

City Council, Regular Meeting
 Civic Center Council Chambers
 777 Cypress Avenue
 Redding, California
 March 17, 2009 7:00 p.m.

The Pledge of Allegiance to the Flag was led by Jim Milestone, Whiskeytown National Park Service Superintendent.

The Invocation was offered by Police Chaplain Debbie Ivey.

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

Also present were City Manager Starman, Assistant City Manager Tippin, City Attorney Duvernay; Transportation and Engineering Director Crane, Development Services Director Hamilton, City Clerk Strohmayer, and Assistant City Clerk Mize.

PUBLIC COMMENT

(T-080-300)

Tina Hitchcock described traffic problems in the Carriage Glenn subdivision at Shasta View and Castlewood Drive and requested that something be done to alleviate the speeding and reckless driving in the area.

(E-050)

Curt Aderhold and Ray Marlar encouraged the City Council to adopt a resolution to buy American made products with all Federal Stimulus funds.

(P-050-665)

Karen Elliott submitted a petition which she stated was signed by 100 homeowners and golf members opposing converting River Bend Golf Course to a City Park.

Patricia Dougherty, David Lowe, Vickie North, Kimber Brace, Debbie Sprague, Tom Waddle, and Ron Howard opposed the park at River Bend citing the following: lack of transparency; only two meetings were held to discuss the proposal; not enough notice prior to the meetings; fear that the park would bring crime, drug use, vagrancy and a tent city; preference for conversion to municipal golf course; there is no other park in the City that has 43 homes on it's border; reduced property values; a concern that lots will be sold and smaller houses will be built; more congestion; current neighborhood is senior friendly and not consistent with a public park; and the City only wants a small part of the land for a park and and is not interested in the remainder of the property.

(A-050-060)

Gary Cadd stated that City Council agendas should be available one week before the meeting instead of the Friday prior to the Tuesday evening meeting. Council Member Dickerson responded that citizens have access to the agenda from Friday until Tuesday and to require staff to complete the agenda earlier would serve no reasonable purpose.

FIX 5 FEE PROGRAM - Regional Transportation Planning Agency

[T-100-375]

Regional Transportation Planning Agency (RTPA) Executive Director Dan Little and Jeff Kay, Willdan Financial Services, presented a PowerPoint update on the Fix 5 Fee Program. Mr. Little recapped the history of the Fix 5 Partnership which began three years ago at a meeting with the City Managers of Redding, Anderson and Shasta Lake and the Shasta County Administrator. He recalled that there was consensus that Interstate 5 (I5): 1) will become congested within the next ten to 15 years, 2) is critical to the area's transportation needs, 3) a six-lane roadway is needed, 4) local commerce depends on I5, 5) I5 hinders California Environmental Quality Act (CEQA) approval of new development projects, 6) state and federal agencies have a shared responsibility to fund I5 improvements, and 7) only a regional solution will be able to meet these challenges.

Mr. Little stated that the group recognized the common need and asked RTPA to come up with a solution. He explained that the RTPA Board obtained a grant to develop a comprehensive and long-term solution to meet the I5 expansion need. Mr. Little advised that the original program included a \$1,697 traffic impact fee for new development which, over

20 years, would generate \$116 million (one-half of the cost to expand I5 to six lanes from Cottonwood Creek to Mountain Gate). He noted that state and federal funds would be leveraged for the other half and the program would free-up \$100 million in Regional Transportation Improvement Program (RTIP) funds that would be used on interchanges and alternate local routes.

According to Mr. Little, with the economic down turn, fewer development fees generated, and agencies' desire for more local control caused RTPA to revise the plan and rename the program from Fix 5 to Shasta County Regional Improvement Program (SCRIP).

Mr. Kay noted that the revised program provides a comprehensive funding program to address regional transportation needs and ensures funding for the I5 mainline, as well as local projects, without increasing the proposed development impact fee (\$1,697). He pointed out that including projected RTIP funds in the analysis allows an expanded list of projects. According to Mr. Kay, SCRIP would enhance local control over revenues collected within their boundaries and the proposed development fee would be imposed in phases.

Mr. Little announced that a Transportation Forum with representatives of all the local agencies will be conducted in the Redding City Council Chambers on April 9, 2009.

Walt McNeill and Mary Machado, Shasta Voices, opposed the Fix 5/SCRIP program asserting that this area is not the same as other areas with regional fees, another bureaucratic agency is not needed, it will not improve the local transportation needs, the 2006 study is out-dated, growth projections are incorrect, proposed development fees are a duplication of other fees, there is no nexus for the SCRIP fee, and fees do not mitigate CEQA requirements.

Dick Fyfen opposed the proposed development fee maintaining that too many impact fees already exist.

Council Member Dickerson observed that in order to leverage federal and state funds, it is important for a community to demonstrate the willingness to make a financial contribution to the project and that no new fees would be implemented until the economy improves.

While Council Member Jones agreed that expanding I5 is important, he commented that an additional development fee would hinder the local economy and doubted the local community is responsible for the cost of I5 improvements.

SHASTA BALLY SUMMIT TELECOMMUNICATIONS

[C-175-750]

Jim Milestone, Whiskeytown National Park Service Superintendent, provided an update on the planning process for the future management of the telecommunications site located at Shasta Bally summit. Mr. Milestone explained that this is an ideal location for critical telecommunication towers needed to provide broadband internet, television, radio, and public safety communications for the region. He advised that emphasis was placed on public involvement in the decision-making process and the most likely alternative would allow existing permit applicants to continue to use the site, new permittees could co-locate on existing infrastructure, and existing and new users could install new infrastructure.



CONSENT CALENDAR

The following matters were considered inclusively under the Consent Calendar:

Approval of Minutes - Approval of minutes: Regular Meeting of February 17, 2009; Special Meeting of February 19, 2009; Regular and Special Meetings of March 3, 2009

Approval of Payroll and Accounts Payable Registers
(A-050-100-500)

It is recommended that Accounts Payable Register No. 17, check numbers 871522 through 871917 inclusive, in the amount of \$3,759,967.20, for the period of February 28, 2009, through March 13, 2009; and Payroll Register No. 18 electronic deposit transaction numbers 250738 through 251612 and check numbers 543067 through 543156 inclusive, in the amount of \$2,537,591.97 for the period February 22, 2009, through March 7, 2009, be approved.
TOTAL: \$6,297,559.17

Option, Purchase & Sales Agreement - Dan and Sara Frost for 4820 Saratoga Drive (C-070-200)

It is the recommendation of the City Manager that the City Council authorize the Mayor to execute the Option, Purchase & Sale Agreement with Dan and Sara Frost, trustees for Daniel S. Frost and Sara W. Frost Family Trust and all other documents for the sale of .9 acres of City-owned property located at 4820 Saratoga Drive in the amount of \$40,010.

Clay Reinhardt, property owner adjoining City surplus property located at 4820 Saratoga Drive, requested that trees be cleared ten feet away from his property line prior to the sale of the property due to the possibility that a falling trees could damage his property.

Dan Frost, buyer of the property located at 4820 Saratoga, related that he had a signed contract to purchase the property and his intention was to preserve the area. He advised that when he purchases the land he is taking responsibility for the trees and requested the contract be approved without changes.

Right of Way Easement - Redding Redevelopment Agency property adjacent Cedars Road (C-070-010 & S-070-100-708)

It is the recommendation of the Assistant City Manager that the City Council accept the right-of-way easement from the Redding Redevelopment Agency for .08 acres adjacent to Cedars Road for the South Bonnyview Road Widening Project, and authorize the Mayor to execute a Certificate of Acceptance for same.

Resolution - Declaring April 2009 as "*Fair Housing Month*" in the City of Redding (A-050-060-600)

It is the recommendation of the Assistant City Manager that Resolution No.2009-18 be adopted, a resolution of the City Council of the City of Redding, declaring April 2009, as "Fair Housing Month".

2008 General Plan/Housing Element Annual Progress Report (G-030 & G-030-070)

It is the recommendation of the Development Services Director that the City Council accept the 2008 General Plan/Housing Element Annual Progress Report.

Grant Applications with the Federal Aviation Administration; and Resolution - Budget Appropriation (G-100-070-095/A-090-100/^B-130-070)

It is the recommendation of the Transportation and Engineering Director that the City Council authorize the City Manager to submit grant applications to the Federal Aviation Administration (FAA) in the amount of \$1.6 million through the FAA economic stimulus program for pavement preservation and the rehabilitation of the terminal building at the Redding Municipal Airport; adopt Resolution No. 2009-19 be adopted, a resolution of the City Council of the City of Redding, approving and adopting the 54th Amendment to City Budget Resolution No. 2007-127 appropriating \$1,600,000 for same improvements at the Municipal Airport with 5% match from Passenger Facility Charges for FY 2008-09; authorize the City Manager to execute the Authorization of Services Agreement #09-02 with Mead and Hunt for engineering services associated with the Pavement Preservation Project in an amount not-to-exceed \$115,000.

Resolution - Adopting the Mitigated Negative Declaration and Mitigation Monitoring Program and approving the Benton Airpark Runway Phase I extension project [A-090-020 & L-010-070]

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2009-20 be adopted, a resolution of the City Council of the City of Redding, making findings that the project will have no significant effect on the environment and adopting the Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Benton Airpark Runway Extension Project as required by the California Environmental Quality Act (CEQA) and approving the Benton Airpark Runway Extension Project.

Notice of Completion - Bid Schedule No. 4172, Sacramento River Parkway Trail (B-050-020 & P-050-460-700)

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4172 (Job No. 9592), Sacramento River Parkway Trail Project awarded to J.F. Shea Co.,

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 \$735,579.41.

