

**RED BLUFF
CITY COUNCIL
REGULAR COUNCIL MEETING**

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

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

Councilmembers Absent: James Byrne (excused)

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
Jesse Sisneros, Interim Fire Chief
Tessa Pritchard, Human Resources Director
Debbie Carlisi, Parks and Recreation Director
J.D. Ellison, Building Director
Donna Gordy, City Treasurer

Mayor Flynn Called the Meeting to order at 7:02 p.m.

Mayor Flynn asked Pat Johnston to lead the Pledge of Allegiance and the assembly joined in.

CLOSED EXECUTIVE SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: JOHNSTON – Workers Comp Claim #2004023313, 2005040737,2007063391 and 2007062390 – Government Code Section 54956.9**
2. **CONFERENCE WITH LEGAL COUNSEL; In accordance with Government Code Section 54956.9
CITY OF RED BLUFF VS. TEHAMA COLUSA CANAL AUTHORITY, UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION; CASE NO. 2:08-CV-01902 MCE/DAD**
3. **EXISTING LITIGATION Sunseri v. Kimball Crossing, Tehama County Case No. 60414**

Mayor Flynn reported that the City Council had given direction to staff.

CITIZEN'S COMMENT:

Pat Johnston read a letter to the Council regarding the Red Bluff Diversion Dam she asked Council to fight to keep the Diversion Dam.

Jesse Sisneros, Interim Fire Chief welcomed and introduced Scott Spangler as a new hire for Red Bluff Fire Department.

Fred Richelieu, concerned citizen, asked the City Council to put a stop to the cutting down of the old trees in front of the Court House, as well as other areas around town.

Mattie Gates, concerned citizen, stated that she also was concerned about the removal of the trees in the downtown area.

Richard Clapp, concerned citizen, doesn't wish to see the trees in the downtown area removed.

Mayor Pro Tem Irving asked that the trees be left as is and that this be put on the next City Council meeting agenda for further discussion.

Mayor Flynn inquired if it was possible for the trees to be left until the next City Council Meeting.

Mark Barthel, Public Works Director, stated that he would call the County and see if the tree removal can wait until after October 21, 2008.

PROCLAMATIONS:

FIRE PREVENTION WEEK, OCTOBER 5-11, 2008

Councilmember Moyer read and presented the proclamation to Division Chief Bachmeyer

LIGHT ON AFTER SCHOOL

Mayor Pro Tem Irving read and presented the proclamation to Beth Burke.

WESTERN FIDDLE OPEN WEEK

Councilmember Brown read and presented the proclamation to Tex Ash. Mr. Ash and several others then gave a sample of what you could hear at the Western Fiddle Open.

CONSENT AGENDA:

Mayor Flynn requested that item #2 be pulled for clarification.

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

AYES: Councilmembers: Brown, Moyer, Irving and Flynn

NOES: NONE

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

APPROVAL OF MINUTES

1.a June 10, 2008 – Special Meeting

2.b September 16, 2008

4/0/1 Approved

TREASURER'S REPORT

Recommendation: That the City Council accept the report for the first month of Fiscal Year 2008.

Mayor Flynn pulled item #2 for clarification on how the City is doing financially.

M/S/C: Councilmembers Flynn and Brown to approve the Treasurer's Report.

AYES: Councilmember: Flynn, Brown, Irving and Moyer

NOES: NONE

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

4/0/1 Approved

APPROVAL OF THE MISCELLANEOUS UNIT MEMORANDUM OF UNDERSTANDING FOR THE PERIOD OF JULY 1, 2008 – JUNE 30, 2010

Recommendation: That the City Council approve the Memorandum of Understanding between the City of Red Bluff and the Miscellaneous Unit for the period of July 1, 2008 – June 30, 2010.

Council approved this item with the changes noted and made by Tessa Pritchard, Human Resource Director.

4/0/1 Approved

ADOPTION OF RESOLUTION NO. 52-2008, A RESOLUTION ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT AT OR GREATER THAN THAT PRESCRIBED BY SECTION 22892(b)(1) OF THE GOVERNMENT CODE IN ACCORDANCE WITH THE NEWLY ADOPTED MISCELLANEOUS UNIT MOU

Recommendation: That the City Council adopt Resolution No. 52-2008, A Resolution to be Subject to Public Employees Medical and Hospital Care Act and fixing the Employer's contribution at an amount at or greater than that prescribed by Section 22892(b)(1) of the Government Code.

4/0/1 Approved

BID AWARD – COPY MACHINE LEASE FOR CITY HALL DEPARTMENT

Recommendation: That the City Council authorize the City Manager to enter into a three year lease with Inland Business Systems in the amount of \$20,098.08 for one copy machine to serve the City Hall Departments.

4/0/1 Approved

TAXICAB SERVICE, TRANSFER OF OWNERSHIP

Recommendation: No action necessary, informational only

CURRENT BUSINESS:

PRESENTATION ON FALL LEAF BURNING BY ALAN ABBS, TEHAMA COUNTY AIR POLLUTION CONTROL OFFICIAL

Alan Abbs, Tehama County Air Pollution Control Official, gave the City Council a presentation on times, dates and locations where burns can take place.

TTM 04-1009 AND PDUP 356 TIME EXTENSION REQUEST; TENTATIVE TRACT MAP 04-1009 AND PLANNED DEVELOPMENT USE PERMIT NO. 356; RESOLUTION NO. 51-2008; WILLOW STREET/JEFFERSON STREET EXTENSION; DAVE DAILEY (APPLICANT/OWNER)

Scot Timboe, Planning Director, reviewed staff report and gave staff’s recommendation that the City Council adopt Resolution No. 51-2008 approving a three year extension to Tentative Tract Map 04-1009 & PDUP 356 with the Findings and Conditions of approval shown in Resolution No. 51-2008, and thereby making the expiration date October 7, 2011.

M/S/C: Councilmembers Irving and Moyer to adopt Resolution No. 51-2008 approving a three year extension to Tentative Tract Map 04-1009 and PDUP 356.

AYES: Councilmembers Irving, Brown, Moyer and Flynn

NOES: NONE

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

POLICE DEPARTMENT BRIEFING:

Scott Capilla, Police Chief, gave the City Council an informational power point presentation on the Police Department.

Informational only, no action needed.

CITY BUILDING DEPARTMENTS RESPONSE TO THE 2007/2008 GRAND JURY REPORT PERTAINING TO EARTHQUAKE PREPAREDNESS, USING PC 933.05 (2)

J.D. Ellison, Building Director, reviewed staff report and gave staff's recommendation that the City Council approve the Building Department's response using PC 933.05 (2) "the recommendation has not yet been implemented but will be implemented in the future with a timeframe for implementation". The response, by the City Building Department, is to be submitted to the County of Tehama Grand Jury and Judge John J Garaventa with the City Council's approval.

Mr. Ellison, Building Director, reported to the City Council that on December 6th. 2008 at 10 a.m. at the Community Center there will be an Earthquake Response Program. This program will be for the public as well as City employees.

M/S/C: Councilmembers Irving and Brown to approve the staff's response to the Grand Jury.

AYES: Councilmembers Irving, Brown. Moyer and Flynn

NOES: NONE

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

REQUEST FOR PROPOSAL – 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 approve the request for Proposal (RFP) – Professional Services for Transient Occupancy Tax Audit Services.

Ms. Van Warmerdam advised staff that other Cities were doing the audits going back three years just to make sure the motels are charging the right sales tax and if they are then there would be no need to do this every year.

M/S/C: Councilmembers Irving and Brown to approve the request for Proposal – Professional Services for Transient Occupancy Tax Audit Services.

AYES: Councilmembers Irving, Brown, Moyer and Flynn
NOES: NONE
ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

POLICY FOR THE ESTABLISHMENT OF CITY FUNDS

Margaret Van Warmerdam, Finance Director, reviewed staff report and gave staff's recommendation that the City Council approve the Policy for the Establishment of City Funds.

M/S/C: Councilmembers Moyer and Irving to approve the Policy for the Establishment of City Funds.

AYES: Councilmembers: Moyer, Irving, Brown and Flynn
NOES: NONE
ABSENT OR NOT VOTING: Councilmember Byrne (absent-excused)

COMMITTEE REPORTS / COUNCIL COMMENTS:

Mayor Flynn reported that he had given a tour of City Hall to visiting exchange students from Italy.

ADJOURNMENT:

There being no further business Mayor Flynn adjourned the meeting at 9:07 p.m. until the meeting of October 21, 2008 at 7 p.m.

s/b Forrest Flynn, Mayor

ATTEST:

s/b Jo Anna Lopez, City Clerk