

ANDERSON CITY COUNCIL MINUTES
Regular Meeting
January 20, 2009

WORKSHOP – 5:30 p.m.

The workshop was called to order at 5:30 p.m.

ROLL CALL

Councilmembers present: Councilmember Yarbrough
Councilmember Hunt
Councilmember Webster
Vice-Mayor Connick
Mayor Schaefer

Councilmembers absent: None.

Also present: City Manager Scott Morgan, City Attorney Mike Fitzpatrick, and Deputy City Clerk Juanita Barnett.

WORKSHOP – INTERVIEW PLANNING COMMISSION CANDIDATES

City Manager Scott Morgan introduced the candidates and gave a brief overview of the interview proceedings.

The Council interviewed Planning Commission applicants Deni Jordan and Susan Baugh.

6:15 p.m.: The Council recessed.

6:30 p.m.: The Council reconvened.

WORKSHOP – PRESENTATION ON SHASTA FORWARD>> ALTERNATIVE GROWTH SCENARIOS BY SHASTA REGIONAL TRANSPORTATION PLANNING AGENCY

City Manager Scott Morgan introduced Dan Wayne, Senior Planner for the Shasta County Regional Transportation Planning Agency.

Using a PowerPoint® presentation, Mr. Wayne gave a brief overview of the Shasta FORWARD>> alternative growth scenarios and answered questions from Council.

The Council received the presentation from the Shasta Regional Transportation Planning Agency.

6:50 p.m.: The Council recessed.

REGULAR SESSION

7:02 p.m.: The City Council reconvened.

INVOCATION

Pastor Paul Tilley, Faith Assembly church, gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Yarbrough led the Pledge of Allegiance.

PRESENTATIONS

Police Chief Dale Webb introduced new Police Officer Jarrett McDaniel.

Officer McDaniel thanked the Council for the opportunity to serve the Anderson community, introduced his family, and his daughter Kaylee pinned on his badge.

Police Chief Dale Webb introduced new Public Safety Dispatcher Laura Pennington.

Ms. Pennington thanked the Council for the opportunity to serve the Anderson community and Administrative and Support Services Division Manager Robyn Pope-Burgess pinned on her badge.

Shasta Mosquito and Vector Control District Board Member Larry Mower gave a brief update on the District's current activities stating that their manager has retired and they are currently recruiting for that position.

PROCLAMATIONS

Councilmember Yarbrough read a proclamation proclaiming January 25, 2009, through January 31, 2009, as "Catholic Education Week."

Councilmember Hunt read a proclamation proclaiming February 6, 2009, as "Wear Red Day for Women" and Mayor Schaefer presented the proclamation Alexis Skipitis for the American Heart Association.

Ms. Skipitis thanked the Council for their continual support of the American Heart Association.

7:15 p.m.: Councilmember Hunt left the Council Chambers.

7:17 p.m.: Councilmember Hunt returned and took her place on the dais.

COUNCIL REPORTS

Councilmembers used this time to report on community activities they participated in and to announce upcoming events.

7:24 p.m.: The City Council recessed and the Anderson Redevelopment Agency convened.

ANDERSON REDEVELOPMENT AGENCY

The Anderson Redevelopment Agency convened at 7:24 p.m.

ROLL CALL

Agency Members Present: Directors Yarbrough, Hunt, Connick, Webster, and Chairman Schaefer.

Agency Members Absent: None.

Also present: Executive Director Dana Shigley, Agency Counsel Mike Fitzpatrick, and Secretary Scott Morgan.

MINUTES

By motion made, seconded (Connick/Yarbrough), and carried, the Agency approved minutes of the meeting of January 6, 2009.

SHASTECH PROJECT AREA BUDGET AMENDMENT

Agency Secretary Scott Morgan gave a staff report and answered questions from the Agency Board.

By motion made, seconded (Hunt/Yarbrough), and carried, the Agency approved an increase in 2008-2009 SHASTECH Project Area appropriations by \$145,174 to make the AB 1389-required payment to the Educational Revenue Augmentation Fund.

7:27 p.m.: The Anderson Redevelopment Agency adjourned and the City Council reconvened.

CONSENT AGENDA

By motion made, seconded (Connick/Hunt), and carried, the Council took the following action:

Approved the minutes of the regular meeting of January 6, 2009.

Received and filed warrant 110912 to 110999 in the amount of \$365,950.77; warrant 111000 to 111061 in the amount of \$70,524.43; and a Wire Transfer in the amount of \$3,131.20.

Adopted Resolution No. 09-03 approving an update of Rule XVI of the City's Personnel Rules.

Waived reading, except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.

Adopted Resolution No. 09-04 approving a labor negotiations contract with Nickolaus & Haeg, LLC and authorizing the City Manager to execute the contract on behalf of the City.

PUBLIC HEARINGS

ALL LEGAL NOTICES WERE GIVEN ACCORDING TO LAW

**PUBLIC HEARING - DOWNTOWN MIXED USE ZONING ORDINANCE;
RESOLUTION NO. 09-05; ORDINANCE NO. 757**

This was the time set aside to receive public input on the proposed Downtown Mixed Use Zoning.

Planning Director John Stokes gave a staff report and answered questions from the Council.

The public hearing was opened. No comments were made either for or against the proposal. The public hearing was closed.

By motion made, seconded (Connick/Webster), and carried, the Council adopted Resolution No. 09-05 making the environmental finding of a Negative Declaration, ED 08-08.

The Deputy City Clerk read the Ordinance by title only.

By motion made, seconded (Connick/Webster), and carried, the Council introduced Ordinance No. 757 (first reading): amending Section 17.02.040 adding Mixed Use – Commercial (MU-C) and Mixed Use – Residential (MU-R); and adding Chapter 17.15 Mixed Use District; revising the zoning map for the area bounded by Interstate 5, North Street, Douglas and South/Balls Ferry Road as a Mixed Use District; and placed the ordinance on the February 3, 2009, City Council agenda for enactment (second reading).

**PUBLIC HEARING – DEVELOPMENT IMPACT FEE AMENDMENTS; ORDINANCE
NO. 758**

This was the time set aside to receive public input on the proposed Development Impact Fees.

City Manager Scott Morgan gave a staff report and answered questions from the Council.

The public hearing was opened. No comments were made either for or against the proposal. The public hearing was closed.

The Deputy City Clerk read the ordinance by title only.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council introduced Ordinance No. 758 (first reading) amending the Anderson Municipal Code pertaining to development impact fees to provide for collection of impact fees not later than certificate of occupancy and to combine certain water and sewer fee elements, and place the ordinance on the February 3, 2009, City Council agenda for enactment (second reading).

PUBLIC HEARING - DISCUSS PRODUCTS AND ACTIVITIES IN ANTICIPATION OF CLOSING OUT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 07-PTAG-3122 - FIRE SERVICES GOVERNANCE STUDY; RESOLUTION NO. 09-06

This was the time set aside to receive public input on the anticipated closeout of CDBG 07-PTAG-3122 – Fire Services Governance Study grant.

City Manager Scott Morgan gave a staff report and answered questions from the Council.

The Deputy City Clerk read the published public hearing notice in its entirety.

The public hearing was opened.

Anderson Fire Protection District Fire Chief Joe Piccinini confirmed that the Fire District Board had accepted the report prepared by Robert Olsen Associates, stated that the need for financing additional firefighters is great, requested the Council's support through the process of seeking additional funding and welcomed any comments the Council may have regarding the study.

Not other comments were received and the public hearing was closed.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council adopted Resolution No. 09-06 determining, in response to the consultant's recommendations relating to the City and the action of the Anderson Fire Protection Board of Directors on January 13, 2008:

- a. That the City of Anderson not pursue consolidation of the Anderson Fire Protection District into the City of Anderson at this time.
- b. That the City of Anderson, when considering annexation of territory that is also outside the boundaries of the Anderson Fire Protection District, request, through the Shasta Local Agency Formation Commission (LAFCo), that LAFCo establish coterminous boundaries.
- c. That the City of Anderson not make direct general fund contributions to the Fire District for basic services, including needed new firefighter staffing.
- d. That the City Manager is directed to meet with the Chief of the Anderson Fire Protection District to explore additional opportunities for City cooperation and support of the District and report back to the City Council in ninety days with recommendations.
- e. That future updates of the adopted City Water Master Plan continue to include all areas served by the Anderson Fire Protection District, and that City staff continue to pursue, within a reasonable time of City annexation of territory already within the Anderson Fire Protection District, grant opportunities to extend water service into annexed territory.
- f. That the City, in cooperation with the Anderson Fire Protection District, continue to make land and financial plans for construction of a future fire station and staffing within the proposed Vineyards at Anderson Specific Plan.

- g. That the Planning Director is directed, within ninety days, to prepare comments for the City Council's consideration, commenting on the Olson study recommendation to the Fire District to adopt an ordinance that would require all future new buildings in the District be constructed with fire sprinklers.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Anderson New Technology Student representative Zach Enmark gave an update on school activities.

REGULAR AGENDA

CITY MANAGER

PUBLIC WORKS ENGINEERING SERVICES; RESOLUTION NO. 09-07

City Manager Scott Morgan gave a staff report and answered questions from the Council.

By motion made, seconded (Webster/Comnick), and carried, the Council adopted Resolution No. 09-07 approving agreements for public works engineering services and amending 2008-2009 appropriations in non-general fund accounts.

FINANCE DEPARTMENT

2007-2008 COMPREHENSIVE ANNUAL FINANCIAL REPORT

City Manager Scott Morgan gave a staff report and, together with Assistant City Manager Dana Shigley and Nystrom & Company Auditor Rob Griffith, answered questions from the Council.

By motion made, seconded (Hunt/Yarbrough), and carried, the Council received and filed the 2007-2008 Comprehensive Annual Financial Report.

PUBLIC COMMENT ON CLOSED SESSION ITEM(S) – None.

7:24 p.m.: ***The City Council convened to Closed Session.***

CLOSED SESSION

The City Council convened to Closed Session to consider the following:

CONFERENCE WITH LEGAL COUNSEL ON POTENTIAL LITIGATION

(Pursuant to Govt. Code Section 54956.9(b))

Two potential cases – Northwest Homes and Palmer Homes

CONFERENCE WITH LEGAL COUNSEL ON POTENTIAL INITIATION OF LITIGATION

(Pursuant to Govt. Code Section 54956.9(c))

One potential case – Lincoln General Insurance Company

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Postponed from 01/06/2009.

(Pursuant to Govt. Code Section 54957)

Regular quarterly evaluation of City Manager Scott Morgan.

CLOSED SESSION ANNOUNCEMENT

Mayor Schaefer announced that the City Council sat in closed session with direction given to the City Attorney to initiate litigation against Lincoln General Insurance Company, and that there was no other reportable action.

ADJOURN

9:00 p.m.: The City Council adjourned to 5:30 p.m. Tuesday, February 3, 2009.

Butch Schaefer, Mayor

ATTEST:

Juanita Barnett, Deputy City Clerk