Resolution - Restricting/Prohibiting parking at Placer and California Streets
(P-030-160 & P-030-250)

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2009-21 be adopted, a resolution of the City Council of the City of Redding, prohibiting parking on certain designated areas pursuant to Redding Municipal Code Sections 11.24.220 and 11.240.040 as follows: 1) It is unlawful to stop at or park vehicles for more than 12-minutes at two locations (roughly 20 feet each), at the southeast corner of Placer and California Streets, as described in the resolution; and 2) It is unlawful to stop at or park vehicles immediately adjacent to the two crosswalks at the southeast corner of Placer and California Streets, as described in the resolution.

Resolution - Declaring Grivette Construction in Default and Canceling Contract
(B-050-020 & A-090-100)

It is the recommendation of the Assistant City Attorney that Resolution No. 2009-22 be adopted, a resolution of the City Council of the City of Redding, pursuant to Section 6-4 of the 2003 edition of the Standard Specifications for Public Works Construction ("Greenbook") declaring Grivette Construction in default of and canceling the public works contract with same for construction of the T-Hangar and Jet Pod at the Redding Municipal Airport, Bid Schedule No. 4109 (Job No 9545) due to Grivette's failure to comply with the Contract in good faith and that it has become insolvent, and directing staff to provide written notice to the surety, Nationwide Mutual Insurance Company to assume control and perform the work as successor to Grivette.

MOTION: Made by Council Member Stegall, seconded by Council Member Dickerson, that all the foregoing items on the Consent Calendar be approved and adopted as recommended above. The Vote:

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

Resolution Nos. 2009-18 through 2009-22 are on file in the Office of the City Clerk.

PUBLIC HEARING - Mitigated Negative Declaration and Tentative Subdivision Map Application S-4-05 for The Reserve at Gold Hills Subdivision Units 2 & 3

ORDINANCE - Planned Development Application PD-8-07 and Rezoning Application RZ-03-07

(S-101-083/L-010-211-015/L-010-230)

Council Member Jones recused himself from discussion and vote on this item due to prior business dealings with Mr. Burk.

The hour of 7:00 p.m. having arrived, Mayor Bosetti opened the public hearing regarding the Mitigated Negative Declaration, Tentative Subdivision Map Application S-4-05, Planned Development Application PD-8-07 and Rezoning Application RZ-3-07 for The Reserve at Gold Hills Subdivision Units 2 & 3, located south of Oasis Road and east of Gold Hills Drive, by Brian Burk.

The following documents are on file in the Office of the City Clerk:

Affidavit of Publication - Notice of Public Hearing
Affidavit of Mailing - Notice of Public Hearing

City Clerk Strohmayer advised that no protests were received.

Development Services Director Hamilton provided an overview of the Report to City Council dated March 3, 2009, incorporated herein by reference, and gave a PowerPoint presentation highlighting The Reserve at Gold Hills Subdivision Units 2 and 3. He stated that the project proposed to create two separate units on 32.6 acres with 114 single-family residential lots. Unit 2 will consist of 50 lots to include planned development overlay and Unit 3 will consist of 64 lots of standard single-family residential units. Mr. Hamilton added that the site will include construction of an in-stream detention facility that will detain 9.6

acre feet of storm water, an interim lift station to pump sewage to the existing facilities in Gold Hills Drive until the adjacent property develops at which time the lift station will be abandoned and sewer connected in the preferred alignment; and significant grading and tree loss will be offset by street-tree planting.

Mr. Hamilton advised that certain findings must be made to approve the various portions of the project:

1. it is consistent with the Redding General Plan;
2. it will not significantly alter existing land form;
3. it is compatible with surrounding land use;
4. it is compatible with the Code of the City and the Mitigated Negative Declaration authorized by the Development Services Department;
5. it carries out the intent of the Planned Development provisions by providing a more efficient use of the land and an excellence of architecture and site design greater than that which could be achieved through the application of the base district regulations;
6. it will not have a significant effect on the environment; and
7. the Mitigated Negative Declaration reflects the independent judgment and analysis of the City.

Mr. Hamilton recommended that the City Council make the necessary findings to adopt the Mitigate Negative Declaration, approve Tentative Subdivision Map Application S-4-05 with Conditions of Approval, Planned Development Application PD-8-07, and Rezoning Application RZ-3-07, for The Reserve at Gold Hills Subdivision, Units 2 & 3, and offer an ordinance for first reading by title only and waive the full reading.

Terry Swanson and Scott Wilson opposed the project because they doubted the storage as described would alleviate the flooding in the Hollow Lane area, the City has not tried to obtain grants to address the flooding problem, do not trust the hydrology, and the creek is not being maintained.

Brian Burke, project developer, agreed to the first 63 Conditions of Approval, however, he believed Advisory Statement 64 is confusing and detrimental to the project.

City Attorney Duvernay clarified that Advisory Statement 64 was a condition requiring the developer to indemnify the City in case of litigation during the 90-day challenge period. He advised that removing Advisory Statement 64 in its entirety was appropriate.

Mayor Bosetti determined that no other individual wished to address this matter and closed the public hearing.

MOTION: Made by Council Member Stegall, seconded by Council Member McArthur, making findings, adopting the Mitigated Negative Declaration prepared for The Reserve at Gold Hills Subdivision, Units 2 & 3, located at 2333 Gold Hills Drive and 6201 Oasis Road, by Brian Burk, approving Tentative Subdivision Map Application S-4-05, subject to Conditions of Approval with elimination of Condition No. 64, approving Planned Development Application PD-8-07, and Rezoning Application RZ-3-07. The Vote:

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

Council Member Stegall offered Ordinance No. 2430 for first reading, an ordinance of the City Council of the City of Redding, amending Redding Municipal Code Title 18-Zoning, pursuant to rezoning Application RZ-3-07, rezoning 13.5 acres at 2333 Gold Hills Drive and 6201 Oasis Road from "RM-6" Residential Multiple Family District to "RM-6-PD" Residential Multiple Family District with Planned Development Overlay.

MOTION: Made by Council Member Stegall, seconded by Council Member McArthur, that the full reading of Ordinance No. 2430 be waived, and that the City Attorney be instructed to read the full title. The Vote:

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

POTENTIAL SITES FOR THE CONSTRUCTION OF A NEW COURTHOUSE

[C-070-200 & S-050]

City Manager Starman presented a report prepared in conjunction with Shasta County Administrative Officer Lees regarding potential sites for a new Shasta County Superior Courthouse. He advised that the State has identified funding for a new courthouse and the Administrative Office of the Courts (AOC) has set a deadline of March 31, 2009, for the submission of potential sites. Mr. Starman stated that he and Mr. Lee believe it would be advantageous for the County and the City to jointly support one or more sites for a new Courthouse.

Mr. Starman recalled that both the City and the County have been working toward the goal of a new Courthouse for quite some time and approximately 18 months ago two potential sites were identified, the parking structures on California Street and the City-owned softball field on Parkview Avenue. Mr. Starman noted that these sites are not as desirable as a site near the existing Courthouse and should be considered only as “back-up” sites.

According to Mr. Starman, the County has identified two potential sites for a new Courthouse, the site of the existing courthouse (west side of Court Street) and the site of the current Shasta County Public Safety Building (east side of Court Street) and advised that the Shasta County Board of Supervisors approved these potential sites at its board meeting on March 17, 2009.

Mr. Starman recommended that the City Council authorize the Mayor to sign a joint non-binding letter with the Chair of the Board of Supervisors to the AOC indicating support for a new Courthouse at either of the two sites.

Council Member Stegall supported a downtown location for the new courthouse. She expressed concern that there may be competition from the City of Anderson for the Courthouse site and suggested that it may strengthen the City and County’s proposal if Redding Redevelopment Agency was also a participant.

In response to Council Member McArthur, Mr. Starman advised that the letter is the first step in the AOC’s process of selecting a site, and there may be opportunities to offer other sites for consideration if the AOC does not favor these sites.

MOTION: Made by Council Member Dickerson, seconded by Council Member Stegall, authorizing the Mayor to sign a joint non-binding letter with the Chair of the Board of Supervisors to the AOC indicating support for a new Courthouse at either the site of the existing courthouse (west side of Court Street) or the site of the current Shasta County Public Safety Building (east side of Court Street). The Vote: Unanimous Ayes

UPDATE ON MAJOR PROJECTS - American Recovery and Reinvestment Act (ARRA) of 2009 roadway funding

[A-050-080 & G-100-070]

Transportation and Engineering Director Crane related that the President signed the ARRA bill on February 17, 2009, authorizing \$787 billion dollars for roads and bridges nationwide. Mr. Crane stated that \$2.6 billion will be allocated to California and the transportation regions will receive 30% of the state allocation. He advised that the state has not determined how or if it will allocate a portion of the 70% to local governments. Mr. Crane pointed out that the City should receive a minimum of \$1.8 million to a maximum of \$5 million for roads and bridges, \$1.1 million for the airport and RABA should receive \$1.6 million. Mr. Crane advised that staff has submitted projects as indicated by Council at the Priority Setting Workshop and plans to bring more information to the Council at the next meeting.

No action was required on this informational item.

CITY-OWNED SURPLUS PROPERTIES - 101/103/1110 Kenyon Drive and 4801/4901 Aloe Vera Drive

[C-070-200]

City Manager Starman recalled that at its regular meeting on March 3, 2009, City Council received a presentation and report on City-owned property located at Kenyon Drive and Aloe Vera Drive. He further recalled that Council agreed, in concept, that the City-owned property should be declared surplus, however, was not able to reach an agreement regarding allocation of potential proceeds from the sale of the property. He noted that a copy of the

minutes of the City Council meeting on March 18, 1985, referenced at the last Council meeting is attached to the staff report.

Mr. Starman recommended that the Council declare City-owned property located at 101, 103, and 1110 Kenyon Drive, and 4801 and 4901 Aloe Vera Drive as surplus properties and direct staff to initiate a General Plan amendment to delete General Plan Policy CDD2F, revise the land use classification, initiate a rezoning of the property, and defer appraisal and disposition of the property until the real estate market improves.

Council Member Jones reaffirmed his statement from the March 3, 2009 meeting and supported staff's recommendation with one exception. He maintained that when the 106-acre parcel was acquired it was identified as a future firing range and, therefore, any proceeds from the sale of that parcel should be set aside for a firing range.

Council Member Dickerson advised that he was unable to verify records stating that 106 acres were specifically designated for a firing range or to corroborate that was the intention of the Council at that time. He suggested that no stipulation be placed on the future proceeds since the Council in place at the time of the actual sale would ultimately decide how the proceeds were spent.

Council Member McArthur agreed that, due to changes in circumstance, a future Council may decide to revisit the disbursement of the proceeds. To the extent possible, however, she said Council should honor a donor's request and promises made to the gun club.

City Manager Starman noted that the donated parcel was designated for open space and the land referred by Mr. Jones is a separate parcel.

MOTION: Made by Council Member Jones, seconded by Council Member McArthur, to declare the City-owned property located at 101, 103, and 1110 Kenyon Drive, and 4801 and 4901 Aloe Vera Drive as surplus properties, direct staff to initiate a General Plan amendment to delete General Plan Policy CDD2F, revise the land use classification, initiate a rezoning of the property, defer appraisal and disposition of the property until the real estate market improves, and upon sale of the 106-acre parcel located at 1100 Kenyon Drive (APN: 203-200-006), set aside proceeds for a firing range. The Vote:

AYES: Council Members - Jones, McArthur, and Bosetti

NOES: Council Members - Dickerson and Stegall

ABSTAIN: Council Members - None

ABSENT: Council Members - None

AMENDMENT TO CONSULTANT SERVICES AGREEMENT - Nichols Melburg & Rossetto (NMR) re potential police facility retrofit proposals (C-050-550 & A-050-060)

City Manager Starman recalled that at its meeting on February 3, 2009, the City Council directed staff to prepare an amendment to the agreement with NMR which would provide for final, but less detailed, schematic drawings and updated cost estimates for a new police facility and additional services to support City efforts in soliciting and analyzing potential retrofit candidate buildings.

Mr. Starman further recalled that the City Council received a report and presentation regarding the Police Facility at its regular meeting on March 3, 2009. At that meeting, it was recommended that the City Council authorize the Mayor to execute an amendment to the consultant services agreement with NMR to provide assistance with the analysis of potential buildings to be retrofitted for a police building, approve the proposed two-step process to analyze the potential alternative, and consider the possibility of selecting two Council Members to participate in the process as part of the Evaluation Team. Mr. Starman noted that after discussion, the City Council decided to continue the item until the March 17, 2009, regular meeting.

Police Chief Hansen presented a brief review and pictures of the visit he and Council Members Bosetti and McArthur took to the retrofitted police facility in Ontario, California.

Charlie Menoher, member of the original Police Facility Review Committee, supported the amendment to the NMR contract incorporating review of retrofit proposals.

Erin Salazar, asked Mayor Bosetti to explain his vision of the roll of the Council Members in the site selection process. Mayor Bosetti stated that NMR and staff should proceed with the day-to-day work of evaluating the proposals and then bring the information gleaned to the full Council in a workshop setting. Ms. Salazar stated that she supports the full council evaluation, however she believed that Council Member Jones has a conflict of interest in regard to the West Venture building.

Kevin Mack encouraged Council to clearly define the parameters so that building owners will be able to submit valid proposals, allow owners to present their projects to the selection committee, and speed up the process by decreasing the amount of time allotted for proposals.

Mr. Starman recalled that at the prior Council Meeting Council Member Stegall suggested that the selection committee include a real estate professional.

Council Member Jones opposed the agreement with NMR stressing that he did not want to consider building a new police facility, only a retrofit option.

Council Member McArthur supported the agreement with NMR because, upon reflection of Council Member Dickerson's comments at the previous meeting, she agreed that it is not the role of Council to negotiate contracts.

Mayor Bosetti supported the agreement indicating that he was not opposed to comparing the costs of new versus retrofit facilities.

MOTION: Motion made by Council Member Stegall, seconded by Council Member Dickerson that the City Council authorize the Mayor to execute an amendment to the consultant services agreement with NMR to include additional services in soliciting and analyzing potential retrofit candidate buildings for a new police facility. The Vote:

AYES: Council Members - Dickerson, McArthur, Stegall and Bosetti

NOES: Council Members - Jones

ABSTAIN: Council Members - None

ABSENT: Council Members - None

Mayor Bosetti supported the two-step proposal evaluation process noting a sense of urgency and advised that, if possible, step two should be accelerated.

Council Member Stegall urged that the submittal dates be firm to provide an even playing field for all applicants.

Mr. Starman concurred that the date for accepting proposals should be firm but indicated that the evaluation stage could be expedited if all necessary information necessary was available.

MOTION: Motion made by Council Member Stegall, seconded by Council Member Dickerson that the City Council approve the proposed two-step process to analyze the potential police facility alternative as outlined in the staff report. The Vote:

AYES: Council Members - Dickerson, Jones, McArthur, Stegall and Bosetti

NOES: Council Members - None

ABSTAIN: Council Members - None

ABSENT: Council Members - None

MOTION: Motion made by Council Member McArthur, seconded by Council Member Jones that the City Council appoint an evaluation review committee comprised of two members of the Police Department, one member of the Transportation and Engineering Department, one member of the Development Services Department, one member from the City Manager's Office, one member of the former Police Facility Review Committee, one retired commercial real estate professional, Council Member McArthur and Mayor Bosetti; and after completion of the initial evaluation, the committee will recommend the most viable proposals to the full Council. The Vote:

AYES: Council Members - Jones, McArthur, Stegall and Bosetti

NOES: Council Members - Dickerson

ABSTAIN: Council Members - None

ABSENT: Council Members - None

ORDINANCE - Amending Redding Municipal Code Chapter 10.20, prohibiting motor vehicles from parking on posted unpaved areas
[P-030-250]

Police Chief Hansen reported that upon review of Chapter 10.20 of the Redding Municipal Code (RMC) corrections were necessary. He related that the RMC currently restricts driving on unpaved land but fails to address parking on such properties. He indicated that the proposed addition to the RMC would add language prohibiting vehicle parking in unpaved areas if the area is posted as a no parking zone. Chief Hansen related that the purpose of this section is to protect terrain and wildlife from damage by the intrusion of vehicles in those designated areas. He noted that parking violations were decriminalized several years ago necessitating the removal of the sentence which reads, "Violation of this section shall be an infraction of this code."

Chief Hansen recommended that the City Council offer an ordinance for first reading and waive the full reading, amending RMC Chapter 10.20, by adding section 10.20.061 and amending section 10.20.065 related to parking in designated areas.

Council Member McArthur supported the recommendation but related that a citizen voiced concern that parking on an unpaved area near the trail head at Buenaventura would result in a parking citation. Chief Hansen related that the City Manager's office determines the specific areas that are designated as no parking. Mr. Starman advised that the area on Buenaventura is a combination of private and public land and the private portion may be posted as a no parking area by the owner.

Dick Fyfen expressed concern that should the unpaved area be designated as a no parking area, it will force people to park in the Teton Drive neighborhood.

Council Member Dickerson clarified that Council was not asked to designate any particular area as a no parking zone. He noted that the recommendation is to approve an ordinance correcting an outdated section of the RMC related to infractions and to clarify that if an area is posted, then it would be illegal to park there. Mr. Starman concurred stating that the intent is not to eliminate all unpaved parking but only in selected areas which are properly posted.

Gary Cadd expressed concern regarding the specific location of signage in the area of the trail head on Buenaventura.

Council Member Jones favored postponing the vote until clarification of the parking situation on Buenaventura could be obtained.

Mr. Starman noted that there are two distinct issues, one is the recommended ordinance changes which would not apply to a specific property. The second issue involves the concerns of the speakers about a specific property which should be addressed separately. Mr. Starman added that Council could postpone the issue because it is not time sensitive.

Mayor Bosetti supported the recommendation asserting that the ordinance is a tool and does not imply that the City will post all unpaved areas as no parking.

MOTION: Motion made by Council Member Dickerson, seconded by Council Member Stegall approving the amendments to Chapter 10.20, by adding section 10.20.061 and amending section 10.20.065 related to parking in designated areas. The Vote:

AYES: Council Members - Dickerson, McArthur, Stegall and Bosetti

NOES: Council Members - Jones

ABSTAIN: Council Members - None

ABSENT: Council Members - None

Council Member Dickerson offered Ordinance No. 2431 for first reading and waive the full reading, an ordinance of the City Council of the City of Redding, amending Chapter 10.20, by adding section 10.20.061 and amending section 10.20.065 related to parking in designated areas.

MOTION: Motion made by Council Member Dickerson, seconded by Council Member Stegall that the full reading of Ordinance No. 2431 be waived, and that the City Attorney be instructed to read the full title.

The Vote:

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

RESOLUTION - Amending the Schedule of Fees and Service Charges by adjusting the City's fines and State surcharges for parking citations
 [F-205-600]

Finance Director Strong related that the 2008-09 Schedule of Fees and Service Charges was established by City Council on June 17, 2008, and that often times adjustments to the Schedule are necessary due to external and internal factors. He noted that five areas of the Schedule are included in the resolution: 1) increased parking violation penalties; 2) increased late payment penalty fee; 3) clarification of the cancellation of disabled parking zone citation administrative fee; 4) removal of certain penalties because they are not considered parking violations; and, 5) addition of parking citation for vehicles parked on posted unpaved areas.

Mr. Strong recommended that the City Council adopt a resolution adjusting the Police Department's Parking Fines and State Surcharges for Parking Citations and that the effective date be April 1, 2009.

Gary Cadd asked when it would become a violation to park on the unpaved area on Buenaventura. City Attorney Duvernay explained that fee would only apply to unpaved areas that have been posted.

MOTION: Motion made by Council Member McArthur, seconded by Council Member Stegall approving Resolution No. 2009-23, adjusting the Police Department's Parking Fines and State Surcharges for Parking Citations, effective April 1, 2009. The Vote:

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

TRANSPORTATION/ENGINEERING - Additional direction regarding project development for the Oasis Road Interchange Project
 [G-030-110/E-050]

Transportation and Engineering Director Crane recalled that at the February 19, 2009 Priority Setting Workshop, City Council provided direction to staff to develop a Project Study Report (PSR) and New Connection Report (NCR) for the Oasis Road Interchange which must be approved by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA). He stated that much of the work has been completed but approvals have not been obtained.

Mr. Crane related that following the workshop, staff held several meetings with Don Levenson and Levenson Development Company (LDC) to obtain permission to utilize its consultant engineer, TY Lin, and project information developed to date to efficiently move forward in the development and approval of the PSR and NCR; however, negotiations with LDC were stalled.

While the City recognizes and values the contribution LDC has made toward completing the PSR and NCR, Mr. Crane said the City is in a better position to ensure that the involvement and interest of all parties are met and that the project reflects the interest of the entire community. Additionally, he noted that the City has extensive project-delivery experience and can get the approvals in a timely manner. He recalled that LDC has been working on the PSR and NCR intermittently since 2003 without obtaining approval and that, in light of the possible federal stimulus funding, time is of the essence. Mr. Crane related that LDC firmly believes they should lead the project and should be reimbursed for the associated costs.

Mr. Crane recommended that the City assume project management responsibilities for the Project Study Report (PSR) and the New Connection Report (NCR) for the Oasis Road Interchange.

Jeff Swanson, attorney for Thomason Development, supported the City as the lead because the City has a broader perspective, is more accountable to the Council, Caltrans prefers to

work with the City, and City staff is more familiar with the transportation needs of the local area.

Mary Machodo, Executive Director of Shasta Voices, supported LDC as the lead because they have spent more than \$1 million on the project and, she asserted that it was unfair and incorrect to say that LDC hasn't completed the PSR in a timely manner.

Walt McNeill, attorney for LDC, stated that LDC had completed 80% of the work on the PSR and would be able to finish the project within six weeks if given the opportunity and the cooperation of City staff. He contended that no one, especially the City, could complete the project as quickly as LDC.

Tom Wintch, TY Lin Project Manager on the LDC/Oasis Road PSR project, recapped the work completed to date on the development of the Oasis Road interchange project. He explained that the PSR is one of the first milestones in the process of the overall project and defines the purpose and need of the project. He emphasized the importance of City staff working in partnership with LDC and expressed confidence that the PSR could be completed within the six week time frame.

In response to Council Member Jones, Mr. Crane advised that the quickest way to complete the PSR would be if the City, as the lead, hired TY Lin. However, he stated that if LDC was unwilling to release TY Lin, then LDC working with TY Lin would be quicker. He continued that, LDC began work on the PSR in 2003 and has made design decisions which delayed the Caltrans approval. While LDC may submit the PSR within the six-week time frame, he was concerned that it may not be approved because Caltrans will support a project that reflects the needs of the entire community rather than the needs of LDC. Mr. Crane noted that the PSR alone is not sufficient because the FHWA requests a NCR, as well.

In response to Mayor Bosetti, Mr. Wintch indicated that LDC is now prepared to compromise on design issues associated with the approval process.

Council Member Stegall pointed out that LDC did not offer to complete the PSR at no cost to the City, but proposed completing the work and then negotiating with the City in the future for compensation. She did not support proceeding without a clear understanding of potential cost to the City. She remarked that merely submitting a PSR and NCR is insufficient actual approval is the goal.

City Manager Starman was concerned about LDC's ability to complete an approved PSR and NCR within six weeks but was willing to give them the opportunity to proceed as the lead. He agreed with Ms. Stegall that proceeding without an agreement regarding future compensation would not be a wise business decision.

In response to Ms. Stegall, Mr. McNeill stated that LDC wanted to defer the reimbursement issue and that LDC and City staff should begin to negotiate a development agreement as soon as possible

In response to Mr. Dickerson, Mr. Starman recalled that LDC began work on the PSR in 2003 without a contractual agreement with the City and that LDC was in the lead position.

Council Member Dickerson supported LDC as the project lead with the caveat that LDC agree that City staff would have input to ensure that the design benefits the entire community, not merely LDC, to which Mr. Wintch concurred.

Mayor Bosetti expressed confidence that LDC would deliver a product which would benefit the entire community.

Council Member Stegall believed that the entire community should be involved in the development process, and the City should assume the lead position.

City Manager Starman recommended that LDC take the lead in obtaining approval of the PSR and NCR under the conditions that the work be completed within six weeks at the sole expense of LDC with no implied agreement to be reimbursed by the City. He cautioned that should LDC fail to perform, the window of opportunity to obtain Federal Stimulus funds for the project may close.

MOTION: Motion made by Council Member Stegall that the City assume lead project management responsibilities for the PSR and NCR. Motion died for lack of a second.

