

City Council, Regular Meeting
 Civic Center Council Chambers
 777 Cypress Avenue
 Redding, California
 November 6, 2007 7:00 p.m.

The Pledge of Allegiance to the Flag was led by Council Member Bosetti.

The Invocation was offered by Police Chaplain Debbie Ivey.

The meeting was called to order by Mayor Dickerson with the following Council Members present: Bosetti, Jones, Murray, and Dickerson. Council Member Stegall was absent.

Also present were City Manager Starman, City Attorney Duvernay, Development Services Director Hamilton, Transportation and Engineering Director Tippin, Electric Utility Director Feider, Assistant City Attorney Frediani, Building Official Nagel, Community Services Director Niemer, Airports Manager Dinger, Municipal Utilities Manager Duryee, City Clerk Strohmayer, and Executive Assistant Stribley.

PUBLIC COMMENT

(L-010-500-900)

John Anthony, Bobba Lou's Sandwich Shop, advised that his business had been fined for hiring individuals to wave signs advertising his place of business in the public right of way. He indicated that he has observed this practice in many areas throughout the City and requested clarification regarding this regulation. Mr. Anthony was refer to the Building Official for a response.

(L-010-500-050)

Jim Ceragioli, Redding resident, said that there appears to be a used car lot operating on vacant land at Mistletoe Lane and Churn Creek Road. He contacted the Police Department but was informed that the City ordinance prohibiting the use of vacant lots for vehicle sales was not enforceable unless the property owner posted a sign.

CONSENT CALENDAR

The following matters were considered inclusively under the Consent Calendar:

Approval of Minutes: Regular and Special Meetings of October 16, 2007

Approval of Payroll and Accounts Payable Registers

(A-050-100-500)

It is recommended that Accounts Payable Register No. 8, check numbers 856349 through 857146 inclusive, in the amount of \$15,374,157.15, for the period of October 15, 2007, through October 31, 2007; and Payroll Register No. 8 electronic deposit transaction numbers 217348 through 218188 and check numbers 538004 through 538148 inclusive, in the amount of \$2,565,484.23, for the period of October 7, 2007, through October 20, 2007, be approved. TOTAL: \$ 17,939,641.38

Treasurer's Report - September 2007

(A-050-100-600)

Total Treasurer's Accountability	-	\$155,226,968.09
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Total City of Redding Funds, Funds Held in Trust, and Funds of Related Entities	-	\$269,830,645.62
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ACR133 Report and Cash Reconciliation

(F-205-095-650)

It is the recommendation of the City Manager that the ACR133 Report and the Proof of Cash Reconciliation for September 2007 be accepted.

Ordinance - Amending Redding Municipal Code Chapter 16.20 - *Development Impact Fees*, re North Redding Traffic Benefit District & City-wide Transportation Development Impact Fee

(F-205-600/A-170-130-003/T-080-400)

It is the recommendation of the Development Services Director that Ordinance No. 2398 be adopted, an ordinance of the City Council of the City of Redding amending Redding Municipal Code Chapter 16.20-Development Impact Fees, adding Section 16.20.072-North

Redding Traffic Benefit District Impact Fee Zone, and amending Subsection 16.20.040C-Fee Schedule (Citywide transportation development impact fees).

Ordinance - Amending Redding Municipal Code Chapters 16.20 and 17.42 re application process for developer fee credits for construction of park facilities
(F-205-600 & P-050)

It is the recommendation of the Community Services Director that Ordinance No. 2399 be adopted, an ordinance of the City Council of the City of Redding amending Redding Municipal Code Chapter 16.20-Development Impact Fees and Chapter 17.42-Park and Recreational Land Dedications and Fees, Sections 17.42.010, 17.42.070, 17.42.090, and 17.42.100 relating to the application process for developer fees credit for construction of park facilities.

Ordinance - Amending Redding Municipal Code, adding Chapter 10.19 - Aggressive Solicitation
(P-150-150)

It is the recommendation of the Police Chief that Ordinance No. 2400 be adopted, an ordinance of the City Council of the City of Redding amending the Redding Municipal Code adding Chapter 10.19 Aggressive Solicitations pertaining to the regulation of the time, place, and manner of solicitations for money or other things of value by aggressive means.

Resolution - Approving a Redding Redevelopment Agency affordable housing time extension to retain properties at 1030 and 1048 Grange Avenue, 2958 Leland Avenue, and 815 Parkview Avenue
(R-030-100)

It is the recommendation of the City Manager that Resolution No. 2007-207 be adopted, a resolution of the City Council of the City of Redding, extending the time period (by an additional five years) during which the Redding Redevelopment Agency may retain property identified as Assessor Parcel Numbers 104-230-070, 104-230-072, and 104-350-019 for development of affordable housing for individuals and families of low- and moderate-income.

Resolution - Declaring City-owned property located at 850 Quartz Hill Road as surplus
(C-070-200)

It is the recommendation of the City Manager that Resolution No. 2007-208 be adopted, a resolution of the City Council of the City of Redding declaring 113 acres of City-owned property located at 850 Quartz Hill Road as surplus property and approving the disposition of said property.

Supplemental Letter to the Shasta County Grand Jury - Re the Redding Area Bus Authority
(B-080-600-800 & R-010)

It is the recommendation of the City Manager that the City Council authorize the Mayor to submit a supplemental letter to augment the City's initial response letter dated October 1, 2007, to the Grand Jury regarding its findings and recommendations relative to the Redding Area Bus Authority. The supplemental letter will satisfy certain technical requirements set forth in California law.

Subordinate the City's Job Credit Lien - Ferrosaur, Inc. dba Industrial Metals
(E-050 & F-205-600)

It is the recommendation of the Economic Development Director that the City Council agree to subordinate Job Credits Loan #P804 in the amount of \$27,000 with Ferrosaur, Inc. dba Industrial Metals, to a First Deed of Trust and loan in the amount of \$1,612,500 in favor of Redding Bank of Commerce.

Resolution - Intention to abandon a portion of public open-space easement at Tuscany Drive, The Villages at Shasta View Gardens Subdivision (A-1-06) and set a public hearing
(A-010-040 & S-101-094)

It is the recommendation of the Development Services Director that Resolution No. 2007-209 be adopted, a resolution of the City Council of the City of Redding, declaring its intention to abandon a portion of a public open-space easement (A-1-06) and drainage easement (approximately .14 acre) located on 2006 through 2124 Tuscany Drive in The Villages at Shasta View Gardens Subdivision by Village Development because it does not meet the criteria set for inclusion as "Open Space" and serves no public purpose as such, and that a public hearing be set for December 18, 2007, to consider same.

Redding Electric Utility's Public Benefits Program

(E-090-100)

It is the recommendation of the Electric Utility Director that the City Council accept the report regarding the status and value of the Redding Electric Utility's Public Benefits Program.

Resolution - Authorizing Second Amendment to the Library Services Agreement with Library Services and Systems, LLC

(L-050)

It is the recommendation of the Community Services Director that Resolution No. 2007-210 be adopted, a resolution of the City Council of the City of Redding, authorizing the City Manager to execute the Second Amendment to the Library Services Agreement with Library Services and Systems, LLC (LSSI) allowing LSSI to apply for grant funds or other monies for the benefit of the Redding Municipal Library, Burney Branch Library, and the Anderson Branch Library as the Shasta Public Libraries, and authorizing the City Treasurer to accept grant funds or other monies in the name of the Shasta Public Libraries.

Grant Application - Center for Injury Prevention Policy and Practices

(G-100/P-150/R-006)

It is the recommendation of the Community Services Director that the City Council authorize submission of a grant application in the amount of \$96,000 to the Center for Injury Prevention Policy and Practices to provide funds for an awareness campaign to aid in the prevention of child drowning incidents.

Sale and Disposition of City-owned Property - 397 Tourmaline Way to Ralph and Gloria Neidigh

(C-070-200 & P-050)

It is the recommendation of the Community Services Director that the City Council approve the sale of .25-acre of City-owned property located at 397 Tourmaline Way to Ralph and Gloria Neidigh in the amount of \$75,000 and authorize the Mayor to execute all necessary documents.

Council Member Jones advised he will vote no on this item for consistency with previous opposition. The Vote:

AYES:	Council Members - Bosetti, Murray, and Dickerson
NOES:	Council Members - Jones
ABSTAIN:	Council Members - None
ABSENT:	Council Members - Stegall

Resolution - Approving a grant application to the California Resources Agency for Environmental Enhancement and Mitigation Program

(G-100-170 & P-050-460)

It is the recommendation of the Community Services Director that Resolution No. 2007-211 be adopted, a resolution of the City Council of the City of Redding approving a grant application to California Resources Agency in the amount of \$350,000 through the Environmental Enhancement and Mitigation Program to widen the Sacramento River Trail and southern access to the Sundial Bridge, and authorize the City Manager to execute all necessary documents.

Purchase Fire Engine - Pierce Manufacturing

(P-150-070 & B-050-100)

It is the recommendation of the Fire Chief that the City Council authorize the purchase of a fire engine from Pierce Manufacturing in an amount not-to-exceed \$460,754, pursuant to Resolution No. 2004-85.

Quarterly Report - Turtle Bay Exploration Park

(C-070-250-250)

It is the recommendation of the Assistant City Manager that the City Council accept the Quarterly Report from the Turtle Bay Exploration Park for the first quarter ending September 30, 2007, for the fiscal year ending June 30, 2008.

Second Amendment to Management Agreement - Action Security, Inc.

