

**ANDERSON CITY COUNCIL MINUTES**

**Regular Meeting  
September 1, 2015**

**REGULAR SESSION**

The regular session was called to order at 6:00 p.m.

**ROLL CALL**

Councilmembers present: Councilmember Cornick  
Councilmember Browning  
Councilmember Yarbrough  
Vice-Mayor Baugh  
Mayor Hunt

Councilmembers absent: None.

Also present: Assistant City Manager Liz Cottrell, City Attorney Jody Burgess, Police Chief Michael Johnson, City Engineer David Durette, and City Clerk Juanita Barnett.

**INVOCATION**

Pastor Perry Peterson, Crossroads Bible Fellowship, gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Councilmember Browning led the Pledge of Allegiance.

**PROCLAMATIONS**

A proclamation proclaiming September 17 – 23, 2015 as Constitution Week and Thursday, September 17, 2015, as Constitution Day was read by Councilmember Yarbrough and presented to Susan Wilson of the League of Women Voters.

Ms. Wilson thanked the Council for their support of the Constitution and for the proclamation.

A proclamation proclaiming September as Youth Peer Court Month was read by Councilmember Cornick and presented to Susan Wilson on behalf of the Shasta County Peer Court.

Ms. Wilson gave a brief overview of the Peer Court's purpose and what they have accomplished over the past year, and thanked the Council and Board Members Browning and Johnson for their support and participation.

A proclamation proclaiming September as Childhood Cancer Awareness Month was read by Vice-Mayor Baugh.

A proclamation recognizing and Honoring Shasta Support Service volunteers was read by Councilmember Browning and presented to Dale Ball, one of the founders of the organization.

Mr. Ball thanked the Council for their recognition and support, and presented a letter of appreciation and T-shirts to Mayor Hunt and Councilmember Browning for their assistance with the clean-up.

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Sylvia Milligan addressed the Council concerning the Jefferson State Movement, presented them with an information packet on the matter, and requested the Council review the information presented and consider bringing an item back to the Council in support of Jefferson State.

At Mayor Hunt's request, Chief Johnson brought K-9 Aero into the Council Chambers and answered questions from the Council and audience regarding Aero's health and fund raisers to help with his medical expenses.

**CONSENT AGENDA**

By motion made, seconded (Yarbrough/Baugh), and carried by a 5-0 vote, the Council took the following actions:

Approved the minutes of the regular meeting of August 18, 2015.

Received and filed warrant 2012 to 2083 in the amount of \$112,697.60; warrant 2084 to 2149 in the amount of \$205,882.97; an ACH in the amount of \$1,190.13; and an ACH in the amount of \$25,007.65.

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. 15-39 consenting to and approving a transaction between Charter Communications, Inc., the ultimate parent company of the Franchisee, with its subsidiary CCH I, LLC (New Charter) and Advance/Newhouse Partnership (A/N), the ultimate parent company of Bright House Networks, LLC (BHN), Time Warner Cable Inc. (TWC), and Liberty Broadband Corporation (Liberty), (collectively "the Agreements"), the purpose of which are to effectuate the acquisition of BHN and merger with TWC (Transaction), and incorporating therein by reference the following:

1. The Franchise Authority consents to the Transaction.
2. The Franchise Authority confirms that the Franchise is valid and outstanding and in full force and effect and there are no defaults under the Franchise. Subject to compliance with the terms of the Resolution, any action necessary with respect to the Transaction and the Franchisee has been duly and validly taken.
3. Charter or the Franchisee may (a) assign, transfer, or transfer control of its assets, including the Franchise, provided that such assignment, transfer, or transfer of control is to an entity directly or indirectly controlling, controlled by or under common control with Charter; (b) restructure debt or change the ownership or interests among existing equity participants in Charter; (c) pledge or grant a security interest to any lender(s) of charter's Assets, including, but not limited to, the Franchise, or of interest in Charter, for purposes of securing any indebtedness; and (d) sell equity interests in Charter or any of Charter's affiliates.
4. Upon closing of the Transaction, the Franchisee shall remain bound by the lawful terms and conditions of the Franchise.
5. The Resolution shall be deemed effective upon adoption.
6. The Resolution shall have the force of a continuing agreement with Franchisee and the Franchise Authority shall not amend or otherwise alter the Resolution without the consent of Franchisee and Charter.

Received and filed the quarterly treasurer's report for the fiscal quarter ended June 30, 2015.

**Vote:** AYES: Councilmembers Yarbrough, Baugh, Cornick, Browning, and Mayor Hunt.  
 NOES: None.  
 ABSTAIN: None.  
 ABSENT: None.

**ITEMS REMOVED FROM THE CONSENT CALENDAR – None.****PUBLIC HEARINGS – None.****REGULAR AGENDA****CITY ATTORNEY****LICENSE AGREEMENT BETWEEN THE CITY OF ANDERSON, THE MOBILE HOME PARK, LLC, AND MARSHA WILSON, INDIVIDUALLY, AND AS TRUSTEE OF THE MARSHA A. WILSON LIVING TRUST**

City Attorney Jody Burgess gave a staff report and answered questions from the Council.

By motion made, seconded (Comnick/Browning), and carried by a 5-0 vote, the Council approved the signing of the License Agreement between the City of Anderson, the Mobile Home Park, LLC, and Marsha Wilson, individually, and as Trustee of the Marsha A. Wilson Living Trust, and to thereafter present the License Agreement to Ms. Wilson's counsel for signature.

**Vote:** AYES: Councilmembers Comnick, Browning, Yarbrough, Baugh, and Mayor Hunt.  
 NOES: None.  
 ABSTAIN: None.  
 ABSENT: None.

**CITY MANAGER****AMEND JOB CLASSIFICATION AND COMPENSATION PLAN; RESOLUTION NO. 15-40**

Assistant City Manager Liz Cottrell gave a staff report and, together with Police Chief Michael Johnson, answered questions from the Council.

By motion made, seconded (Baugh/Yarbrough), and carried by a 5-0 vote, the Council adopted Resolution No. 15-40 amending the Classification and Compensation Plan establishing the position of Public Service Officer (PSO), adopting the job description, and establishing the pay range for the position.

**Vote:** AYES: Councilmembers Baugh, Yarbrough, Comnick, Browning, and Mayor Hunt.  
 NOES: None.  
 ABSTAIN: None.  
 ABSENT: None.

**SOLID WASTE COLLECTION AND DISPOSAL, RECYCLING AND GREEN WASTE FRANCHISE AGREEMENT RENEWAL; RESOLUTION NO. 15-41**

City Attorney Jody Burgess gave a staff report and answered questions from the Council.

By motion made, seconded (Browning/Comnick), and carried by a 5-0 vote, the Council adopted Resolution No. 15-41 approving a franchise renewal agreement with USA Waste of California, INC., a subsidiary of Waste Management, INC., the term of this Agreement shall be for the period commencing on the Effective Date and ending on June 30, 2025.

**Vote:** AYES: Councilmembers Browning, Comnick, Yarbrough, Baugh, and Mayor Hunt.  
 NOES: None.  
 ABSTAIN: None.  
 ABSENT: None.

**ASSISTANT CITY MANAGER/FINANCE DEPARTMENT**

**AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING WITH THE GENERAL TEAMSTERS PROFESSIONAL, HEALTH CARE AND PUBLIC EMPLOYEES, LOCAL 137:RESOLUTION NO. 15-42**

Assistant City Manager Liz Cottrell gave a staff report and, together with City Attorney Jody Burgess, answered questions from the Council.

By motion made, seconded (Yarbrough/Baugh), and carried by a 5-0 vote, the Council adopted Resolution No. 15-42 approving amendments to the Memorandum of Understanding negotiated between representatives of the City of Anderson and representatives of the General Teamsters Professional, Health Care and Public Employees, Local 137 with the caveat that they will continue to work on clarifying the language in Section 26.2 regarding the right to switch medical plans and bring that language back to Council as a Side Letter at a later date.

**Vote:** AYES: Councilmembers Yarbrough, Baugh, Cornick, Browning, and Mayor Hunt.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

**PUBLIC WORKS DEPARTMENT**

**AGREEMENTS FOR ENVIRONMENTAL PERMITTING PROCESS FOR RHONDA ROAD EXTENSION FROM SR 273 TO PLEASANT HILLS DRIVE**

City Engineer David Durette gave a staff report and answered questions from the Council.

Dr. Brad Shea asked whether this project would include a vineyard and stated he worked in the area of environmental consulting and would appreciate being considered on any future projects the City may have. Dr. Shea left a business card with the City Clerk.

By motion made, seconded (Baugh/Cornick), and carried by a 5-0 vote, the Council; approved a funding agreement with JMA Vineyards Commercial LLC to fund the City's environmental permitting process for the Rhonda Road connection to SR 273, and authorize the City Manager to sign the agreement on behalf of the City; and approved a professional services agreement with Gallaway Enterprises, Inc. to obtain the environmental permits for the Rhonda Road connection to SR 273, and authorize the City Manager to sign the agreement on behalf of the City.

**Vote:** AYES: Councilmembers Baugh, Cornick, Browning, Yarbrough, and Mayor Hunt.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

Mayor Hunt announced that Item 8.9b "Auto Mall Drive Right of Way Abandonment" would be removed from the agenda at the request of the property owner who was unable to be at the meeting.

Mayor Hunt requested the Clerk to read the Case number, previously not listed on the agenda, for item C.S.2.

The City Clerk read the Case No. for Item C.S.2. as follows:

Item C.S.2 "Conference with Legal Counsel – Existing Litigation" - Gerald Knighten v. City of Anderson, Us District Court Case No. 2:15-CV-01751-TLN-CMK

**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.

**7:10 p.m.:** ***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  
A. Anderson Police Officers Association  
B. Management Team

**CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

(Gov't. Code Sec. 54956.9(d)(1))

City of Anderson v. Antonio Damian, Jr., Shasta County Superior Court Case No. 181280,  
Barbara A. Peck v. City of Anderson, Shasta County Superior Court Case No. 181009  
City of Anderson v. Mobile Estates LLC, et al, Shasta County Superior Court Case No.  
181458 Gerald Knighten v. City of Anderson, US District Court Case No. 2:15-CV-01751-  
TLN- CMK

**7:59 p.m.:** ***The City Council reconvened to Open Session.***

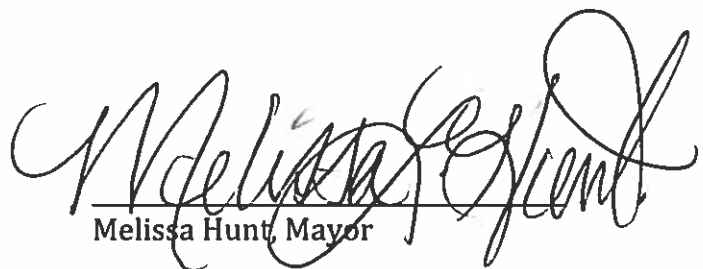
**CLOSED SESSION ANNOUNCEMENT:** Mayor Hunt announced Council sat in Closed Session to discuss labor negotiations and receive updates of four separate existing litigation cases with direction given and no reportable action taken.

**ADJOURNMENT**

**8:00 p.m.:** ***The City Council adjourned to September 15, 2015.***

ATTEST:

  
Juanita Barnett, City Clerk

  
Melissa Hunt, Mayor