPTION AWARENESS MONTH

Mayor Brown read and presented the Proclamation for Adoption Awareness Month to Rita Hidy.

Rita Hidy thanked the City Council and gave an award for the adopted family of the year to Rosie and Robert Heinz.

CONSENT AGENDA

M/S/C: Councilmember Irving and Mayor Pro Tem Flynn to approve the Consent Agenda.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

APPROVAL OF MINUTES

October 16, 2007

Approved 5-0-0

SELECTION OF WATER SUPPLIES ON-CALL LIST

Recommendation:

That the City Council approve the five vendors as an on-call list for the period of November 7, 2007 to June 30, 2007 for the Water Department for water system materials and supplies per the City's Procurement Policy.

Mayor Brown pulled this item and requested clarification on if the City used this on-call list.

Margaret Van Warmerdam, Finance Director, stated yes.

M/S/C: Mayor Brown, Mayor Pro Tem Flynn to approve the five vendors as an on-call list for the period of November 7, 2007 to June 30, 2007 for the Water Department for water system materials and supplies per the City's Procurement Policy.

AYES; Councilmembers, Brown, Flynn, Byrne, Moyer and Irving

NOES: NONE

ABSENT OR NOT VOTING: NONE

Approved 5/0/0

REPORT ON SALES TAX

Recommendation: Informational Only

Approved 5/0/0

RE-ALLOCATION OF SEXUAL ASSAULT FELONY ENFORCEMENT TEAM (S.A.F.E) GRANT FUNDS 2006/2007

Recommendation:

That the City Council authorize the re-allocation of S.A.F.E Grant Funds to allow the purchase of the proposed equipment.

Approved 5/0/0

RESOLUTION NO. 48-2007; STREET CLOSURES; ANNUAL CHRISTMAS PARADE

Recommendation:

That the City Council adopt Resolution No. 48-2007 providing for street closures along the Christmas Parade route and on Pine Street for Christmas Activities.

Approved 5/0/0

RESOLUTION NO. 46-2007 USE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

Recommendation:

That the City Council adopt Resolution No. 46-2007 and authorize the Chief of Police to enter into and Use Agreement with the California Department of Corrections and Rehabilitation for the use of the Red Bluff firing range

Approved 5/0/0

TREASURER'S REPORT

Recommendation:

That the City Council accept the report for the fourth quarter of Fiscal Year 2007.

Approved 5/0/0

RESOLUTION NO. 47-2007; A RESOLUTION IN SUPPORT OF ISSUING A POSTAL STAMP IN HONOR OF MAYOR TOM BRADLEY

Recommendation:

That the City Council adopt Resolution No. 37-2007; A Resolution in Support of Issuing a Postal Stamp in honor of Mayor Tom Bradley.

Approved 5/0/0

ANNUAL PURCHASE OF INSURANCE THROUGH THE NCCSIF INSURANCE PROGRAM

Recommendation:

That the City Council approve the use of the Northern California Cities Self Insurance Fund for insurance policies for the next three years and approve the City Manager to bind policies as necessary.

Approved 5/0/0

WAIVE BID STATE CONTRACT PRICING – DELL COMPUTERS

Recommendation:

That the City Council approve the waiver of the City of Red Bluff bid process for the purpose of Computer acquisitions, thereby enabling the City of Red Bluff to take advantage of the CMAS and WSCA State of California Contract Pricing.

Approved 5/0/0

CURRENT BUSINESS

FINAL CONSENT DECREE AND ORDER STEVENS V. RED BLUFF

Recommendation: Informational Only

SECOND READING AND ADOPTION OF ORDINANCE NO. 979 (REZONE 204); FROM P-A PUBLIC AGENCY ZONING DISTRICT DESIGNATION T O C-3 GENERAL COMMERCIAL; APN: 35-060-62 & 63; 2401 SO MAIN ST.; BEACH HEAD PROPERTIES (OWNER)

Scot Timboe, Planning Director, reviewed the staff report and gave staff's recommendation that the City Council waive the second reading and adopt Ordinance No. 979 (Rezone No. 204), Rezoning of the Map to C-3 (General Commercial) as contained in the attached City of Red Bluff Ordinance No. 979 with Exhibit 1.

M/S/C: Councilmembers Flynn and Byrne to waive the second reading and adopt Ordinance No. 979.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

PUBLIC HEARING SANITARY SEWER MANAGEMENT PLAN (SSMP)

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

1. Conduct the Public Hearing
2. Consider all Public testimony
3. Approve the SSMP First Phase.

Mayor Brown opened the Public Hearing at 7:24 p.m. and closed the Public Hearing at 7:24 p.m. after receiving no comments.

Mayor Brown asked how much money will be spent on this project.

Mr. Barthel stated he had no hard figures at this time.

M/S/C: Councilmembers Irving and Moyer to approve the SSMP First Phase.

AYES; Councilmember Irving, Moyer, Byrne, Flynn and Brown

NOES; NONE

ABSENT OR NOT VOTING; NONE

**3MG WATER RESERVOIR AND PIPELINE PROJECT
CIEDB ENTERPRISE FUND INSTALLMENT SALE
AGREEMENT NO. CIEDB B04-056; AMENDMENT**

Margaret Van Warmerdam, Finance Director reviewed the staff report and gave staff's recommendation That the City Council authorize reduce loan amount to \$3,941,699.89 decrease the annual debt payments for the Loan from \$266,360.81 to 219,168.40 per the amortization schedule attached to the amendment and authorize the City of Manager to execute the CIEDB Second Amendment to Enterprise Fund Installment Sale Agreement CIEDB No. B04-056, dated October 1, 2007.

Councilmember Byrne asked about the expiration date on the grant.

Mark Barthel, Public Works Director, stated the expiration on the grant is not a problem because of the discussions we had to have back and forth and the people who were originally involved in the loan agreement from I Bank were no longer there.

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

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

RFP – CONTRACTUAL SERVICES – CITY JANITORIAL SERVICES

Mark Barthel, Public Works Director reviewed the staff report and gave staff's recommendation that the City Council approve the advertisement for the Bid Proposals – Contractual Services – City Janitorial Services.

M/S/C: Councilmembers Irving and Flynn to accept staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

ORDINANCE NO. 974 REPEALING ARTICLES I AND II OF THE CITY CODE CHAPTER 8 AND ADOPTING NEW ARTICLES I & II OF THE CITY CODE CHAPTER 8 RELATING TO “FIRE DEPARTMENT” AND “FIRE CODE” EFFECTIVE JANUARY 1, 2008

Chief Gerry Gray reviewed the staff report and gave staff’s recommendation That the City Council waive the first reading and introduce Ordinance No. 974; an Ordinance repealing Articles I & II of Chapter 8 of the City Code and adopting new Articles 1 &11 of the City Code relating to “Fire Department” and “Fire Code” effective January 1, 2008

Councilmember Byrne requested clarification on what changes that were covered by this.

J.D. Ellison, Building Director, replied there is almost a double the requirements for sprinkler systems, exiting has changed, travel distance has changed, time allotment has changed for the Fire Department, types of

alarm systems that have to be in the businesses, this only affects new constructions.

Councilmember Irving asked if this is mandatory.

Chief Gray stated yes.

M/S/C: Councilmembers Flynn and Moyer to waive the first reading and introduce Ordinance No. 974

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

**RESOLUTION NO. 45-2007 AMENDING THE
COMPENSATION PLAN FOR PARKS AND
RECREATION, COMMUNITY CENTER AND SENIOR
NUTRITION EMPLOYEES NOT COVERED BY A
BARGAINING AGREEMENT**

Andrea Warren, Park and Recreation Director reviewed the staff report and gave staff's recommendation That the City Council adopt Resolution No. 45-2007.

Councilmember Irving asked how many employees this would affect.

Andrea Warren stated about 20 employees.

M/S/C: Councilmembers Irving and Byrne to adopt Resolution No. 45-2007.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

ORDINANCE NO. 981 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RED BLUFF AMENDING CHAPTER 24 SECTION 24.6 OF THE CITY CODE – WATER

Margaret Van Warmerdam, Finance Director reviewed the staff report and gave staff's recommendation that the City Council waive the first reading and introduce Ordinance No. 981.

Mayor Brown asked if there was history of any other town doing it this way.

Richard Crabtree, City Attorney, stated yes there is. If a person refuses to give their social security number or drivers license number the deposit will be held until the account is closed, if the social security number and drivers license is given the deposit will be held for just one year.

M/S/C: Councilmembers Irving and Flynn to waive the first reading and introduce Ordinance No. 981.

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

NOES: NONE

ABSENT OR NOT VOTING

COMMITTEE REPORTS / COUNCIL COMMENTS

Mayor Pro Tem Flynn stated he and the Mayor had attended the Farm City Dinner on Monday evening. He also reported that he had taken the Park tour in Anderson and it was very nice.

There being no further business Mayor Brown adjourned the meeting at 8:00 p.m. to December 4, 2007.

s/b Wayne Brown, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk