

City Council, Special Meeting  
Council Chambers  
1313 California Street  
Redding, California  
August 3, 1999, 5:45 p.m.

The Pledge of Allegiance to the Flag was led by Mr. Clay McClain.

The Invocation was offered by Pastor Jim Wilson of St. Michael's Episcopal Church.

The meeting was called to order by Mayor Anderson with the following Council Members present: Cibula, Kight, Pohlmeier, and McGeorge.

Also present were City Manager Warren, Assistant City Manager Perry, Deputy City Manager Starman, City Attorney Wingate, Director of Public Works August, Planning Manager Hamilton, Director of Electric Utility Feider, Chief of Police Blankenship, Fire Chief Wagner, City Treasurer Clark, Support Services Director Kersten, Administrative Services Director Bachman, City Clerk Strohmayer, Assistant City Clerk Moscatello, and Executive Secretary Miller.

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KOOL APRIL NIGHTS PRESENTATION

(A-090-100)

Dwayne Tomei, Director of Kool April Nights, presented a check in the amount of \$10,000 to the City for the Redding Drag Strip from the proceeds of Kool April Nights, as well as a plaque of appreciation to the City Council for its cooperation.

Mayor Anderson thanked Mr. Tomei and Kool April Nights, stating that the event was a success, as always, and that the proceeds go to a good cause.

Dan Murphy, President of Northern California Drag Racing Association, thanked the City and Kool April Nights for the donation, and said the Drag Strip hopes to bring more revenue to the City in years to come.

CONSENT CALENDAR

The following matters were considered inclusively under the Consent Calendar:

Approval of Minutes - Regular Meeting of July 6, 1999, and July 20, 1999

Approval of Payroll and Accounts Payable Register

(A-050-100-500)

It is recommended that Accounts Payable Register No. 2, check numbers 270220 through 270601 inclusive, in the amount of \$1,936,946.03, for the period July 20 through July 29, 1999, be approved and paid, and Payroll Register No. 2, check numbers 462901 through 463684 inclusive, and electronic deposit transaction numbers 64443 through 64966, in the amount of \$1,749,942.05, for the period July 11 through July 24, 1999, be approved.

TOTAL: \$3,686,888.08

Treasurer's Report - June 1999

(A-050-100-600)

Total Treasurer's Accountability - \$97,817,069.92

Total City of Redding Funds, Funds Held in Trust, and Funds of Related Entities - \$152,620,381.45

ACR133 and Cash Reconciliation Report - June 1999  
(F-205-095-650)

It is the recommendation of the Deputy City Manager that the ACR133 Report and the Proof of Cash Reconciliation for June 1999 be accepted.

ORDINANCE NO. 2256 - re Commercial Vehicles/Trailer Parking in Residential and Unclassified District  
(P-030-250)

It is recommended that Ordinance No. 2256 be adopted, an ordinance of the City Council of the City of Redding amending Section 11.24.070 of the Redding Municipal Code, Commercial Vehicles/Trailers in or Adjacent to Residential and Unclassified Districts, exempting tow trucks on-call pursuant to a valid tow service agreement with a state or local agency and/or on-call for a 24-hour tow service.

Property Status Report  
(C-070)

It is the recommendation of the Assistant City Manager that City Council accept the Property Status Report as of July 1999, which includes the following: (1) Surplus City Property; (2) Leases/Renewal of Leases of City Land; (3) Offers to sell land to the City; and (4) City-initiated purchases of land.

Set Public Hearing re Capital Outlay Funds for Shasta Union High School District  
(R-030-050/R-030-145)

It is the recommendation of the Deputy City Manager that City Council set a joint public hearing with the Redding Redevelopment Agency for September 7, 1999, to consider a request by the Shasta Union High School District for the use of capital outlay funds to complete the bleacher project at Enterprise High School.

Resolution - Amending Council Policy re Collection of Delinquent Utility Accounts and Resolution - Amending Council Policy re Late Fees and Utility Deposits  
(A-050-060-555, U-500-850)

It is the recommendation of the Support Services Director that Resolution No. 99-109 be adopted, a Resolution of the City Council of the City of Redding amending Policy No. 1402, Collection of Delinquent Utility Accounts, effective August 3, 1999.

