

**ANDERSON CITY COUNCIL MINUTES
Regular Meeting**

November 5, 2013

REGULAR SESSION

The regular session of the City Council was called to order at 6:02 p.m.

ROLL CALL

Councilmembers present: Councilmember Day
Councilmember Baugh
Councilmember Hunt
Vice-Mayor Hopkins
Mayor Yarbrough

Councilmember absent: None.

Also present: City Manager Jeff Kiser, City Attorney Ann Siprelle, Assistant City Manager/Finance Director Liz Cottrell, Police Chief Michael Johnson, Development Services Director Kristen Maze, Deputy Public Works Director David Durette, and Deputy City Clerk Brenda Hicken.

INVOCATION

Mr. Amarjit Singh, The Sikh Centre, gave the invocation.

PLEDGE OF ALLEGIANCE

Vice-Mayor Hopkins led the Pledge of Allegiance.

PRESENTATION

Zach Bonnin, City of Redding Transportation Planner, gave a Powerpoint presentation on the Short Range Transit Plan for the Redding Area Bus Authority (RABA). He focused on the southern part of Redding and Anderson, Routes 2, 3 and 9, which is a two hour loop to Anderson. He discussed two alternative routes they are considering; cost sharing options; additional options; and general public workshops in November; followed with a return to the Board in January for findings and recommendations.

The Council thanked Mr. Bonnin for coming.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Mayor Yarbrough asked if there were any comments on items not on the agenda. City Attorney Ann Siprelle asked him to make an announcement about Item 7.

PUBLIC HEARING

PUBLIC HEARING – APPROVAL OF THE FINAL MAP FOR HOMEWOOD SUBDIVISION UNIT 3B, 29 LOTS AND A REMAINDER

Mayor Yarbrough announced that Item 7.0 is being pulled off the agenda.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (continued)

Gregg Duralia, President of Dura Crane, handed out a packet of three items: his business card, a couple of maps, and a copy of a page from the City Council minutes from September 5, 2006. He addressed the Council regarding Homewood Subdivision. He stated the City

staff missed the map conditions of a sound wall between his property and Homewood Subdivision and asked the Council to see sub paragraph b of the minutes where it states the second phase of the wall, 10 feet high, shall be extended along the boundary along the undeveloped Duralia parcel...prior to the issuance of the first certificate of occupancy within the Homewood Subdivision Unit 2 or the development of industrial property. He stated our engineer, Jim Elkins with PACE Engineering, has told staff and him that the developer can bond around the condition of the map, paragraph b, and continue with the development of Phase 3. At such time that the developer wants to build the lots that border the wall, they will then have to build the wall per Jim Elkins. He said that is not what the conditions state, as you see in paragraph b. Mr. Duralia stated he can be reached at 365-2525, and he has included his business card. He stated that as you can see on the map, Phase 2 or called Unit No. 2, has already been built on this other portion. There were only two lots left, so basically what was missed was the wall. The City along with staff and Jim Elkins missed it, or what have you, but Phase 2 is already under construction and now the developer wants to go to Phase 3, and as Mr. Elkins states, he can build Phase 3 without building the wall. Mr. Duralia said he's kind of a lay person; he just reads what it says, and this is what it says. He thanked the Council for their time, and stated if they have any questions he can be reached here or if they would like to ask him anything now, that would be fine.

Mayor Yarbrough asked if there were any questions.

Councilmember Day asked City Manager Jeff Kiser if he knew why this condition was missed.

City Attorney Ann Siprelle stated she could answer the question. She then explained there was an appeal of that condition, and she thinks Mr. Duralia was the appellant. She said the tentative map conditions were approved by the Planning Commission, then there was an appeal of that condition and some other things and that condition was changed to read the way that Mr. Duralia read it, which was that the wall was to be constructed before the first certificate of occupancy in Unit 2, or industrial development, whichever occurs first. When this final map came in for approval, apparently the file was incomplete and did not have that appeal and the latest version, the current version, of that condition was not in the file. It just came to our attention on Friday.

Mayor Yarbrough inquired if that was actually an oversight, that we did not see it. City Attorney Ann Siprelle said yes. Mayor Yarbrough stated this happened prior, and City Attorney Ann Siprelle said in 2006. Councilmember Day asked how the City should handle this now. City Attorney Ann Siprelle stated that's why the item was pulled from the agenda, because the wall should have been built before map 2A was finalized.

The Council thanked Mr. Duralia for coming.

CONSENT AGENDA

By motion made, seconded (Baugh/Day), and carried, the Council took the following actions:

Approved the minutes of the regular meeting of October 15, 2013.

Received and filed warrant 128445 to 128503 in the amount of \$95,986.61; warrant 128504 to 128580 in the amount of \$779,911.97; warrant 128581 to 128639 in the amount of \$184,673.33; and an ACH in the amount of \$1,190.13.

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

Authorized the Mayor to sign a second amendment to the Facilities Sublease dated June 1, 1993 by and between the City of Redding, County of Shasta and City of Anderson to allow for the refinancing of existing lease revenue bonds to reduce the

Base Rentals paid by the County and the City of Anderson in connection with the SHASCOM public safety communications facilities.

PUBLIC HEARINGS

ALL LEGAL NOTICES WERE GIVEN ACCORDING TO LAW

PUBLIC HEARING – APPROVAL OF THE FINAL MAP FOR HOMEWOOD SUBDIVISION UNIT 3B, 29 LOTS AND A REMAINDER

Mayor Yarbrough stated this item has been tabled.

PUBLIC HEARING – REVIEW AND APPROVAL TO RE-ZONE OF APPROXIMATELY 3.47 ACRES FROM RURAL ESTATE (RE) TO RURAL ESTATE-2 (RE-2); ORDINANCE NO. 783

Development Services Director Kristen Maze gave a staff report and answered questions from the Council.

6:31 p.m. The Public Hearing was opened. There were no comments.

Councilmember Hopkins made a motion to approve the recommendation, seconded by Councilmember Baugh.

Mayor Yarbrough directed the Deputy City Clerk to read the ordinance by title only.

Councilmember Hunt stated she had a question about the consent agenda.

Mayor Yarbrough went back to the motion that was on the table; all voted in favor:

The Council reviewed and adopted the mitigated negative declaration pursuant to California Environmental Quality Act Guidelines Section 15074; reviewed the re-zone application; introduced an ordinance (first reading) approving the re-zone of approximately 3.47 acres from Rural Estate (RE), minimum one acre parcel, to Rural Estate-2 (RE-2), minimum one half acre parcel, based on the findings, the City of Anderson Zoning Code standards Anderson Municipal Code (AMC) Chapters 17.14 *Rural Estate*, and findings consistent with the General Plan, and directed that the ordinance be placed on the November 19, 2013 agenda for enactment (second reading).

CONSENT AGENDA

Mayor Yarbrough asked City Attorney Ann Siprelle if we could go back to the consent agenda. Councilmember Hunt stated the minutes in the consent agenda were incomplete, there is another sheet on-line. It was determined sheet 4 was missing in the packets. City Attorney Ann Siprelle recommended the Council reconsider Item 6.1 and instead of approving the minutes, continue it to the next meeting. By motion made, seconded (Hunt/Day) and approved, the Council moved to reconsider Item 6.1, Draft Minutes for October 5, 2013, at the next Council meeting.

REGULAR AGENDA

CITY MANAGER

PROPOSED TAX SHARING AGREEMENT WITH SHASTA COUNTY FOR THE APPROXIMATELY 385 ACRES FOR ANNEXATION TO THE CITY OF ANDERSON CITY LIMITS; RESOLUTION NO. 13-46

City Manager Jeff Kiser gave a staff report.

By motion made, seconded (Hunt/Day), and carried, the Council adopted Resolution No. 13-46 approving the tax exchange agreement with Shasta County.

COUNCIL REPORTS/COMMENTS

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

CLOSED SESSION

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

6:43 p.m.: *The City Council convened to Closed Session.*

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

CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Gov't. Code Section 54957.6)

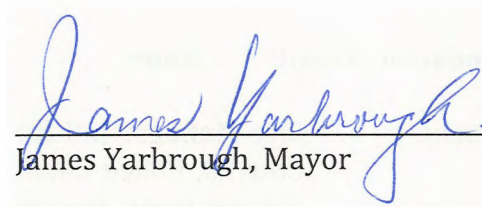
Agency Negotiators:	Assistant City Manager Liz Cottrell and Rick Haeg, Nickolaus and Haeg, LLC
Employee organizations:	A. Teamsters Local 137 B. Anderson Police Officers Association C. Management Team

6:58 p.m.: *The City Council reconvened to Open Session.*

CLOSED SESSION ANNOUNCEMENT: Mayor Yarbrough announced that Council sat in Closed Session to receive an update on labor negotiations with no reportable actions taken.

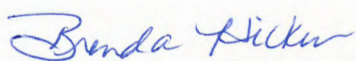
ADJOURNMENT

6:58 p.m.: *The City Council adjourned to November 19, 2013.*



James Yarbrough, Mayor

ATTEST:



Brenda Hicken, Deputy City Clerk