MOTION: Made by Council Member Jones, seconded by Council Member McArthur to recognize LDC as the lead for the project management responsibilities for the PSR and NCR for the Oasis Road Interchange, under the conditions that the PSR and NCR be submitted and approved by the appropriate agencies within six weeks, and that the costs associated with acting as lead be borne solely by LDC with no implied promise of compensation from the City. The Vote:

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

MUNICIPAL UTILITIES - Set Public Hearing for May 19, 2009, to consider monthly rate adjustments for the Water, Wastewater, and Solid Waste Utilities
 [S-020-500/W-020-590/W-030-400]

City Manager Starman recalled that water, wastewater and solid waste rates have not been adjusted since 2006 and that increased costs for labor, fuel, materials, regulatory demands, construction cost and debt service necessitate a rate increase. He noted that the proposed rate increases would add approximately \$5 per month for a typical single family home in each of the next three years and that the increased rate would continue to be among the lowest in the area. Mr. Starman explained that to comply with Proposition 218 requirements a protest ballot/notice must be mailed to about 33,000 parcel owners, if more than 50 percent of the property owners submit ballots opposed to the rate increases the rate adjustments cannot be implemented. If less than 50 percent oppose the rate adjustment, he said the Council could either approve the increase or not approve it.

City Manager Starman and Municipal Utilities Director Russell recommended that the City Council set a public hearing for its regularly scheduled May 19, 2009, meeting to consider Water, Wastewater, and Solid Waste rate adjustments proposed for implementation on or about July 1, 2009, and then annually thereafter for a period of three years.

Ms. Stegall noted that Municipal Utilities Director Russell invited each individual Council Member to an in-depth overview of the proposed rate adjustment.

Walt McNeill, attorney for Shasta County Taxpayers Association (Shastax), urged City Council to address the issue of late payment revenue collected on utility services. He maintained that approximately \$2 million in late payment fees collected on all City utilities including electric are turned over to General Fund annually. He contended that revenue should go to the Enterprise Fund and be used to lower the utility rates.

City Attorney Duvernay advised that no legal authority has established that late payment fees are included in the Proposition 218 requirements or restricting the City's disbursement of those fees. He added that directing the late penalty fees to the General Fund is a City Council policy decision.

MOTION: Made by Council Member McArthur, seconded by Council Member Stegall to set a public hearing for May 19, 2009 to consider Water, Wastewater, and Solid Waste rate adjustments to be implemented on or about July 1, 2009, and then annually thereafter for a period of three years. The Vote: Unanimous Ayes

It was the consensus of City Council that the Municipal Utilities Director should schedule a town hall meeting and present an overview of the proposed rate adjustments prior to the public hearing.

RESOLUTION - Amending the actuarial amortization period from 20 to 30 years with the Public Agency Retirement System (PARS)
 [P-100-240]

Personnel Director Johnson advised that the City has been a member of the Public Agency Retirement System (PARS) since 2005 and initially utilized a 20-year amortization period to mirror the contract the City has with the California Public Employees Retirement System (CalPers). She related that PARS offered the option of changing the actuarial amortization period from 20 to 30 years to generate cash flow savings during difficult economic times. According to Ms. Johnson, changing the amortization period would result in a \$600,000 per

year savings overall and a \$300,000 savings to the General Fund and the amortization period could be converted back to a 30-year period after two years.

Ms. Johnson recommended that the City Council adopt a resolution approving amendment of the PARS amortization period from 20 to 30 years.

In response to Council Member Jones, Finance Director Strong indicated that it is difficult to determine the long-term cost of changing the amortization period because, in essence, the City would not be investing the \$600,000 and would lose the potential interest. With the current fluctuation in the market, he said the interest earned could be zero to six percent.

Ms. McArthur did not support the resolution stating that the City should pay as it goes.

MOTION: Motion made by Council Member McArthur, seconded by Council Member Jones to decline to approve the proposed amendment to the PARS plan leaving the actuarial amortization period at 20 years. The Vote:

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

Council Member Dickerson observed that the discussion period was not offered, therefore he did not vote.

MOTION: Motion made by Council Member Jones, seconded by Council Member McArthur to reconsider the proposed amendment to the PARS actuarial amortization period to allow discussion. The Vote: Unanimous Ayes

Council Member Dickerson supported the staff recommendation noting that during these troubled financial times, it made good sense to extend the amortization period and utilize the \$600,000 for more pressing needs and then reduce the amortization period again in the future.

MOTION: Motion made by Council Member Dickerson, seconded by Council Member Stegall that the City Council adopt a resolution of the City Council of the City of Redding approving amendment of the PARS amortization period from 20 to 30 years. The Vote:

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

Motion failed.

MOTION: Motion made by Council Member McArthur, seconded by Council Member Jones declining to amend the PARS amortization period from 20 to 30 years. The Vote:

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

ADJOURNMENT

There being no further business, at the hour of 1:33 a.m., Mayor Bosetti declared the meeting adjourned.

APPROVED:

Mayor

ATTEST:

City Clerk