It is recommended that Resolution No. 99-108 be adopted a Resolution of the City Council of the City of Redding amending Policy No. 1404, Late Fees and Utility Deposits, effective August 3, 1999.

Letter of Agreement with FAA Control Tower re Nonmovement Areas at Redding Municipal Airport  
(A-090-010, A-090-100)

It is the recommendation of the Development Services Director that City Council approve the updated Letter of Agreement with the FAA Control Tower defining jurisdictional responsibilities for the loading ramps, aircraft parking areas, and nonmovement areas at Redding Municipal Airport.

Request for Third Addendum and Amendment to Jack Stringer Ground Lease at Redding Municipal Airport  
(C-070-100, A-090-100)

It is the recommendation of the Development Services Director that City Council approve an amendment to the ground lease with Jack Stringer at Redding Municipal Airport, to allow expansion of commercial activities within the Stringer Hangar including pilot training, aircraft rental, and avionics sales and service, effective August 1, 1999.

Request from Jack Stringer to Lease a Portion of Evergreen Building at Redding Municipal Airport

(C-070-100, A-090-100)

It is the recommendation of the Development Services Director that City Council approve a lease of 1430 square feet of the Evergreen Building at Redding Municipal Airport to Jack Stringer, allowing expansion of commercial activities within the hanger. The term of the lease shall be from August 1, 1999, to July 31, 2001, with an option to proceed year-to-year if both parties agree, the first year at \$625 per month and thereafter \$775 per month.

Mayor Anderson stated that he received a request from the public to speak on the agenda items relating to the requests for Amendments to the Ground Lease and request to lease a portion of the Evergreen Building by Jack Stringer.

Brian Dyer, 8949 Brentwood Way, President and co-owner of Redding Aerotronics, Inc., said that when he wanted to lease a facility for an avionics business, he was required to go through a bidding process, submit financial statements, a letter from the bank and submit an equipment inventory. Mr. Dyer said that strict standards were imposed on his company, and he requested that the same standards be applied to Mr. Stringer's request.

Airports Manager Dinger related that Mr. Dyer's lease application was submitted prior to the initiation of Council Policy 302, and that current standards are not as stringent.

Attorney John Kenny, representing Premier Aviation, indicated that the applicant has met the lease requirements, and the issues raised tonight are an attempt to cause delays and allow the deal to fall through. He requested that Council approve the applicant's request.

License Agreement with Northern California Drag Racing Association (NCDRA) for Wings & Wheels '99 at Redding Municipal Airport

(A-070-080, A-090-100)

It is the recommendation of the Development Services Director that City Council approve the license agreement for use of a portion of Redding Municipal Airport to conduct Wings & Wheels '99 on September 17, 18, and 19, 1999.

Award of Bid - Bid Schedule No. 3297, Single-Phase, Pad-Type Distribution Transformers

(B-050-100)

It is the recommendation of the Electric Utility Director that Bid Schedule No. 3297, Single-Phase, Pad-Type Distribution Transformers, be awarded to Central Maloney, Inc., in the evaluated amount of \$161,563.75 for purchases during the period August 1, 1999, through July 31, 2000.

McConnell Foundation Grant Request

(G-100)

It is the recommendation of the Chief of Police that City Council approve submission of a grant request for \$3,895 to the McConnell Foundation for institution of the "Curtailling Student Alcohol Use Program" to target underage drinking in schools. Funds would be used to purchase Preliminary Alcohol Screening Devices (PAS) for use at school sites and school events to determine whether students have been drinking.

Application for 1999 Local Law Enforcement Block Grant

(G-100-070)

It is the recommendation of the Chief of Police that City Council approve application for United States Department of Justice Block Grant funding in the amount of \$131,763, requiring a city match of \$14,640. The position of Network Specialist in the police department would be funded for two years in the amount of \$112,000, and the remaining \$34,403 would be used to pay the cost of financing and maintaining the mobile data system.