(A-090-100)

It is the recommendation of the Transportation and Engineering Director that the City Council approve the Second Amendment to the Management Agreement with Action Security, Inc., to provide operation of the paid parking facility at the Redding Municipal Airport, increasing the annual fixed fee to accommodate minimum wage increases, plus a 3% increase annually, and approve compensation to Action Security for missed increase payments for the term of January 1, 2008, through March 31, 2008, in the amount of \$2,107.32.

Parking License Agreement - Catholic Healthcare West dba Mercy Medical Center Redding, at Benton Airpark

(C-070-100/A-090-020/A-070-080)

It is the recommendation of the Transportation and Engineering Director that the City Council approve the Parking License Agreement with Catholic Healthcare West dba Mercy Medical Center Redding, at Benton Airpark to provide off-site parking for Mercy Medical employees for a term of one year, then year-to-year basis, in the amount of \$300 per month increasing 3% annually.

Contracts of Acquisition - Robinson Trust, John Clemens, and Jerry Ford for easements for Rancho Road improvements for the Stillwater Business Park

(C-070-010 & E-050-500)

It is the recommendation of the Transportation and Engineering Director that the City Council authorize the Mayor to execute Contracts of Acquisition with Robinson Trust in the amount of \$2,500, John Clemens in the amount of \$16,000, and Jerry Ford in the amount of \$10,000 for right-of-way easements for the Stillwater Business Park and related infrastructure.

Council Member Jones advised he will vote no on this item because of concerns regarding the Stillwater Business Park Project. The Vote:

AYES: Council Members - Bosetti, Murray, and Dickerson

NOES: Council Members - Jones

ABSTAIN: Council Members - None

ABSENT: Council Members - Stegall

Award of Bid - Bid Schedule No. 4081, Foothill Water Treatment Plant Filtration System Improvements

(B-050-020 & W-030-425)

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4081 (Job No. 2301), Foothill Water Treatment Plant filtration System Improvements be awarded to ERS Industrial Services, Inc. in the amount of \$2,203,668, that an additional \$125,000 be approved for administration and inspection fees, and that an additional \$220,500 be approved for a construction contingency fund, for a total amount of \$2,549,168.

Sole Source Professional Services Agreement - Water Works Engineers re engineering services for the Jenny Creek elevated sanitary trunk sewer

(W-020-560)

It is the recommendation of the Transportation and Engineering Director that the City Council authorize the Mayor to execute a Sole Source Professional Services Agreement with Water Works Engineers to perform engineering services for the Jenny Creek elevated sanitary trunk sewer, the Mary Street Lift Station and the Mary Street Force Main in an amount not-to-exceed \$400,000. The sole source request is due to the sanitary sewer overflow that occurred on October 15, 2007, and time is of the essence to complete repairs.

Award Request for Proposal - Request for Proposals Schedule No. 4078, Stillwater Wastewater Treatment Plant Facilities PlanConsultant Services Agreement - Waterworks Engineers

(B-050-100 & W-010-560)

It is the recommendation of the Transportation and Engineering Director that Request for Proposals Schedule No. 4078, Stillwater Wastewater Treatment Plant Facilities Plan be awarded to Waterworks Engineers and that the Mayor be authorized to execute a Consultant Services Agreement with Waterworks Engineers in an amount not-to-exceed \$356,000.

Award of Bid - Bid Schedule No. 4027, Clear Creek Wastewater Treatment Plant Rehabilitation and Expansion (B-050-020 & W-010-450)

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4027 (Job No. 2198), Clear Creek Wastewater Treatment Plant Rehabilitation and Expansion be awarded to Ray Toney and Associates in the amount of \$16,812,970, that an additional \$100,000 be approved for administration, and that an additional \$1,687,030 be approved for a construction contingency fund for a total amount of \$18,600,000.

Grant Application - Safe Routes to School Program for Mistletoe Lane (G-100-170/S-070-285/T-080-300)

It is the recommendation of the Transportation and Engineering Director that the City Council authorize submission of a grant to the State Safe Routes to School Program (SR2S) for improvements to Mistletoe Lane from Shady Lane to Carpenter Lane to serve students of Mistletoe Elementary School.

Resolution - Accepting streets and improvements in Land Park Subdivision Unit 4 (S-101-006 & S-070-230)

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2007-212, a resolution of the City Council of the City of Redding, accepting streets for maintenance and operation in the Land Park Subdivision Unit 4 (S-8-93), located on the west side of Buenaventura Boulevard south of Keswick Dam Road, by Mountain Properties, Inc., that the improvements be accepted as satisfactorily completed, and that the City Clerk be instructed to return the securities to the developer.

Resolution - Accepting streets and partial improvements in Hope Lane Subdivision (S-101-062 & S-070-230)

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2007-213 be adopted, a resolution of the City Council of the City of Redding accepting streets for maintenance and operation, and partial improvements in Hope Lane Subdivision (S-12-03), located east of Hope Lane near Carnegie Court, by Bella Vista 6 L.P., that the improvements except for landscaping be accepted as satisfactorily completed, and that the City Clerk be instructed to return the securities to the developer.

Notice of Completion - Bid Schedule No. 4050, Second Street Water Main Replacement (B-050-020 & W-030-725)

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4050 (Job No. 2250), Second Street Water Main Replacement awarded to Bobby Martin Construction be accepted as satisfactorily completed and that the City Clerk be authorized to file a Notice of Completion with the Shasta County Recorder. The final cost was \$231,375.51.

Final Map and Partial Improvements - Buckeye Pines Subdivision; and

Resolution - Accepting streets for maintenance (S-101-090 & S-070-230)

It is the recommendation of the Transportation and Engineering Director that the City Council approve the Final Map for the Buckeye Pines Subdivision (S-6-05), located west of Lake Boulevard and north of Quartz Hill Road, by Rosenau Lahr, LLC, that the City Clerk be instructed to file the map with the Shasta County Recorder, and that the improvements be accepted with the exception of landscaping as satisfactorily completed.

It is further recommendation that Resolution No. 2007-214 be adopted, a resolution of the City Council of the City of Redding, accepting streets for maintenance and operation in the Buckeye Pines Subdivision.

Notice of Completion - Bid Schedule No. 3955, North Market Street Force Main Project (B-050-020 & W-030-725)

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 3955 (Job No. 2249), North Market Street Force Main Project awarded to Kinnan Engineering, Inc. be accepted as satisfactorily completed and that the City Clerk be authorized to file a Notice of Completion with the Shasta County Recorder. The final cost was \$2,317,484.00.

Amendments to the Redding Contract & the Buckeye Contract - Bureau of Reclamation (F-200-200-050/W-030-050/W-030-070)

It is the recommendation of the Municipal Utilities Director that the City Council authorize the City Attorney to negotiate amendments to the Redding Contract (No. 14-06-200-2871A-R-1) and the Buckeye Contract (No. 14-06-200-5272A-LTR-1) with the United States Bureau of Reclamation (BLM) to merge the two water supply service areas into one service area to provide maximum flexibility in the balance supply and demand water system. (The proposed agreements will be returned for consideration at a future meeting.)

Agreements - Lincoln National Life Insurance Company (P-100-150-055 & P-100-150-060)

It is the recommendation of the Personnel Director that the City Council authorize staff to execute agreements with Lincoln National Life Insurance Company to provide life, dependent life, accidental death and dismemberment (AD&D), and long-term disability insurances.

MOTION: Made by Council Member Murray, seconded by Council Member Bosetti, that all the foregoing items on the Consent Calendar be approved and adopted as recommended with the exception of the items approved by separate vote as indicated above. The Vote:

AYES: Council Members - Bosetti, Jones, Murray, and Dickerson

NOES: Council Members - None

ABSTAIN: Council Members - None

ABSENT: Council Members - Stegall

Ordinance Nos. 2398, 2399, and 2400 and Resolution Nos. 2007-207, 2007-208, 2007-209, 2007-210, 2007-211, 2007-212, 2007-213, and 2007-214 are on file in the Office of the City Clerk.

PUBLIC HEARING - 2007 California Building, Electrical, Mechanical, and Plumbing Codes

ORDINANCE - Amending Redding Municipal Code Chapters 16.01 through 16.05 (C-110-200/C-110-250/C-110-350/C-110-400)

The hour of 7:00 p.m. having arrived, Mayor Dickerson opened the public hearing regarding the 2007 California Building, Electrical, Mechanical, and Plumbing Codes.

The following document is on file in the Office of the City Clerk:

Affidavit of Publication - Notice of Public Hearing

City Clerk Strohmayer advised that no protests were received.

Building Official Nagel related that the California Building Standards Commission adopted the 2006 International Building Code, and the 2006 Uniform Plumbing, Mechanical, and Electrical Codes with amendments which constitute the 2007 California Building Standards Code to be enforced by local jurisdictions as mandated in the California Health and Safety Code.

Mr. Nagel explained that local jurisdictions are allowed to provide amendments to these Codes if they are topographic, climatic, and/or geologic in nature. He said that because of area snow loads, seismic activity, amount of water, and soil type, the proposed ordinance includes local amendments to the Code. He added that the new Code will also modify the requirements for swimming pool barriers, and because the 2007 Code is quite different, the City's ordinance will provide clarification.

Mr. Nagel pointed out that the amendment process has been ongoing for more than a year and proposed amendments have been presented to the Board of Appeals, the Structural Engineers Association, and the Shasta Builders Exchange. He advised that upon approval, the new Code would be effective January 1, 2008, meaning that permits applied for prior to the effective date would have a year for completion under the old code, but subject to the new standard after that time.

Mr. Nagel recommended that the City Council offer the ordinance for first reading and waive the full reading, to adopt the 2007 California Building Standards Code with Findings of Fact, and local amendments, amending Redding Municipal Code Chapters 16.01 through 16.05.

Mayor Dickerson determined that no one present wished to address this matter and closed the public hearing.

MOTION: Made by Council Member Murray, seconded by Council Member Jones adopting the 2007 California Building Standards Code including Findings of Fact and local amendments. The Vote: Unanimous Ayes

Council Member Murray offered Ordinance No. 2401 for first reading, an ordinance of the City Council of the City of Redding amending Redding Municipal Code Chapters 16.0 through 16.05, repealing Section 16.01.020, amending and renumbering Sections 16.01.030 through 16.01.060, 16.02.010, 16.03.010, 16.04.010, and 16.05.010 and making Findings of Facts relative to local climatic, geologic, and topographic conditions, relating to the adoption of the 2007 California Building Standards Code.

MOTION: Made by Council Member Murray, seconded by Council Member Jones, that the full reading of Ordinance No. 2401 be waived, and that the City Attorney be instructed to read the full title. The Vote: Unanimous Ayes

UPDATE ON MAJOR PROJECTS - The Sculpture Park
(P-050-435 & (A-050-080)

Community Services Director Niemer recalled that the Civic Center Sculpture Park (Park) opened in May 2006, and during construction, four universal bases were installed to allow rotation of sculptures into the park every few years. This year, two new artists, Chris Fennel and David Mudgett, have designed and contributed four pieces of art work now on display. Ms. Niemer added that Turtle Bay Exploration Park has offered to provide some much-needed rehabilitation to the current mosaiculture exhibits at the Park to improve their appearance.

No action was required on this informational item.

AFFORDABLE HOUSING FUNDS - Community Development Advisory Committee
(L-010-005 & B-080-600-100)

City Manager Starman recalled that discussions regarding the \$1 million mitigation fee from Lowe's earmarked for affordable housing have occurred several times, without resolution. At the regular City Council meeting of September 4, 2007, the issue was directed to the Community Development Advisory Committee (CDAC) for review of proposals and recommendations. After several meetings CDAC selected the Redding Affordable Housing Fund (RAHF) proposal which recommends using the funds to create an "equity base" to be given to a coalition of local groups and community members (Coalition) which would then secure additional investments and grants from local banks, corporations, religious institutions, and foundations. The distribution of these combined funds would be determined by the Coalition and it was hoped that the funds would provide a perpetual endowment for affordable housing projects. He added that if the Coalition was unable to organize to an operational stage within a year, the funds would revert to the City once again.

Mr. Starman recommended that the City Council accept CDAC's recommendation and direct staff to work with the Coalition to create the RAHF and appropriate Memorandum of Understanding, and allocate a portion of the interest earnings from the mitigation fee to the Coalition to develop the RAHF.

Judy Price, representing the Coalition, stated that this type of program has been successful in other states and some of the staff working with those projects have agreed to mentor the Coalition to make it successful. She added that project funding would not be limited solely to non-profit organizations.

Patrick Moriarity, CDAC member, urged support for CDAC's recommendation. He asked that the City Council encourage strong City involvement in the proposed loan committee, as well as representation from the working poor, and inter-agency collaboration.

Council Member Murray expressed concern that City monies would be turned over to a self-appointed private entity. While he supported solicitation of stakeholders and other institutions for funds, he expressed concern that the City would lose control over City funds to a private organization. He observed that the City's Redding Housing Authority is always in need of additional funds.

Mr. Starman explained that individuals and entities, including the City, contributing a minimum of \$500,000 would have seats on the loan committee, and that the funds represent an investment with an expectation of future repayment. He added that there is a belief that if funds are housed outside the City, more participants would be inclined to invest.

Jim Koenigsaecker, Shasta Habitat for Humanity, supported the concept and has witnessed the success of the proposed model in other areas.

MOTION: Made by Council Member Murray, seconded by Council Member Jones, accepting, in concept, utilization of the \$1 million mitigation fee from Lowe's for affordable housing, to establish the Redding Affordable Housing Fund (RAHF) and allocate a portion of the interest from the \$1 million to a coalition of local groups and community members to develop criteria and a Memorandum of Understanding for the RAHF and return to the City Council for further consideration. The Vote: Unanimous Ayes

ELECTRIC UTILITY'S MONTHLY FINANCIAL REPORT

(B-130-070)

Electric Utility Director Feider related that retail power sales revenue was \$432,279 (1.8%) above projections and wholesale power sales through September totaled \$8,294,695 or 103.6% above projections. Operating revenue after energy costs was \$175,907 or 1.5% below expectations. The total cost of energy through September 2007 was \$9,003,977 or 42.3% above projections. The Utility's net operating results through September was \$4,200,541.

Mr. Feider stated that Redding Electric Utility (REU) is closely monitoring the forecast of electrical shortages by 2011 and with the construction of Generating Unit 6, Redding Electric Utility (REU) should be able to assuage some of the impacts.

Mr. Feider recommended that the City Council approve the Electric Utility's Monthly Financial Report for September 2007.

MOTION: Made by Council Member Jones, seconded by Council Member Bosetti, accepting the Electric Utility's Monthly Financial Report for September 2007.

The Vote: Unanimous Ayes

GENERAL FUND MONTHLY FINANCIAL REPORT

(B-130-070)

City Manager Starman advised that although the City's General Fund financial reports are trending toward original cash flow projections, he cautioned that the weak economy is softening sales tax and building-related fees. He stated there would be a more thorough update around January 2008. However, Mr. Starman pointed out that property tax allocations and grant monies have not been received at this time. He added that although there is definitely a softening in revenues, at the close of the fiscal year budget on June 30, 2007, the cash flow exceeded expectations by \$1million.

Mr. Starman reported that total revenue at the end of September was \$11.8 million or \$801,570 (6.4%) below staff's cash flow projection. Expenditures at month end, excluding encumbrances, total \$18,326,499 or \$3,794,435 (17.2%) below staff's original projection. Encumbrances total \$1,658,644.

Mr. Starman recommended that the City Council accept the General Fund's Monthly Financial Report for September 2007.

MOTION: Made by Council Member Jones, seconded by Council Member Bosetti, accepting the General Fund's Monthly Financial Report for September 2007.

The Vote: Unanimous Ayes

BENTON AIRPARK MASTER PLAN AND MITIGATED NEGATIVE DECLARATION

(A-090-020)

Airports Manager Dinger provided a PowerPoint presentation depicting some of the proposed capital improvements within the draft Benton Airpark Master Plan, but emphasized that these proposed projects serve only as a guide. The projects are as follows:

1. Construction of a perimeter road on the north end of the runway,

2. Construction of runway safety area enhancements to the south,
3. Concept for the ultimate development of corporate, executive, and conventional hangars,
4. Relocation of the aircraft wash rack,
5. Clearly defined airport property boundaries,
6. Updated forecasts for aircraft operations, based aircraft, fleet mix, and noise contours.

Ben Harris, of Coffman Associates, provided updated forecasts for the Airpark over a twenty-year period and stated that because no rapid or significant growth is anticipated over that period, noise levels are projected to remain within accepted levels.

Mr. Dinger recommended that the City Council conceptually approve the Benton Airpark Master Plan, direct staff to forward it to the Shasta Airport Land Use Commission for review and comment, and adopt the Negative Declaration prepared for the Master Plan.

Council Member Murray believed the property should be utilized for a purpose that would provide benefit to a larger segment of the community and he suggested that consideration should be given to closing the Airpark within the next 30 to 40 years.

MOTION: Made by Council Member Murray, seconded by Council Member Jones, conceptually approving the Benton Airpark Master Plan, directing staff to forward it to the Shasta Airport Land Use Commission (ALUC) for review and comment, and adopting the Negative Declaration prepared for the Master Plan. The Vote: Unanimous Ayes

CITY OF REDDING'S TRAFFIC IMPACT FEE PROGRAM (T-080-400)

Transportation and Engineering Director Tippin recalled that the current Traffic Impact Fee (TIF) Program was approved by Council in 2004, after numerous meetings with the development community. Since that time, construction costs have risen dramatically and staff believes that the current Program structure cannot generate sufficient revenue to complete the approved projects within the original ten-year time period. Mr. Tippin explained that the Program was designed to generate \$46,000,000 for 12 major road and signal projects which in today's dollars will cost approximately \$125,000,000.

In response to Council Member Murray, Mr. Tippin stated that the current project list provided to Council has been updated and re-prioritized to serve as a starting point, and requested that Council provide direction to staff regarding the projects on the list. He added that sufficient funding exists through June 2008 to fund one of the listed projects of the City Council's choosing.

Council Member Bosetti suggested that smaller improvements performed in critical areas can alleviate almost the same amount of traffic impacts as a large expansive widening, such as the Palacio Drive project. He expressed concern regarding raising TIF fees to accommodate the number of improvements listed.

It was the consensus of the City Council that staff be directed to concentrate current TIF funding to the Placer Road widening from Airpark Drive to Buenaventura Boulevard.

Mr. Tippin advised that while the TIF fee is adjusted each year to the Construction Cost Index (CCI) in the Engineering News Record, current construction costs have far exceeded that adjustment in many areas. In order to keep pace with this type of inflation, he suggested that a blended index be used combining the CCI and the Caltrans transportation index, "Select California Construction Items." He related that Caltrans maintains very reliable records on costs and materials such as concrete and asphalt which have significantly spiked in price over the last few years and which can comprise 25% of a project's overall cost. The new approach would blend 80% CCI and 20% Caltrans index projections which should be more representative of the true cost for a particular transportation project and keep pace with inflation.

Mayor Dickerson suggested that a workshop be planned for the near future to discuss the finite details of the TIF program.

Mr. Tippin recommended that the City Council consider utilizing a blended index to establish TIF fees sufficient to generate funds to accommodate listed projects, direct staff to form a committee to assist in preparation and review of information to be presented at a workshop, and prepare for the 2009 TIF Program update.

Gary Cadd, Redding resident, suggested that signalization be provided at Placer Road and Wisconsin Drive when the Placer Road widening project takes place. He stated it was very dangerous for residents throughout that area to enter onto Placer.

Kent Dagg, Chief Executive Officer for the Shasta Builders' Exchange, concurred that it was time to revisit the TIF list for project consideration, but expressed concern regarding the blended index for fees.

In response to Council Member Jones' concern relative to the lack of definitive cost information, Mr. Tippin explained that actual costs are difficult to project because of the volatility of construction material costs. He added that previous trends may not correlate to future trends.

Council Member Murray supported review of the TIF index, but was not convinced that a committee could provide new resources and could ultimately slow down the process.

MOTION: Made by Council Member Murray, seconded by Council Member Bosetti, directing staff to prepare a General Plan Transportation Element Program update, form a committee to prepare data for a Traffic Impact Fee workshop to consider the update and a blended Traffic Impact Fee index within a year. The Vote:

AYES:	Council Members - Bosetti, Murray, and Dickerson
NOES:	Council Members - Jones
ABSTAIN:	Council Members - None
ABSENT:	Council Members - Stegall

STORM DRAIN ACCOUNT BACK BILLING APPEAL BY DAVID SPERBER

(S-060-685)

City Attorney Duvernay explained that in 1996, after the City's Storm Drain Utility rate was put in place in 1993, Proposition 218 changed the law for establishing rates for utilities with the exception of storm drain fees. He stated that Storm Drain fee increases continue to require a two-thirds vote of the electorate, and the City's fee has not been increased since 1993.

Mr. Duvernay advised that because he served as legal counsel during the Board of Appeals meeting at which Mr. Sperber's appeal was heard, he would recuse himself and Assistant City Attorney Frediani would hear the issue.

Redding Municipal Utilities Manager Duryee recalled that an audit was performed of storm drain utility accounts, and it was discovered that a number of customers had been improperly billed. Because City Council Policy No. 1412, Refund and Recovery of Utilities' Services and Fees, only allows a customer to be back billed for a three-year period, some customers were forgiven several years in owed service fees beyond the three-year time and still others were provided refunds.

Mr. Duryee related that David Sperber, the owner of property at 4354 Caterpillar Road and 1485 Beltline Road, was back billed \$1,737 and \$3,034.08, respectively. He stated that Mr. Sperber appealed the amount owed to the Board of Appeals, contending that the City made the error and because it was no fault of the property owner, the loss should be absorbed by the City. Upon a denial of the appeal by the Board of Appeals, Mr. Sperber has appealed to the City Council.

Mr. Duryee recommended that the City Council deny the appeal by Mr. Sperber based on the back billing policy set forth in Council policy and state law.

Mr. Sperber stated his appeal was based on the fact that, as a property owner, he bore no responsibility for the billing oversight, the back billing was inequitable because some individuals had been forgiven as much as ten years worth of under-billing whereas he was being assessed 100% for the three years he owned the property, the property contained a system of drains that allowed less water into the storm drains for which he was being charged, and alleged that City pipes ran under his property on an easement that the City did not own.

Assistant City Attorney Frediani explained that the three-year period for back billing or refunding was applied to everyone equally. Municipal Utilities Manager Duryee added that drainage pipes do run under Mr. Sperber's property, but the overall system, City-wide, is a combination of public and private conveyance similar to that on Mr. Sperber's property.

MOTION: Made by Council Member Jones, seconded by Council Member Bosetti, denying the unpaid Storm Drain Account Back Billing appeal by David Sperber.

The Vote: Unanimous Ayes

RESOLUTION OF NECESSITY - Acquisition of property located at 2060 Hilltop Drive, owned by Robert and Paula Vail, Jr., and Doris and John Brooks, for a permanent public service easement, Hilltop Streetscape Project (C-070-010)

Transportation and Engineering Director Tippin stated that the Hilltop Streetscape Project (Project) will greatly improve the Hilltop Drive corridor between Cypress Avenue and State Route 44, by providing improvements such as medians, sidewalks, landscaping, decorative lights, utility undergrounding, and upgraded bus stops. In order to complete these improvements, he said a public service easement from property located at 2060 Hilltop Drive (Assessor Parcel Number (APN) 107-020-001) owned by Robert and Paula Vail, Jr., and Doris and John Brooks of approximately 187 square feet is needed for installation of a utility box.

Assistant City Attorney Frediani provided highlights of the Report to City Council dated October 26, 2007, incorporated herein by reference, stating that offers were made to the owners of record of said property in the amount of \$5,000 on October 19, 2007. She advised that in order for the City to acquire real property by eminent domain, the City Council must make certain findings required by California Code of Civil Procedure Section 1240.030:

1. The public interest and necessity require the proposed Project;
2. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property is necessary for the proposed Project;

and additional findings that:

1. The offers required by Government Code Section 7267.2(a), together with the accompanying statements of and summaries of the basis for the amounts established as just compensation, were made to the owner or owners of record, which offers and accompanying statements/summaries were in a form and contained all of the factual disclosures provided by said Code;
2. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the properties described herein have been complied with by the City; and
3. The City has fully complied with the provisions of the California Environmental Quality Act (CEQA) for the Project.

Ms. Frediani recommended that the City Council make the necessary findings and adopt a Resolution of Necessity.

MOTION: Made by Council Member Murray, seconded by Council Member Jones, adopting Resolution of Necessity No. 2007-215, a resolution of the City Council of the City of Redding making findings to acquire property located at 2060 Hilltop Drive (APN 107-020-001), owned by Robert B. Vail, Jr., Paula H. Vail, Doris Allene Brooks, and John A. Brooks, for a permanent public service easement for the Hilltop Streetscape Project.

The Vote:

AYES:	Council Members - Bosetti, Jones, Murray, and Dickerson
NOES:	Council Members - None
ABSTAIN:	Council Members - None
ABSENT:	Council Members - Stegall

Resolution No. 2007-215 is on file in the Office of the City Clerk

RESOLUTION OF NECESSITY - Acquisition of property located at 2184 Hilltop Drive, owned by George Weinberger, for a permanent public service easement, Hilltop Streetscape Project (C-070-010)

Transportation and Engineering Director Tippin stated that the Hilltop Streetscape Project (Project) will greatly improve the Hilltop Drive corridor between Cypress Avenue and State Route 44, by providing improvements such as medians, sidewalks, landscaping, decorative lights, utility undergrounding, and upgraded bus stops. In order to complete these improvements, he said a public service easement from property located at 2184 Hilltop Drive (Assessor Parcel Number 107-010-045) owned by George Weinberger of approximately 286 square feet is needed for installation of a utility box.

Assistant City Attorney Frediani provided highlights of the Report to City Council dated October 26, 2007, incorporated herein by reference, stating that offers were made to the owners of record of said property in the amount of \$5,500 on October 19, 2007. She advised that in order for the City to acquire real property by eminent domain, the City Council must make certain findings required by California Code of Civil Procedure Section 1240.030:

1. The public interest and necessity require the proposed Project;
2. The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property is necessary for the proposed Project;

and additional findings that:

1. The offers required by Government Code Section 7267.2(a), together with the accompanying statements of and summaries of the basis for the amounts established as just compensation, were made to the owner or owners of record, which offers and accompanying statements/summaries were in a form and contained all of the factual disclosures provided by said Code;
2. All conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the properties described herein have been complied with by the City; and
3. The City has fully complied with the provisions of the California Environmental Quality Act (CEQA) for the Project.

Ms. Frediani recommended that the City Council make the necessary findings and adopt a Resolution of Necessity.

MOTION: Made by Council Member Murray, seconded by Council Member Jones, adopting Resolution of Necessity No. 2007-216, a resolution of the City Council of the City of Redding making findings to acquire property located at 2184 Hilltop Drive (APN 107-010-045), owned by George Weinberger, for a permanent public service easement for the Hilltop Streetscape Project. The Vote:

AYES: Council Members - Bosetti, Jones, Murray, and Dickerson
 NOES: Council Members - None
 ABSTAIN: Council Members - None
 ABSENT: Council Members - Stegall

Resolution No. 2007-216 is on file in the Office of the City Clerk

RESOLUTION OF NECESSITY - Acquisition of property located at 5155 Stillwater Parkway for the Stillwater Business Park (C-070-010 & E-050-500)

MOTION: Made by Council Member Jones, seconded by Council Member Bosetti continuing, to the regular City Council meeting of December 4, 2007, consideration of adoption of a resolution of necessity hearing for acquisition of property located at 5155 Stillwater Parkway, at the east end of Rancho Road, owned by Stevenson, et al., for electric transmission lines, public utilities, related roadway, and a temporary construction easement for the Stillwater Business Park. The Vote: Unanimous Ayes

ADJOURNMENT

There being no further business, at the hour of 9:58 p.m., Mayor Dickerson declared the meeting adjourned.

APPROVED:

Mayor

ATTEST:

City Clerk