

**RED BLUFF  
CITY COUNCIL  
REGULAR MEETING MINUTES**

**Date of Meeting:** Tuesday May 6, 2008  
**Time of Meeting:** 6:15 p.m. Closed Executive Session  
**Place of Meeting:** 7 p.m. Regular Meeting  
Council Chambers, City Hall  
555 Washington Street  
Red Bluff, CA 96080

**Councilmembers Present:** Forrest Flynn,  
Mayor  
  
Daniel Irving, Mayor  
Pro Tem  
Wayne Brown  
Jeff Moyer  
James Byrne

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

Mayor Flynn asked Jackson Williams to lead the Pledge of Allegiance and the Assembly joined in

## **CLOSED EXECUTIVE SESSION:**

### **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 Fire Unit.**

### **PUBLIC EMPLOYEE PERFORMANCE REVIEW**

**Title: City Manager (Government Code Section 54957)**

Mayor Flynn stated Council gave direction to Staff.

## **CITIZEN'S COMMENT:**

Jackson Williams, concerned Citizen, read a letter to Council stating there had been an incident of a person that had hung himself in which Police and Fire were called to the scene. The Police Officers were given an award for their part. On the other hand the Fire and Rescue were not noticed for their roll in this incident. Mr. Williams stated this was very unfair to the Fire Department. The letter Mr. Williams read will be published in the Red Bluff Daily News either on Wednesday or Thursday of this week.

## **PROCLAMATIONS:**

### **VETERANS APPRECIATION MONTH MAY 2008**

Mayor Flynn read and presented the Proclamation for Veterans Appreciation Month May 2008.

## **CONSENT AGENDA:**

M/S/C: Councilmembers Flynn and Moyer to approve the consent agenda.

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

**NOES:** NONE

**ABSENT OR NOT VOTING:** NONE

## **RESOLUTION NO. 23 – 2008; STREET CLOSURE BOAT DRAGS “SHOW AND SHINE”**

Recommendation: That the City Council adopt Resolution No. 23-2008 and

Authorize the street and parking closure times for the Memorial Day Boat Drags “show and shine” to be held on May 23, 2008

***APPROVED 5/0/0***

## **TREASURER’S REPORT**

Recommendation: That the City Council accept the report for the ninth month of  
Fiscal Year 2007.

***APPROVED 5/0/0***

**ACCEPTANCE OF IMPROVEMENTS,  
SPRINGTIME LANE SUBDIVISION TRACT MAP  
06-1007 (SPRINGTIME LANE)**

Recommendation: That the City Council accepts the public water, sewer and street improvements and begin the one year warranty period.

Mayor Flynn Pulled item #3 for clarification on the location of this subdivision.

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

***APPROVED 5/0/0***

**CITY HALL JANITORIAL SERVICES –  
CONTRACT AWARD**

Recommendation: That the City Council awards the City Hall Janitorial Services Contract to Peerless Building Maintenance Co. in the amount of \$20,460.00 per year (\$1,705.00 per month).

***APPROVED 5/0/0***

**BID AWARD – COPY MACHINE LEASE FOR  
POLICE AND FIRE DEPARTMENTS**

Recommendation: That the City Council authorize the City Manager to enter into a three-year lease with Inland Business Systems in the amount of \$11,372.76 for one copy machine to serve the Police and Fire Departments.

***APPROVED 5/0/0***

## **BID AWARD – POSTAGE MACHINE LEASE FOR ALL CITY DEPARTMENTS**

Recommendation: That the City Council authorizes the City Manager to into a thirty-six month lease with North Valley Business Systems in the amount of \$11,539.32 for one postage machine to serve all City Departments.

***APPROVED 5/0/0***

## **COPIER-PRINTER-SCANNER (CPS) BID AWARD**

Recommendation: That the City Council award the CPS Bid and A & E Repro Systems, Inc. In the amount of \$17,140.14.

***APPROVED 5/0/0***

## **PROFESSIONAL AUDITING SERVICES FOR THE ANNUAL FINANCIAL REPORTS FOR FISCAL YEAR ENDING JUNE 30, 2008**

Recommendation: That the City Council authorize the City Manager to finalize the contract for Professional Audit Services with Nystrom & Company for a two year period and include in the 2008/09 Preliminary Budget.

Mayor Pro Tem Irving pulled Agenda Item #8. Mayor Pro Tem Irving stated he was concerned with Nystrom & Company having such a long term with the City. Mayor Pro Tem Irving stated he wanted to put this out to bid.

Margaret Van Warmerdam, Finance Director, stated she needed at least 30 days to prepare the bid package. It would be reasonable to extend this contract for one year and have Nystrom & Company rotate their auditor.

M/S/C: Councilmembers Irving and Byrne to put this service out to bid.

AYES: Councilmembers, Irving and Byrne

NOES: Councilmembers, Brown, Moyer and Flynn

ABSENT OR NOT VOTING: NONE

M/S/C: Councilmembers, Brown and Byrne to extend Nystrom & Company's contract for one year and rotate auditors, then put the Contract out to bid next year.

AYES: Councilmembers: Brown, Byrne, Moyer and Flynn

NOES: Councilmember: Irving

ABSENT OR NOT VOTING: NONE

**TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION (TCEDC) MEMBERSHIP CONTRACT FOR ECONOMIC PLANNING AND COORDINATION SERVICES - \$3,000**

Recommendation: That the City Council authorizes the City Manager to execute the contract for services with Tri-County Economic Development Corporation for economic planning and Coordination membership activities for the 2008/09 fiscal year in the amount of \$3,000.00.

***APPROVED 5/0/0***

# **TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION (TCEDC) COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY FOR 2008/2009**

Recommendation: That the City Council review and discuss the existing list of City Projects, make general additions and / or changes to the list, and approve the project priority lists for the 2008/09 Comprehensive Economic Development Strategy.

Mayor Flynn pulled Agenda Item 10 for clarification.

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

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

***APPROVED 5/0/0***

## **APPROVAL OF WORKERS COMPENSATION INSURANCE FOR PERSONS PROVING**

## **VOLUNTEER SERVICES FOR THE CITY OF RED BLUFF**

Recommendation: That the City council adopts Resolution No. 20-2008 of the City Council of the City of Red Bluff declaring that authorized and designated persons performing voluntary services without pay for the City shall, be deemed employees for the purposes of Workers' Compensation and insurance while performing such services.

***APPROVED 5/0/0***

## **APPROVAL OF MINUTES**

**APRIL 15, 2008**

***APPROVED 5/0/0***

**AUTHORIZATION OF THE CLOSURE OF THE CITY RIVER PARK BOAT RAMP FROM 10 P.M. MAY 16, 2008 TO 5 P.M. MAY 17, 2008 FOR THE GREAT RED BLUFF CANOE DRAG RACES**

Mayor Flynn pulled Agenda item 13 for clarification of dates which should read May 16, 2008 and May 27, 2008.

M/S/C: Councilmembers, Flynn and Brown to approve staff recommendation.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

***APPROVED 5/0/0***

## **CAMPAIGN TO SAVE TAX FUNDS BY ENDING DISCRIMINATION BY BOND RATING AGENCIES IN THE GRADING OF MUNICIPAL BONDS**

Recommendation: That the City Council adopt Resolution No. 27-2008 endorsing the reform campaign and calling on the municipal bond agencies to end discrimination in the rating of municipal bonds, a practice that has cost

taxpayers untold billions of dollars in interest costs in recent decades.

***APPROVED 5/0/0***

## **APPROVAL OF MINUTES**

**April 24,2008 Special Joint City/County Meeting**

***APPROVED 5/0/0***

## **CURRENT BUSINESS:**

### **PUBLIC HEARING; CHARTER COMMUNICATIONS CABLE FRANCHISE AGREEMENT**

Martin Nichols, City Manager, reviewed staffs report and gave staff's recommendation.

Recommendation: That the City Council open the Public Hearing and continue until July 1, 2008 to allow for the continued negotiations with Charter Communications.

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

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

## **CITY OF RED BLUFF ART EXHIBIT POLICY**

Martin Nichols, City Manager, reviewed staff report and gave staff's recommendation.

Recommendation: That the City Council approves the City Hall Art Exhibit Policy.

M/S/C: Councilmembers, Irving and Byrne to approve the City Hall Art Exhibit Policy.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

**PRESENTATION BY TEHAMA COUNTY AIR POLLUTION CONTROL OFFICER ON PROPOSED CHANGES TO THE FEDERAL NATIONAL AMBIENT AIR QUALITY ACT STANDARDS (NAAQS)**

Alan Abbs, County APC Officer, gave an informational presentation to City Council and answered any questioned the City Council had.

Informational Only No Action Needed

**RESCISSION OF WAL-MART SUPERCENTER APPROVALS, CONSIDER ADOPTION OF RESOLUTION NO. 26-2008; RESCINDING APPROVALS FOR THE WAL-MART SUPERCENTER AND RESCINDING RESOLUTION NO. 70-2006, 71-2006 AND 72-2006 (IN PART). WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 986, AN ORDINANCE WHICH RESCINDS ORDINANCE NO. 967**

Richard Crabtree, City Attorney, reviewed staff report and gave staff's recommendation that the City Council adopt Resolution No. 26.2008, rescinding approvals for the Wal-Mart Super center and rescinding Resolution Nos. 70-2006, 71-2006, 72-

2006 (in part). The Resolution includes introduction of Ordinance No. 986, which upon final adoption would rescind Ordinance No. 967.

M/S/C: Councilmembers Brown and Byrne to accept staff's recommendation.

Jackson Williams, Concerned Citizen stated he was concerned that the whole project was being held up because of a few parking spaces. Mr. Williams also was concerned about the cost to the City.

Mr. Crabtree, City Attorney stated there was to be no additional cost to the City as Wal-Mart would be financially responsible for this.

AYES: Councilmembers: Brown, Byrne, Moyer and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Irving (not voting)

## **RATIFICATION OF RED BLUFF FIREFIGHTERS' ASSOCIATION MEMORANDUM OF UNDERSTANDING – MAY 7, 2008 - DECEMBER 31, 2011**

Tessa Pritchard, Human Resource Director, reviewed staff report and gave staff's recommendation that the City Council approve the proposed Memorandum of Understanding for the period of May 7, 2008 through December 31, 2011 covering the Red Bluff Firefighters' Association.

Councilmember Byrne stated this was not fair having Councilmember Moyer voting on this item since Councilmember Moyer has a family member in the Fire Department. Councilmember Byrnes stated that he felt this was a conflict of interest.

Richard Crabtree, City Attorney, stated there is no conflict of interest and that Councilmember Moyer may participate on this agenda item.

**M/S/C: Councilmembers Irving and Moyer to approve the Firefighters Memorandum of Understanding**

AYES: Councilmembers, Irving, Moyer, Brown and Flynn

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Byrne (absent)

## **CREATION OF A FIREFIGHTER JOB CLASSIFICATION**

Tessa Pritchard, Human Resource Director, reviewed staff report and gave staff's recommendation. There will be one modification on page 3 and 4 under requirements the last bullet item states must live within a 10 mile radius of the Red Bluff Fire Department station I would like to request that you approve this job class with this item removed.

M/S/C: Councilmembers Moyer and Brown to approve staff recommendation with the above modification.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

## **RESOLUTION 25-2008 AUTHORIZING THE APPLICATION FOR FUNDS AVAILABLE UNDER PROPOSITION 1B – LOCAL STREETS AND ROADS IMPROVEMENT, CONGESTION RELIEF, AND TRAFFIC SAFETY ACCOUNT FUNDS**

Mark Barthel, Public Works Director, reviewed staff report and gave staff's recommendation that the City Council adopt Resolution 25-2008 authorizing the application for funds available under Proposition 1B and approve the addition of the Proposition 1B project list in the 2007-2008 budget.

Mayor Pro Tem Irving stated there was a large undeveloped lot that would benefit if Givens Road was completed.

Mark Barthel stated if the lot was to be developed they could be required to complete a portion of that. There have not received any project proposals for that lot.

Councilmember Brown asked to get the funding you had to put a qualifying project down, so does this qualify because this project would reduce traffic on Jackson Street and Luther Road.

Mark Barthel stated yes it improves traffic flow and reduces congestion and new roads are eligible.

After much discussion Council decided to move recommendation and have Mr. Barthel remove the \$140,000. off the minor projects and put it into the maintenance program which would be resurfacing and partial reconstruction.

M/S/C: Councilmembers Brown and Moyer to approve that all funds be put into maintenance program.

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

NOES: NONE

ABSENT OR NOT VOTING: NONE

**REVIEW RESOLUTION NO. 24-2008 ACCEPTING THE 2008 UPDATED TEHAMA COUNTY BIKEWAYS PLAN AND ACCEPT ANY PUBLIC COMMENT IN TO THE RECORD PRIOR TO TEHAMA COUNTY AND THE CITY OF RED BLUFF ADOPTING THE FINAL DOCUMENT**

Debbie Carlisi, Parks and Recreation Director, reviewed staff report and gave staffs recommendation that the City Council review Resolution No. 24-2008, and accept any public comment into the record for future City Council support and future adoption of the 2008 updated Tehama County Bikeway Plan needed for any future funding Tehama County Bikeways Plan will be placed on a future agenda for adoption following the Tehama County Board of Supervisors adoption of the final document.

Informational item for input.

## **COMMITTEE REPORTS/COUNCIL COMMENTS:**

None

## **ADJOURNMENT:**

There being no further business Mayor Flynn adjourned the regular meeting at 8:53 p.m. until the meeting of May 20, 2008.

Mayor

s/b Forrest Flynn,

ATTEST:

s/b Jo Anna Lopez, City Clerk