Resolution - Approving Amendments to Executive Management Pay-for-Performance Salary Plan and

Resolution - Appropriating Funds  
(P-100-320, B-130-070)

It is the recommendation of the Administrative Services Director that Resolution No. 99-110 be adopted, a Resolution of the City Council of the City of Redding amending the Executive Pay-for-Performance Salary Plan, effective August 8, 1999, adding the classification of Economic Development Director and deleting the classification of Economic Development/Asset Manager.

It is recommended that Resolution No. 99-111 be adopted, a Resolution of the City of Redding approving and adopting the fourth amendment to City Budget Resolution No. 99-93 appropriating \$21,000 for purchase of a vehicle for the Economic Development Manager and to augment City Manager's division travel budget for Fiscal Year 1999-2000.

Owner/Participation Agreement for Traffic Signals on Churn Creek Road at College View Drive

(T-080-700, L-010-390)

It is the recommendation of the Director of Public Works that City Council approve an Owner/Participation Agreement with Catholic Healthcare West North State (CHW) for construction of traffic signals at the intersection of College View Drive and Churn Creek Road pursuant to Use Permit UP-37-98 for construction of the Golden Umbrella Senior Nutrition Center Project. The agreement will allow CHW to accelerate construction and be reimbursed for costs from the traffic impact fee fund; however, the company will be required to pay traffic impact fees of approximately \$90,000 of the total project cost of \$200,000.

Resolution - Appropriating Funds for Raising Utility Covers, 1999 Street Overlay Project, Bid Schedule No. 3279 (Job No. 2125)  
(B-130-070, S-070-200)

It is the recommendation of the Public Works Director that Resolution No. 99-112 be adopted, a Resolution of the City of Redding approving and adopting the third amendment to City Budget Resolution No. 99-93 appropriating \$123,805 for the Wastewater Utility and \$134,385 for the Water Utility for raising utility covers as part of the 1999 Street Overlay Project for Fiscal Year 1999-2000.

Resolution - re Summary Vacation of Unused Storm Drain Easement (Island Drive)  
(A-010-040)

It is the recommendation of the Public Works Director that Resolution No. 99-113 be adopted, a Resolution of the City Council of the City of Redding summarily vacating an easement for road and public service purposes (specifically, 20 feet wide for storm drainage) granted to the City of Redding by easement recorded July 5, 1991, in Book 2738 at Page 311, Shasta County Records, and return full use of the property to the present owner.

Resolution - Summarily Vacating Utility Waterline Easement (Island Drive); and  
Resolution - Summarily Vacating Two Utility Waterline Easements (Island Drive)  
(A-010-040)

It is the recommendation of the Public Works Director that Resolution No. 99-114 be adopted, a Resolution of the City Council of the City of Redding summarily vacating an unused 15-foot-wide utility (Waterline) easement recorded in Book 793 of Official Records of Shasta County at Page 317, and return full use of the property to the present owner.

It is recommended that Resolution No. 99-115 be adopted, a Resolution of the City Council of the City of Redding summarily vacating two 15-foot-wide utility (Waterline) easements recorded in Book 793 of Official Records of Shasta County at Pages 317 and 323 respectively.

Resolution - Summarily Vacating Public Service Easement on Old Alturas Road at Home Base

(A-010-040)

It is the recommendation of the Public Works Director that Resolution No. 99-116 be adopted, a Resolution of the City Council of the City of Redding summarily vacating a portion of the variable-width public service easement at Home Club on Old Alturas Road, shown or dedicated by Parcel Map recorded November 18, 1991, in Book 28 of Maps at Page 108, Official Records of Shasta County.

Resolution - Summarily Vacating Existing Utility Easement at Mt. Shasta Mall

(A-010-040)

It is the recommendation of the Public Works Director that Resolution No. 99-117 be adopted, a Resolution of the City Council of the City of Redding summarily vacating a portion of a 70-foot-wide permanent nonexclusive easement and right-of-way (located in the Mt. Shasta Mall parking lot) for underground utility purposes, granted by Ernest W. Hahn, Inc., and Mt. Shasta Mall Associates to the City of Redding.

State of California Local Agency Agreement for Bicycle Transportation Account Project  
(G-100-170, T-100-050)

It is recommended that City Council authorize the Public Works Director to execute a State of California Local Agency Agreement for the Bicycle Transportation Account Project authorizing a grant in the amount of \$63,395 for the Redding Bikeway Plan. The City's share for this grant is \$7,046, for a total project cost of \$70,441.

**MOTION:** Made by Council Member Kight, seconded by Council Member Pohlmeyer, that all the foregoing items on the Consent Calendar be approved and adopted as recommended. Voting was as follows:

Ayes:	Council Members - Cibula, Kight, McGeorge, Pohlmeyer, and Anderson
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

Resolution Nos. 99-108, 99-109, 99-110, 99-111, 99-112, 99-113, 99-114, 99-115, 99-116, and 99-117, and Ordinance No. 2256 are on file in the office of the City Clerk.

ECONOMIC DEVELOPMENT DIRECTOR

(A-050-080)

City Manager Warren announced the appointment of Mike Mitchell to the position of Economic Development Director. He said that Mr. Mitchell has the qualities needed to succeed in the position and carry out the City's goals.

Mike Mitchell stated that he has been a resident of Redding for over ten years and has had the opportunity to watch what the City has done in terms of economic development. He thanked Council for taking necessary steps to succeed with economic development.

APPOINTMENT TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AND RATIFICATION OF CHAIR AND VICE CHAIR

(B-080-600-100)

Mayor Anderson recommended the appointment of Diane Abair to the Community Development Advisory Committee to fill an unexpired term to December 1, 2000. He also recommended that Council ratify the Committee's recommendation to appoint Larry Sterk as Chair and Leo Graham as Vice Chair to the Community Development Advisory Committee.

**MOTION:** Made by Council Member Cibula, seconded by Council Member Kight, that Diane Abair be appointed to the Community Development Advisory Committee to fill an unexpired term to December 1, 2000, and to ratify the appointment of Larry Sterk as Chair and Leo Graham as Vice Chair to the Community Development Advisory Committee. The Vote: Unanimous Ayes

APPOINTMENTS TO THE IMPACT FEE ADVISORY COMMITTEE

(B-080-600)

Mayor Anderson said that he recommended the appointments of Brent Day and Dave Scott to fill two vacancies on the Impact Fee Advisory Committee.

**MOTION:** Made by Council Member Kight, seconded by Council Member Pohlmeier, that Brent Day and Dave Scott be appointed to fill two vacancies on the Impact Fee Advisory Committee. The Vote: Unanimous Ayes

PROPOSED LANDSCAPE ORDINANCE

(L-010-145)

City Manager Warren introduced a proposed ordinance to provide specifications and consolidate landscaping requirements for residential, commercial, and industrial zones. He said that the Planning Division received input from both landscapers and developers in preparing the ordinance. Mr. Warren explained that some ambiguity was noted as to whether the requirements would apply retroactively, and staff has agreed to make changes to resolve the issue and return to Council in September. He said that rather than remove the item from the agenda, staff has requested that Council comment on the ordinance as written.

Planning Manager Hamilton reported that the ordinance is intended to relay community expectations and landscape maintenance requirements for new projects rather than affecting those previously approved. Mr. Hamilton conveyed that the Planning Commission unanimously approved the proposed ordinance.

Mayor Anderson commented the ordinance seems to promote governmental regulation and design review. He opined that an ordinance of this type should be shorter and less restrictive, requiring attractive landscaping but allowing the property owner more latitude, such as with regard to plant size. He stated that Housing and Urban Development classifications should be utilized when identifying multiple-family housing. Mayor Anderson expressed opposition to 1) the requirement that plans be prepared by a landscape architect or "other qualified person," 2) the plan check fee, and 3) the enforcement section of the ordinance which calls for "criminal, civil, and administrative penalties." He ALSO opposed the Development Services Director being responsible for reviewing and approving plans.

Council Member Cibula said he favors city beautification, and although he believes requirements should be clear, this ordinance is overly regulatory and too specific. He remarked that landscape requirements should promote an attractive appearance for the city, but he questioned whether the provisions could be effectively enforced.

Council Member Kight agreed with the previous comments in concept, but he asserted that some landscaping looks terrible and standards are necessary. Council Member Kight recommended that a differentiation be made between residential, commercial, and industrial.

Council Member McGeorge concurred that the ordinance requirements are far too detailed.

Mr. Hamilton said that the department will rewrite the ordinance, make substantial changes based on this evening's comments, and present it to the Planning Commission before returning to Council. He explained that the department's goal is to find a balance of government intervention and private property rights and to represent fundamental values seen in well-landscaped properties.

**RESOLUTION** - Adopting City Council Policy re General Plan Requests  
(A-050-060-555, G-030)

City Manager Warren provided an introduction of a resolution which would place a moratorium on consideration of General Plan Amendment requests until completion of the General Plan Update. He indicated that staff had planned for the resolution to take effect on August 3, 1999, if approved; however, in order to allow notification for property owners to apply for any necessary changes, the date was changed to September 1, 1999.

Planning Manager Hamilton related that the Planning Commission is well along in its review of the Draft General Plan. He said a question has risen with regard to handling current General Plan Amendments, and it has been decided to hold off on these amendments until the update is completed. Mr. Hamilton advised that this step will ensure the process moves forward as expeditiously as possible and is in the best interest of the community

In response to Council Member Kight, Mr. Hamilton related that an average General Plan Amendment takes from three to five months to complete, and if applications continue to be accepted, an amendment could be before the Planning Commission at the same time as the new General Plan. He said if this occurred, the plan in effect at that time would apply. Mr. Hamilton estimated there are approximately 45 amendments currently being considered.

Mr. Hamilton, responding to Council Member Cibula, stated that if the General Plan is not completed by the projected date of February 1, 2000, the completion date will be easier to identify at that time and the moratorium can be extended or eliminated.

**MOTION:** Made by Council Member Kight, seconded by Council Member McGeorge, that Resolution No. 99-118 be adopted, a Resolution of the City Council of the City of Redding adopting Council Policy No. 1807 - Deferral of Acceptance of General Plan Amendments During General Plan Update Completion Period. Voting was as follows:

Ayes:	Council Members - Cibula, Kight, McGeorge, Pohlmeier, and Anderson
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

Resolution No. 99-118 is on file in the office of the City Clerk.

**MONTHLY FINANCIAL REPORT** - Electric Utility  
(B-130-070)

Electric Utility Director Feider provided an overview of the Report to City Council dated July 26, 1999, incorporated herein by reference, regarding the Electric Utility's Monthly Financial Report for June 1999. Retail power sales revenue to date is \$68.9 million, or 1.3 percent, below plan, while retail kilowatt sales were at 100% of the targeted amount. Total wholesale power sales to date are \$34.5 million, or 20.4 percent, above projections. Total operating revenue is 7.0 percent, or \$6.9 million, above plan, and operating revenue after energy costs is 11.8 percent, or \$4.7 million, above projections.

Mr. Feider advised that the total cost of electricity through June 1999 is \$2.3 million, or 3.8 percent above plan. The Utility's earnings before interest, depreciation, and amortization were 17.4 percent, or \$5.3 million, above plan. The current outstanding balance for the Debt Reduction Program is \$128.4 million.

It is the recommendation of staff that the report be accepted as presented.

In response to Mayor Anderson, Mr. Feider stated that pleasant weather has slowed down revenue to the debt reduction program, but wholesale transactions have been stable due to committed sales.

**MOTION:** Made by Council Member Kight, seconded by Council Member Cibula, to accept the Electric Utility’s Monthly Financial Report and the Electric Utility Industry Activities Update for June 1999 as presented. The Vote: Unanimous Ayes

MONTHLY FINANCIAL REPORT - General Fund and  
RESOLUTION - Appropriating Funds  
 (B-130-070)

Administrative Services Director Bachman highlighted the Report to City Council dated July 23, 1999, incorporated herein by reference, concerning the General Fund’s Monthly Financial Report for June 1999. Total revenue to date (\$36.7 million) is \$99,631 (0.3 percent) above staff’s original cash flow estimate. Expenditures to date total \$38,864,675, or \$7,229,983 (15.7 percent) below staff’s original cash flow projection.

Mr. Bachman advised that the proposed resolution will appropriate funds to correct over-budget conditions in the City Council and City Treasurer divisions.

In response to Council Member Kight, Mr. Bachman explained that the over-budget conditions were caused by the retirement insurance of an outgoing council member in 1998, and the retirement and vacation pay and sick leave accrual for the outgoing City Treasurer. Mr. Bachman commented that sufficient savings have been made to cover the appropriations.

It is the recommendation of staff that the City Council accept the Monthly Financial Report for June 1999, and that a resolution be adopted appropriating funds for the City Council and the City Treasurer Divisions.

**MOTION:** Made by Council Member Kight, seconded by Council Member Cibula, to accept the General Fund’s Monthly Financial Report for June 1999; and that Resolution No. 99-119 be adopted, a Resolution of the City of Redding approving and adopting the 25th Amendment to City Budget Resolution No. 98-92 appropriating \$2,755 for the City Council Division and \$71,260 for the City Treasurer’s Office to correct over-budget conditions. Voting was as follows:

- Ayes: Council Members - Cibula, Kight, McGeorge, Pohlmeier, and Anderson
- Noes: Council Members - None
- Absent: Council Members - None
- Abstain: Council Members - None

Resolution No. 99-119 is on file in the office of the City Clerk.

REPAYMENT OF ADVANCES TO ASSESSMENT DISTRICTS FOR LIMITED OBLIGATION BOND DEBT SERVICES  
 (A-170, B-130-070)

Administrative Services Director Bachman provided an overview of the Report to City Council dated July 27, 1999, relating to the repayment of advances made to assessment districts for limited obligation bonds debt service. Prior to August 1998, cash advances from the Wastewater Fund, Water Fund, Storm Drainage Fund, and the General Fund were made for special assessment district debt service payments when payment could not be made, as follows:

Westside Road Sewer Assessment District	\$ 2,834
Churn Creek Road Extension #1 Assessment District	\$116,783
Churn Creek Road Extension #2 Assessment District	\$103,979
Tierra Oaks Assessment District	\$ 25,019

Mr. Bachman indicated that Westside Road Sewer Assessment District and Churn Creek Road Extension #1 Assessment District have sufficient cash in bond redemption funds and reserve funds to repay the advances and make September 2, 1999, debt service payments. With regard to Tierra Oaks Assessment District, sufficient funds are not available for both

the September debt service payment and the advance repayment. Mr. Bachman advised that Churn Creek Road Extension #2 Assessment District has neither sufficient funds to repay the advance or make the debt service payment, and therefore the source of payment to bond holders must come from foreclosure sale proceeds. The sale would provide sufficient cash to repay the advances made by other City funds.

Mr. Bachman explained that the City is not obliged to ensure sufficient cash is available to cover debt service because the bonds are of limited obligation; however, Council should consider whether it is willing to allow the City to be associated with a bond issue in default. Such an occurrence may heighten concern regarding the stability of the economy and growth pattern of the Redding area. Mr. Bachman set forth that staff does not believe the effect on the City's credit would be substantive.

It is the recommendation of staff that the affected funds be repaid \$200,748 from the assessment districts and the remaining balance of \$47,8967 after the foreclosure sale on Churn Creek Road Extension #2 Assessment District.

**MOTION:** Made by Council Member McGeorge, seconded by Council Member Pohlmeier, that City of Redding funds be repaid for advances made to assessment districts for Limited Obligation Bond Debt Services, and the balance from the foreclosure sale of Churn Creek Road Extension #2 Assessment District, as follows:

Wastewater Fund	\$ 2,834
Water Fund	\$ 31,228
Storm Drainage Fund	\$ 66,155
General Fund	\$148,398

The Vote: Unanimous Ayes

REQUEST TO ADOPT LEGISLATION DENOUNCING HATE CRIMES

(A-050-060, P-150-150)

City Attorney Wingate reviewed a request received from the Shasta County Citizens Against Racism for adoption of a resolution or ordinance with respect to the protest of hate crimes. He determined that an ordinance would be invalid as the field is already substantially served by state and federal law and would serve no useful service for the City. Mr. Wingate added that hate crimes are already a major focus of the police department, which works closely with state and federal agencies in that regard.

Mr. Wingate explained that two draft resolutions have been prepared. He stated that while a resolution will not serve a business purpose for City of Redding staff, it will be useful in assuring citizens that Council and staff feel strongly that a high degree of vigilance must be maintained in connection with the prosecution of hate crimes. Mr. Wingate explained that the second draft of the resolution is broader than the first in naming groups and individuals for whom anti-discrimination and civil rights and anti-hate crime statutes are designed to protect. The second draft resolution does not refer to specific groups but to citizens in general.

Melinda Brown of People of Progress stated that she represents the New Human Rights Council. She supported adoption of a resolution specifically denouncing hate crimes and preserving human rights of all individuals regardless of race, religion, sexual orientation, or political beliefs. Ms. Brown conveyed that such a resolution is important for business, tourism, and the young people who are vulnerable to influence. She stated that this legislation is more than symbolic to those who are potential targets of hate crimes. Ms. Brown concluded that representatives should make a strong statement that each person's rights are respected and they are a valued member of the community.

Al Weissberg, 12320 Mac's Road, began by thanking Council for its support and contribution to the Shasta County Library. He noted that media coverage targeted Redding when an alleged hate crime occurred recently in the Happy Valley area. Mr. Weissberg opined that the community should join forces to inform others that crimes of this type are exceptional in Redding. He recommended that a resolution be very specific in mentioning the types of groups targeted for hate and bigotry so it is known in no mistakable terms that such incidences will not be tolerated.

Frank Treadway, 1729 Chestnut Street, one of the authors of the original resolution, also expressed concern with generic wording. He urged Council to include a statement encouraging tolerance of ethnicity, religion, beliefs, gender, and sexual orientation. Mr. Treadway said that wording which is specific is to the point and has more substance.

Steven Scott Dyken, 4858 Tralee Lane, stated that he is a member of the Awareness Fellowship of Northern California, whose purpose is to raise community awareness of social and political issues. Mr. Dyken contended that although the resolution's intent is noble, introducing hate crime legislation is a step toward mandated, dictated thought. Mr. Dyken agreed that tolerance should be taught and practiced but not legislated, and he said punishment for intent is thought crime enforcement. He stated that identifying groups in the resolution will imply that certain individuals have a greater life worth than others. Mr. Dyken indicated that freedom of speech cannot be practiced without freedom of thought. He stated that behavior is the problem, and intolerance should be targeted at its roots by opening official dialogues with establishments in the community that teach tolerance.

Mayor Anderson stated that he would not support an ordinance in view of the City Attorney's recommendation, and he suggested that the speakers take their arguments to the state and national levels.

Mayor Anderson advised that two resolutions are presented for consideration by Council, with differences in the third sentence. The first draft states, "Whereas, tolerance of others who are different from ourselves in race, color, religion, ancestry, national origin, disability, gender, or sexual orientation should be encouraged..." The third sentence of the second draft states, "Whereas, tolerance of others who are different from ourselves should be encouraged..."

Mayor Anderson supported the second version of the resolution. He said that choosing groups can be divisive, and hate crimes can be imposed on groups other than those mentioned in the first draft of the resolution. Mayor Anderson contended that the resolution should cover all citizens and not just specific groups.

Council Member McGeorge agreed with Mayor Anderson and supported the second draft of the resolution. He indicated that a resolution will not change people, and the wording should be on a broader scale.

Council Member Cibula indicated that it is important the resolution cover all citizens and be specific in the types of intolerance which are not acceptable. He said it is important for the City to make its position clear, and he favored more specificity in the resolution.

Council Member Kight observed that it is a sad commentary a resolution of this type is being entertained. He felt that although the resolution may not solve any problems, it will draw light to the topic of hate crimes. Council Member Kight contended that all people and every group should be protected, and he expressed support of the second draft of the resolution which he described as "all encompassing." He emphasized that he would fight for the rights of each group as defined in the constitution, but he pointed out that everyone deserves the same rights and protection under the law, and the resolution should reflect this.

Council Member Pohlmeier agreed that the second draft is more encompassing and clear. He pointed out that in attempting to name specific groups, inevitably one would be excluded. Council Member Pohlmeier opined that the second draft better identifies the impression the City wants to make.

**MOTION:** Made by Council Member McGeorge, seconded by Council Member Pohlmeier, that Resolution No. 99-120 be adopted, a Resolution of the City Council of the City of Redding expressing outrage at hate crimes, expressing sympathy for victims of hate crimes and their families and friends, and urging tolerance within this nation and community, and including the sentence, "Whereas, tolerance of others who are different from ourselves should be encouraged..." Voting was as follows:

Ayes: Council Members - Cibula, Kight, McGeorge, Pohlmeier, and Anderson  
 Noes: Council Members - None  
 Absent: Council Members - None  
 Abstain: Council Members - None

Resolution No. 99-120 is on file in the office of the City Clerk.

#### ORAL COMMUNICATIONS

(P-150-150, C-110-100)

Nancy Summit expressed opposition to graphic signs carried by pro-life picketers in front of the Women's Health Specialists on Victor Avenue. She related that the protesters attach large signs mounted on plywood to traffic signals and lean them against cars rather than carrying them. She also claimed that two of the male picketers are aggressive and make it difficult for patients to access the clinic. Ms. Summit stated that she called the police department and was told there are as many as 150 complaints a day regarding the signs when the protesters are present. She submitted photographs of a sign to Council, and she noted that other cities have enacted sign laws specifically regarding this sign. Ms. Summit requested that the City support this local business by following through with the Freedom of Access to Clinic Entrances Act and determining if there is a violation of the street sign ordinance.

Carol Calvert, Vice President of Women's Health NetWork, supported Ms. Summit with regard to possible unlawful picketing at Women's Health Specialists. She contended that the signs constitute harassment in the manner they are left unattended and propped on fences, signs, and telephone poles. Ms. Calvert claimed that the protesters' objective is to terrorize women, and she requested that Council specifically address the laws pertaining to picketing in the City of Redding.

Katrina Cantrell, Director of Women's Health Specialists, supported Ms. Summit, claiming that the signs represent a hate crime targeting women. Ms. Cantrell related that the clinic has difficulty employing physicians due to harassment and intimidation. She requested that Council observe the picketing on Victor Avenue first hand to evaluate its lawfulness.

(S-100-237)

Donald Lapray, 1745 Crosby Lane, complained that there is limited access to Gold Hills Subdivision in that there are 230 lots and only one street in and out. He pointed out that conditions of approval for Unit 5 have allowed the development company not to finish Shasta View Drive. Mr. Lapray reported that he has been told Council Member Pohlmeier and members of staff will address the situation.

#### CLOSED SESSION

At the hour of 7:17 p.m., Mayor Anderson announced that Council will adjourn to closed session to discuss the following:

Closed Session regarding Anticipated Litigation:  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One Case)  
(L-100)

Closed Session pursuant to California Government Code Section 54956.9(a)  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Finley, et al. v. City of Redding, et al., Shasta County Superior Court No. 133663  
(L-100)

At the hour of 7:28 p.m., Mayor Anderson reconvened the meeting to regular session. He stated that no reportable action was taken.

ADJOURNMENT

There being no further business, at 7:29 p.m., Mayor Anderson declared the meeting adjourned.

APPROVED:

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk