

**RED BLUFF  
CITY COUNCIL  
REGULAR MEETING MINUTES**

**Date of Meeting:** Tuesday March 18, 2008  
**Time of Meeting:** 6:15 Closed Executive Session  
7 p.m. Regular Meeting  
**Place of Meeting:** Council Chambers, City Hall  
555 Washington Street  
Red Bluff, Ca 96080

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

**Councilmember Absent:** Forrest Flynn, Mayor (absent-excused)

**Staff Present:** Martin Nichols, City Manager  
Cheryl Smith, Deputy 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  
Margaret Van Warmerdam, Finance Director

Mayor Pro Tem Irving asked E. C. Ross to lead the Pledge of Allegiance and the Assembly joined in.

**CLOSED EXECUTIVE SESSION:**

**PUBLIC EMPLOYEE PERFORMANCE REVIEW**

Title: City Manager (Government Code Section 54957)

Mayor Pro Tem Irving reported that the City Council had discussed the City Manager's performance and given direction to the City Manager.

Mayor Pro Tem Irving also reported that Mayor Flynn was on vacation and his absence excused.

**CITIZEN'S COMMENTS:**

**None**

**PROCLAMATION:**

Councilmember Jeff Moyer read and presented the Proclamation for Sexual Assault Awareness Month. Information was distributed on "Denim Day" in Tehama County, which will be on April 23<sup>rd</sup> and everyone was encouraged to wear denim on that day in support of Sexual Assault Awareness.

**CONSENT AGENDA:**

Martin Nichols, City Manager, requested that Item #1 be pulled from the Consent Calendar.

Councilmember Brown requested that Item # 4 be pulled for discussion.

M/S/C: Councilmembers Brown and Moyer to approve the remainder of the Consent Agenda.

AYES: Councilmembers Brown, Moyer, Irving and Byrne

NOES: NONE

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

**1. POLICE DEPARTMENT'S ANNUAL REPORT**

**Recommendation:**

That the City Council accept the report.

City Manager Nichols asked that Police Chief Capilla give some background on the Police Departments Annual Report.

Chief Capilla reported that the last Annual Report was done in 2001 and that the annual report is an important part of the department, which helps to track activities. He gave thanks to Police Records Specialist Pamela Archer for her outstanding job in putting this report together. He also thanked Captain Paul Nanfita, who is the Operations Director of the department for his work on highlighting the hard work of personnel. Others who contributed to the completion of the report were the five Sergeants and the Dispatch Supervisor.

M/S/C Councilmembers Brown and Moyer to accept the report.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

## **2. REPORT REGARDING CONTRACT AWARDS – FEBRUARY 2008**

### **Recommendation:**

That the City Council ratifies Contract Awards for February 2008.

***Approved 4/0/1***

## **3. TREASURER'S REPORT**

### **Recommendation:**

That the City Council accept the report for the eighth month of Fiscal Year 2007.

***Approved 4/0/1***

## **4. CITY HALL JANITORIAL SERVICES – CONTRACT AWARD**

### **Recommendation:**

That the City Council awards the City Hall Janitorial Services Contract to Loff's Sunshine Janitorial (Orland, CA) in the amount of \$20,388.00 per year (\$1,699.00 per month).

Councilmember Brown pulled this report to receive clarification on the length of the contract and if this was the current provider.

Mark Barthel, Public Works Director, report that the contract would be for one year, but can be extended up to 2 years and that this would be a new provider of janitorial services.

M/S/C Councilmembers Brown, Moyer to award the City Hall Janitorial Services Contract to Loff's Sunshine Janitorial (Orland, CA) in the amount of \$20,388.00 per year (\$1,699.00 per month).

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

## **5. ACCEPTANCE OF ASSISTANCE TO FIREFIGHTERS GRANT (AFG)**

### **Recommendation:**

That the City Council approve the 2007 AFG in the amount of \$32,400 of which 20% (\$6,480) are matching funds from the City of Red Bluff, County of Tehama, and City of Corning.

*Approved 4/0/1*

## **6. APPROVAL OF MINUTES**

**MARCH 4, 2008**

*Approved 4/0/1*

## **CURRENT BUSINESS**

### **CERTIFICATE OF RECOGNITION TO RED BLUFF POLICE OFFICERS STEVE URIBE AND SHANNAH FOX, PRESENTATION BY ASSEMBLY MEMBER DOUG LAMALFA**

Police Chief Scott Capilla reviewed the staff report and introduced Assemblymember Doug LaMalfa for presentation of the Certificate of Recognition to Red Bluff Police Officers Steve Uribe and Shannah Fox.

Assemblyman Doug LaMalfa thanked the City Council and the Mayor Pro Tem. He stated that it was important to stop and take the time to recognize people who do extraordinary things in the community.

Assemblyman La Malfa presented the Certificate of Recognition to Officers Shannah Fox and Steve Uribe and thanked them for their work.

Officer Steve Uribe stated that it was an honor to be recognized, thanked his partner Officer Shannah Fox and the department, and reminded everyone that the citizens of Red Bluff pay them to do their job.

Mayor Pro Tem Irving thanked Officers Fox and Uribe on behalf of the City Council for their commitment to the City.

### **RESOLUTION NO. 12-2008, DESIGNATION OF NO PARKING ZONES ALONG SO. JACKSON STREET**

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council adopt Resolution No. 12-2008 designating portions of So. Jackson Street a no parking zone. The reconfigured design now allows for two parking spaces in front of 1130 So. Jackson Street. Mr. Barthel gave a brief presentation showing on the maps provided how the striping had been changed.

Councilmember Brown requested clarification on whether residents were re-notified.

Mr. Barthel stated no, that they were notified when the original plan was completed.

Mayor Pro Tem Irving questioned if this presented a problem in regards to notification.

Martin Nichols, City Manager, stated that it did not, as all property owners were notified when the original plan was completed.

Yvonne Scott, resident, thanked the City Council for listening to her concerns and allowing two parking spaces. She appreciates the effort and time taken to address her needs.

Mr. Nichols reported that the City Council had two options to choose from.

Mayor Pro Tem Irving questioned if there was any additional cost and stated that his concern was for the zig in traffic that the new option creates.

Mr. Barthel stated that no additional costs and pointed out that the new option loses 7 parking spaces on the other side of the street.

Councilmember Brown stated that this area on the east side was no parking anyway.

Mr. Barthel stated that was correct, but it was not in the City Code so it could be enforced. An additional area is being designated no parking, but the individual apartment owners were notified.

Mayor Pro Tem Irving requested clarification from Police Chief Capilla on the traffic in this area and if the configuration harms laws enforcement issues.

Chief Capilla stated that this will assist the department in the number of accidents in the area and that the configuration will not harm, but will help law enforcement.

Mr. Barthel stated that there was one minor change on the Resolution, which was on page 2 and that 206 feet needed to be changed to 181 feet.

M/S/C Councilmembers Brown, Moyer to adopt Resolution No. 12-2008 (as corrected by the Deputy City Clerk) designating portions of So. Jackson Street a no parking zone.

AYES: Councilmembers: Brown, Byrne and Moyer

NOES: Councilmember: Irving

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **SOUTH JACKSON STREET SAFE ROUTES TO SCHOOL PROJECT – BID AWARD**

Mark Barthel, Public Works Director, reviewed the staff report and gave staff's recommendation that the City Council award the Safe Routes to School Project to Stimpel-Wiebelhaus Associates in the amount of \$455,761.00.

M/S/C Brown, Moyer to award the Safe Routes to School Project to Stimpel-Wiebelhaus Associates in the amount of \$455,761.00.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **LAND DIVISION AND ENGINEERING DESIGN STANDARDS PUBLIC HEARING – RESOLUTION NO. 13-2008 – A RESOLUTION UPDATING THE LAND DIVISION AND ENGINEERING DESIGN STANDARDS**

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

1. Conduct the Public Hearing.
2. Direct staff as necessary to address the public hearing comments.
3. Adopt the Land Division and engineering Design Standards and Resolution No. 13-2008 superceding Resolution No. 44-1990 adopted August 7, 1990.

Mayor Pro Tem Irving opened the public hearing at 7:44 p.m. and after receiving no comments closed the hearing at 7:44 p.m.

Councilmember Brown requested clarification on whether once this is adopted if there was a schedule for making adjustments to the document and what the life of the document was.

Mr. Barthel stated that things do change, so individual changes could be brought back to the City Council for adoption. As to the life of the document, it can last many years, as the current one was adopted 18 years ago.

Councilmember Byrne stated that he would like to see this item postponed until the next meeting to allow a full review of the document.

M/S/C Councilmember Byrne, Moyer to continue the public hearing until April 1, 2008 to allow for time for a full review of the document.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

**CITY COUNCIL AUTHORIZATION OF THE DEDICATION OF AN EASEMENT GRANTING ACCESS AND PUBLIC UTILITIES EASEMENT RIGHT'S TO APN'S 31-220-22 (S. STANLEY FRENCH TRUSTEE OF THE S. STANLEY FRENCH 1998 REVOCABLE TRUST) FOR CONDITIONALLY APPROVED PM 07-11 AND ACCEPTANCE OF PARCEL MAP 07-11 AND DEDICATION**

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

1. Authorizes the dedication of the easement on City property APN 31-220-22 to APN 31-220-21 (S. Stanley French Trustee of the S. Stanley French 1998 revocable Trust).
2. Direct City Staff to record said easement with the Tehama County Clerk and Recorder.
3. Accept the dedication of a Road and Public Utility Easement contained on Parcel Map 0-11 and direct staff to record Parcel Map 07-11.

Scot Timboe, Planning Director, then gave a detailed explanation of what had happened with this property since the City sold it to the current property owner. Staff had asked that they move the access road as far away from the corner for safety reasons. With this change both the City and the property owner to the south are gaining 15 feet of buildable area.

Mayor Pro Tem Irving stated that he now had a better understanding of the easement.

M/S/C Councilmembers Moyer, Byrne to authorize the dedication of the easement on City property APN 31-220-22 to APN 31-220-21 (S. Stanley French Trustee of the S. Stanley French 1998 revocable Trust), directed staff to record this easement with the Tehama County Clerk and Recorder and accept the dedication of a Road and Public Utility Easement contained on Parcel Map 07-11 and directed staff to record Parcel Map 07-11.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **RECOGNITION OF EMPLOYEES' LENGTH OF SERVICE TO THE CITY OF RED BLUFF**

Tessa Pritchard, Human Resources Director reviewed the staff report and gave staff's recommendation that the City Council formally recognize Police Chief Scott Capilla, Police Communications Supervisor Cindee Banwarth, Planning Director Scot Timboe, Building Official/Director JD Ellison, Detective Jeff Wing and Parks Maintenance Worker Ron Fugate. And that the City hold an employee recognition luncheon on April 9, 2008, during which the Mayor will present the recognized employees with a Certificate of Recognition.

M/S/C Councilmembers Byrne and Moyer to approve staff's recommendation.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **PUBLIC HEARING – ACCEPTANCE OF FINAL REPORT FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) PLANNING AND ANALYSIS STUDY**

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

1. Conduct the Public Hearing.
2. Approve the Grantee Performance Report for the City of Red Bluff to be submitted to the State of California.

Scot Timboe, Planning Director, explained how the GIS program would assist staff when reviewing projects that come into the City. This will also help with FEMA for flood elevations. He has also input all the sewer, storm drains, waterlines, hydrants etc into the program. He thanked Ms. Van Warmerdam and the City Council for their support of the project.

Mayor Pro Tem Irving opened and after receiving no comments closed the Public Hearing at 8:03 p.m.

Martin Nichols, City Manager, stated that a lot of the detail has been the produce of Scot Timboe as he has put a lot of this detail into the program.

M/S/C Councilmembers Byrne and Moyer to approve the Grantee Performance Report for the City of Red Bluff to be submitted to the State of California.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **REPORT ON SALES TAX AND SUSPENSION OF WORKER COMPENSATION ACCRUAL FOR THE REMAINDER OF THE 2007/08 FISCAL YEAR**

Margaret Van Warmerdam, Finance Director, reviewed the staff report and gave staff's recommendation that the City Council accepts the report of Sales Tax and approves the suspension of Worker Compensation Accrual for the remainder of the 2007/08 Fiscal Year. Ms. Van Warmerdam stated that sales had declined by 4.3% and that they were projecting a decrease of sales tax of \$200,000. She explained that the sales tax is flat for the City, but not negative as it is within the State. She stated that the Work Comp accrual suspension would result in a decrease in all funds.

Mayor Pro Tem Irving requested clarification on whether this has been done every year.

Ms. Van Warmerdam stated it has been done with SUI, but this is the first time the Work Comp has been suspended.

Councilmember Brown questioned if this was a one time suspension.

Ms. Van Warmerdam stated that as part of the 2008/09 budget is it would be re-budgeted.

M/S/C Councilmembers Brown, Moyer to accept the report of Sales Tax and approve the suspension of Worker Compensation Accrual for the remainder of the 2007/08 Fiscal Year.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

## **CITY BUDGET RESERVE POLICIES**

Margaret Van Warmerdam, Finance Director, reviewed the staff report and gave staff's recommendation that the City Council approve the Reserve Policies. She stated that this would be used as a guideline for establishing reserves in the budget.

Martin Nichols, City Manager, stated that this establish funds that would aid in expenses that the City will have to deal with should the State withhold funds such s property taxes. This will allow the City to set aside money for future purchases.

Councilmember Brown requested clarification on if the goal was 10% increments.

Mr. Nichols stated that the goal was to put money aside as funds are available.

Councilmember Brown requested examples of the types of funds that would be considered unexpected.

Ms. Van Warmerdam stated that this would be grant funding, unclaimed checks etc.

Mr. Nichols stated that this allows money to be set aside for the unforeseen expenses and/or state cuts.

M/S/C Councilmembers Brown and Moyer to approve the Budget Reserve Polices.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

## **HOUSING LONG TERM MONITORING POLICIES AND PROCEDURES**

Finance Director Margaret Van Warmerdam reviewed the staff report and gave staff's recommendation that the City Council approves the AP&P 71-2 Long Term Monitoring Policies and Procedures.

Mayor Pro Tem Irving requested clarification on which staff member is tasked with the monitoring.

Ms. Van Warmerdam stated that these fell in her domain and that she has a consultant that monitors the grants and keeps her informed of violations.

City Manager Martin Nichols pointed out that these grants are monitored by the State.

Councilmember Byrne stated that it bothered him that the State is loaning the City money and the City is then loaning money out with no benefits to the City.

Ms. Van Warmerdam stated that the City benefits by having low to middle income housing available, which is something that the State had asked the City to address.

City Manager Martin Nichols stated that it was State Law requiring that the City provide a certain number of low income homes.

Councilmember Brown asked if the grant paid for City staff time.

Ms. Van Warmerdam stated that the City could be reimbursed for staff time, but staff wants to see as many loans distributed as possible.

Mayor Pro Tem Irving questioned if the monitoring was to assure that the people that should be living in the homes are.

Ms. Van Warmerdam stated that was correct.

Councilmember Byrne questioned if the low income developments caused any law enforcement issues.

Police Chief Scott Capilla stated that the ones that are managed and ran well do not, but the ones that are not management do cause problems.

M/S/C Councilmembers Brown, Moyer to approve the AP&P 71-2 Long Term Monitoring Policies and Procedures.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

### **REQUEST TO APPLY FOR STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS FOR THE 2008-09 FUNDING YEAR**

Margaret Van Warmerdam, Finance Director reviewed the staff report and gave staff's recommendation that the City Council approve the preparation of a Resolution for approval by City Council on April 1, 2008 for State Community Development Block Grant (CDBG) Program Funds for the 2008-09 funding in the amount of \$850,000 and authorize a supplemental budget appropriation in the amount of \$3,500 for the Consultant to prepare the grant application. Ms. Van Warmerdam explained that 10% of this grant would be used for the purchase of two police vehicles and the jaws of life for the Fire Department.

Councilmember Brown questioned the number on the waiting list for these types of program funds and the cost savings to the General Fund for purchasing these items from the grant.

Ms. Van Warmerdam stated that she had 10 or more on the list and hopes to go into the next round of grant funding. She stated that staff wanted to put something down for City use of the funds to keep the grant viable.

Councilmember Brown questioned if that was considered by the State when reviewing the grant applications.

Ms. Van Warmerdam stated that the more public benefit is considered and this will help with the General Fund if we face issues with the State budget.

Mayor Pro Tem Irving questioned if the applicants are required to be residents of the City.

Ms. Van Warmerdam stated that they must be City residents and the property must be within the City limits.

M/S/C Councilmembers Moyer, Brown to authorize staff to prepare a Resolution for approval by the City Council on April 1, 2008 for State Community Development Block Grant (CDBG) Program Funds for the 2008-09 funding in the amount of \$9850,000 and authorized the supplemental budget appropriation in the amount of \$3,500 for the Consultant to prepare the grant application.

AYES: Councilmembers: Brown, Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmember Flynn (absent-excused)

## **APPROVAL OF WARRANT LIST**

**Recommendation:** That the City Council approve Check Warrant Nos. 58807 through 59137 dated February 7, 2008 through February 28, 2008.

Mayor Pro Tem Irving requested and received clarification on the Animal Shelter payment.

Councilmember Byrne requested and received clarification on the basis of the Animal Shelter billing, which is a % of the number of employees and costs to operate.

M/S/C Councilmembers Moyer and Byrne to approve Check Warrant Nos. 58807 through 59137 dated February 7, 2008 through February 28, 2008.

AYES: Councilmembers: Byrne, Irving and Moyer

NOES: Councilmember: None

ABSENT OR NOT VOTING: Councilmembers Brown (abstained) and Flynn (absent-excused)

**COMMITTEE REPORTS / COUNCIL COMMENTS:**

No Comments at this time

**ADJOURNMENT:**

There being no further business Mayor Pro Tem Irving adjourned the meeting at 8:28 p.m. until the meeting of April 1, 2008 at 7 p.m.

s/b Forrest Flynn, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk