

City Council, Regular Meeting  
Civic Center Council Chambers  
777 Cypress Avenue  
Redding, California  
October 6, 2009 7:00 p.m.

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

The Invocation was offered by Police Chaplain Ray Foust.

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, Development Services Director Hamilton, Transportation and Engineering Director Crane, Deputy City Clerk Mize, and Executive Assistant Grimm.

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PUBLIC COMMENT

[A-050-060]

Dr. John Keye provided information related to global warming assertions that he believes are inaccurate and voiced concern regarding upcoming cap and trade legislation.

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RESOLUTION - Declaring October 2009, as “Breast Cancer Awareness Month,” and October 15, 2009, as “Think Pink Day”

[A-050-060-600]

Dr. Michael Figueroa, co-founder of “Think Pink Day,” presented Council with Think Pink thermal coffee mugs and expressed appreciation to the City for its support, especially for approving pink uplighting of the Sundial Bridge on October 15th, and showed pictures of the trial run by Morpheus Lighting. He was excited about the event’s potential to educate the community about the importance of early detection of breast cancer.

**MOTION:** Made by Council Member McArthur, seconded by Council Member Jones, adopting Resolution No. 2009-178, declaring October 2009, as “Breast Cancer Awareness Month,” and October 15, 2009, as “Think Pink Day” in the City of Redding.

The Vote: Unanimous Ayes

Resolution No. 2009-178 is on file in the Office of the City Clerk.

RESOLUTION - Proclaiming October 4-10, 2009, as “Public Power Week”

[A-050-060-600/A-050-125]

Energy Services Manager Keener recognized the 23<sup>rd</sup> anniversary of Public Power Week and acknowledged that Redding Electric Utility has served the community for 89 years providing some of the lowest rates, highest reliability, and best energy efficiency programs in the country.

**MOTION:** Made by Council Member McArthur, seconded by Council Member Jones, adopting Resolution No. 2009-179 declaring October 4-10, 2009, as “Public Power Week” in the City of Redding.

The Vote: Unanimous Ayes

Resolution No. 2009-179 is on file in the Office of the City Clerk.

**RESOLUTION** - Commending retiring Personnel Director Linda Johnson for 10 years of outstanding dedicated service to the City of Redding

[A-050-230]

City Manager Starman recommended that retiring Personnel Director Linda Johnson be acknowledged for 10 years of outstanding and dedicated service to the City of Redding, which was part of nearly 40 years of public service, and to formally recognize her at a retirement luncheon on October 16, 2009.

**MOTION:** Made by Council Member Stegall, seconded by Council Member Jones, adopting Resolution No. 2009-180 commending retiring Personnel Director Linda Johnson for 10 years of outstanding dedicated service to the City of Redding.

The Vote: Unanimous Ayes

Resolution No. 2009-180 is on file in the Office of the City Clerk.

**CONSENT CALENDAR**

The following matters were considered inclusively under the Consent Calendar:

Approval of Minutes - Special meetings of August 17, 2009 and September 28, 2009; Regular meetings of July 21, 2009 and September 15, 2009

Approval of Payroll and Accounts Payable Registers

[A-050-100-500]

It is recommended that Accounts Payable Register No. 6, for check numbers 876935 through 877408 inclusive, ACH Transfer numbers 6187 through 6244, inclusive, and Wire Transfer numbers 1725 through 1752, inclusive, for a total of \$17,024,873.60, for the period of September 12, 2009, through September 30, 2009; and Payroll Register No. 6 electronic deposit transaction numbers 264202 through 265060 and check numbers 544702 through 544836 inclusive, in the amount of \$2,659,957.58 for the period September 6, 2009, through September 19, 2009, be approved. TOTAL: \$19,684,831.18

Treasurer's Report - August 2009

[A-050-100-600]

Total Treasurer's Accountability	-	\$130,093,312.17
Total City of Redding Funds, Funds Held in Trust, and Funds of Related Entities	-	\$244,240,247.19

ACR133 Report and Cash Reconciliation

[F-205-095-650]

It is the recommendation of the Finance Director that the ACR133 Report and the Proof of Cash Reconciliation for August 2009 be accepted.

Ordinance - Amending Redding Municipal Code Sections 6.14.130 and 6.14.140 to clarify the prohibition on loans and the authorized means to purchase playing chips at card rooms

[L-070-030]

It is the recommendation of the City Attorney that Ordinance No. 2439 be adopted, an ordinance of the City Council of the City of Redding, amending Title 6 (Business Taxes, Licenses and Regulations), Chapter 6.14 (Card Rooms), of the Redding Municipal Code by amending Sections 6.14.130 and 6.14.140 pertaining to prohibition on loans and charging for the purchase of playing chips.

Council Policy - Repeal of Council Policy 201 (Establishing Public Hearing Time)

[A-050-060-555]

It is the recommendation of the City Manager that Council Policy 201 be repealed due modifications to Redding Municipal Code Section 2.04.120 that specifically outline when the City Council will conduct public hearings, which renders Council Policy 201 unnecessary.

Agreement - EnerGov Solutions, LLC for Integrated Land Management System  
[A-070-400/A-050-122/A-050-120]

It is the recommendation of the Development Services Director that (1) the Mayor be authorized to sign two agreements with EnerGov Solutions, LLC, relative to the Integrated Land Management System project: (a) a Master Customer Agreement in the not-to-exceed amount of \$662,993 for software-system purchase, implementation, and training services and (b) a Software Support Agreement in the amount of \$63,512 annually for software maintenance and support and \$13,800 annually for interactive voice-response services; (2) that the purchase of associated hardware, software, and services for system implementation be authorized on an as-needed basis; and (3) that the City Manager or his appointed designee be authorized to approve project change orders, if needed, within the total project allocation amount of \$1,310,500.

The Vote:

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

Monthly Financial Report - General Fund  
[B-130-070]

It is the recommendation of the Finance Director that the City Council accept the General Fund's Monthly Financial Report for August 2009. Total revenue to-date is \$6.3 million or \$1,345,689 (17.6%) below staff's cash flow projection. Expenditures at month end, excluding encumbrances, total \$11,029,395 or \$854,588 (7.2%) below staff's projection. Encumbrances at month end total \$1,369,159.

Resolution - Accepting streets and improvements in Alder Creek Subdivision, Units 8 and 9 (S-5-98) (aka Hacienda Heights)  
[S-100-260]

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2009-181 be adopted, a resolution of the City Council of the City of Redding, accepting the streets in Alder Creek Subdivision Units 8 and 9 (S-5-98), which is located south of Palacio Drive and east of Shasta View Drive, for maintenance and operation; that the improvements be accepted as satisfactorily completed by Ochoa-Shehan Inc., and that the City Clerk be instructed to return securities to the developer.

Award of Bid - Bid Schedule No. 4216 - Reservoir Cleaning, Inspection, and as-needed Repairs project  
[B-050-020]

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4216 (Job No. 2327) for Reservoir Cleaning, Inspection, and as-needed Repairs be awarded to Construction FX, Inc., in the amount of \$269,656; that an additional \$80,000 be approved for administration and inspection fees and obtaining outside services for materials testing; and that \$27,000 be approved to provide construction contingency funding, for a total of \$376,656.

Highway Safety Improvement Program - Project Funding Application  
[G-100-070/T-080-700/S-070-100]

It is the recommendation of the Transportation and Engineering Director that staff be directed to prepare and submit three project applications for federal grant funds from the Highway Safety Improvement Program for (1) intersection sight-distance improvement and overhead flashing-beacon installation at the Old Oregon Trail and Akrich Street intersection (\$900,000); (2) shoulder widening on the east and west sides of Buenaventura Boulevard for a six-foot wide bike lane between Placer Street and Lakeside Drive (\$376,000); and (3) replacement of the existing signal pole and mast arm and upgrade all signal heads at the Bechelli Lane and Cypress Avenue intersection (\$257,000).

Award of Bid - Bid Schedule No. 4284, Sacramento River Trail Capacity Widening and Overlay Project

[B-050-020/P-050-460-700]

It is the recommendation of the Transportation and Engineering Director that the project Base Bid for Bid Schedule No. 4284 (Job No. 9592,9589, and 9571) for Sacramento River Trail Capacity Widening and Overlay project be awarded to Tullis Inc., in the amount of \$218,503; that an additional \$40,000 be approved for administration and inspection fees; and that \$40,000 be approved to provide construction contingency funding, for a total of \$298,503. The Vote:

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

Facilities Lease Agreement - Office Building at Redding Municipal Airport

[C-070-100/A-090-100]

It is the recommendation of the Transportation and Engineering Director that a Facilities Lease Agreement with Shasta County (on behalf of the Sheriff's office) for an office building located on Flight Avenue at the Redding Municipal Airport be approved for the term of one year, beginning on November 1, 2009, with two one-year options to renew, at a rental rate of \$2,232 per month for the first year (if renewed, monthly rates will increase as described in the staff report).

Lease Agreement - Office Space at Redding Municipal Airport

[C-070-100/A-090-100]

It is the recommendation of the Transportation and Engineering Director that a Lease Agreement with John and Judy Goold for 282 square feet of office space in the terminal building at the Redding Municipal Airport be approved for the term of one year beginning October 10, 2009, with automatic renewal on a year-to-year basis, at a rental rate of \$385.42 per month (if renewed, the monthly rate will increase three percent every year).

Resolution - Re-certifying the City of Redding's Bikeway Plan

[T-100-050]

It is the recommendation of the Transportation and Engineering Director that Resolution No. 2009-182 be adopted, a resolution of the City Council of the City of Redding, re-certifying the Bikeway Plan for the City of Redding pursuant to the California Bicycle Transportation Act, Section 891.2 of the Streets and Highway Code.

Award of Bid - Bid Schedule No. 4285, Transfer Station Pavement Rehabilitation Project

[B-050-020/S-020-650]

It is the recommendation of the Transportation and Engineering Director that Bid Schedule No. 4285 (Job No. 2334), Transfer Station Pavement Rehabilitation project be awarded to Northwest Paving, in the amount of \$136,835; that an additional \$25,000 be approved for administration and inspection fees; and that \$40,000 be approved to provide construction contingency funding, for a total of \$201,835.

**MOTION:** Made by Council Member Jones, seconded by Council Member McArthur, that all the foregoing items on the Consent Calendar be approved and adopted as recommended, with the exception of the item approved by separate vote as indicated above:

The Vote:

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

Ordinance No. 2439 and Resolution No.s 2009-181 through 2009-182 are on file in the Office of the City Clerk.

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LOCAL BALLOT MEASURE TO MODIFY OR ELIMINATE CERTAIN EMPLOYEE BENEFITS

[A-050-060]

City Manager Starman recalled that during a difficult economic period, an especially strong emphasis was placed on controlling costs relating to City employees, particularly retirement related benefit costs. Mr. Starman relayed Mayor Bosetti's request that the "employee contribution" to the California Public Employees Retirement System (CalPERS) and medical insurance for retirees be brought before Council for discussion, to consider the possibility of developing a local ballot measure that would require the City to modify or eliminate these two employee benefits.

Mr. Starman described both benefits, as outlined in the staff report, noting that the "employee" fixed contribution to CalPERS is paid by many California cities and counties and that the "employer" contribution fluctuates from year-to-year due to actuarial analysis calculated on the rate of return for the CalPERS portfolio and other factors. He explained that many employees are eligible to continue medical insurance coverage after retirement and that the City pays 50 percent of the premium, although beginning in May 2008, this benefit is no longer provided to three employee classifications. Mr. Starman recommended that Council have a conceptual discussion and, if consensus is reached, direct staff to develop a detailed report that would include a proposed ballot measure to be considered for Council action.

Mayor Bosetti stated that a similar state initiative is currently being attempted, which prompted his request for discussion of a local measure. He opined that union bargaining units have been unyielding regarding these two employee benefits. Mr. Bosetti broached the subject of the City's actuarial liability pursuant to the Governmental Accounting Standards Board Standard No. 45 (GASB45).

Vi Klaseen, a long-time Council meeting attendee, stated that it was the responsibility of City Administration to set a business model that would attract new business and quality employees. She voiced her concern that with a complex issue such as the noted employee benefits, it would be difficult to sufficiently inform the public prior to an expensive general election. Ms. Klaseen urged Council to refrain from asking the electorate to make this decision, reiterating that it was the Council's job to evaluate all the information and negotiate with the unions.

Giannine O'Connor, a 31-year City employee, provided a history of the CalPERS program that started with the withdrawal of city employees from the Social Security Administration (SSA) program in 1979, which took two years to become effective. During those two years, a comprehensive study of the benefits and the costs to the City was made and city employees voted to opt out of Social Security. In 1979, the SSA rate was 6.13 percent and in 1981, the rate increased to 6.65 percent. In December 1981, the City withdrew from SSA and agreed to never again offer social security coverage to its employees. At that time, the City was paying three percent to CalPERS and 6.65 percent to SSA. The 6.65 percent savings that the City would realize by opting out of SSA was contributed to CalPERS as a member contribution over a period of three years. In 1981, the City contribution increased to five percent; in 1982, it increased to six percent; and in 1983, it increased to the current rate of seven percent. Although the City has benefitted from twenty-eight years of not paying its share of social security taxes, many employees and their dependents will suffer loss under the SSA's Windfall Elimination Provision that reduces the benefits they earned when paying taxes into the SSA program and would be eligible to receive for the rest of their lives if they had not worked for the City of Redding. Ms. O'Connor opined that it is inappropriate for the Council to consider a ballot initiative to eliminate this benefit because the City has continuously realized savings resulting from opting its employees out of SSA and because it is still realizing savings due to the difference in the current SSA rate of 7.65 percent being .65 percent more than what the City is contributing to CalPERS.

Ray Thomas opined that most people find governing by initiative distasteful, and that it would be regressive for the Council to attempt to do so. Mr. Thomas reported attending a public pension forum on September 24, 2009, at which speakers recalled that due to high interest rates in the early 1980's, paying the "employee" contribution to CalPERS was better for the employer than paying higher wages. He further opined that the proposed initiative does not address wage and benefit inequities that exist between the public and private sector work force. Mr. Thomas quoted City Council Policy 206 and stated that he felt it would be

disingenuous to proceed with an initiative to take these two benefits away from City employees and would be a disservice to both the City and its workers.

Sabrina Struth, SEIU 1020 Union Representative, reiterated that current contribution levels exist due to the process of bargaining and that she felt the proposed ballot measure indicated that the Council was trying to eliminate bargaining and open the existing contract, which would be strongly opposed. Ms. Struth recalled the rounds of layoffs and union concessions given to alleviate budget problems, reminding Council that many City employees are community residents and taxpayers.

Steve Allen, Police Negotiator since 1983, noted that member contribution by the City and the reporting of such as compensation like salary, was all negotiated. Mr. Allen stated that he has been working to fund the City paid portion of retiree medical insurance premiums for ten years, providing information on alternatives and bringing in a consultant to educate City staff. He opined that putting an advisory measure on the ballot is grand-standing and will not eliminate the need to bargain, but could open a Pandora's box and result in counter measures. Mr. Allen stated that labor negotiations should be conducted by the Council in closed session.

Alice Hinson opposed asking voters to decide this issue, stating that there is already a lot of confusion among voters. She declared that she votes no on all ballot initiatives, no matter how good they sound, because of concerns about unintended consequences. She challenged Council's position that negotiations won't work, and stated that, as a former teacher, she is proud that she contributed to her retirement, especially when other people criticize the benefits she receives under the plan. Ms. Hinson expressed concern about acrimony in the community that this ballot measure would cause.

Council Member Stegall recalled resident comments from a recently held forum on State Governance that expressed opposition to governing by initiative, citing wide-spread opposition to this practice, which makes citizens feel that their representatives are not doing their jobs. Ms. Stegall stated that conducting labor negotiations regarding City employee benefits is her job as a Council Member. She emphasized concern about budget issues and public benefits, noting they are state-wide issues. Ms. Stegall agreed that pursuing this topic as a ballot measure could set an undesirable precedent, instigate counter measures, and strongly opposed the proposal.

Council Member Jones stated that the City is facing serious budget issues and that it would take a long time to bargain and negotiate for solutions. Mr. Jones opined that past Councils gave too much when bargaining and previously accepted terms cannot be sustained. He expressed concern about unfunded GASB45 liability. He recalled how daunting the Council's task has been during the global recession and stated his support of the ballot initiative in spite of how unpopular the decision may be.

Council Member McArthur expressed interest in pursuing the topic further.

Ms. Stegall reiterated her concern about a ballot measure and opined that it would tear the community apart and create a fire storm. Responding to Ms. McArthur, she noted that City staff will be required to spend considerable time and energy to develop a viable ballot measure and objected adamantly to the proposal.

Council Member Dickerson agreed that it will take a great deal of effort to bring employee benefits into line, but expressed concern about putting a complicated issue with so many aspects that are difficult to comprehend and evaluate, before voters who may lack complete understanding of labor laws, labor negotiations, and the federal social security program and may have a visceral reaction. He further opined that it is the Council's job to bargain with represented employees over a period of years, utilizing the support of City staff's professional and legal advice to understand the issues completely. Mr. Dickerson also opposed governing by initiative because it restricts the ability of elected officials to be effective, agreed that setting a precedent is risky and unnecessary, and opposed a ballot measure. Mr. Dickerson clarified that an initiative is not an effective tool because it would not set aside the requirement to meet and confer and negotiate in a fair manner with represented employees regarding the loss of two existing and long standing benefits, nor would it compel represented employees to concede benefits.

City Attorney Duvernay responded to Mayor Bosetti, stating that typical Council-sponsored ballot measures deal with a single subject and, therefore, if Council directs staff to proceed, he would prepare two distinct ballot measures for consideration. He further advised that when the people act to vote on a ballot measure sponsored by the Council, they are essentially sitting in Council's seats, with no more or less power than Council has, and would be subject to the same restrictions. Mr. Duvernay assured Council that careful research and considerable time would be expended in drafting ballot measures that would be crafted to withstand a legal challenge, i.e., courts have determined that the benefit level employees have in a pension are individually vested rights, vested upon the day employment starts, and cannot be unilaterally taken away nor negotiated away by a union. Funding can be negotiated, however, voters cannot mandate a change without respecting the negotiation process set forth in state law. Voters could establish a policy that this Council (and future Councils) must adhere to and could not be changed without another ballot measure.

Mr. Duvernay stated that post-retirement health insurance premiums is a much more complicated issue and courts have handed down varying decisions. He commented on impediments to bargaining for tiered benefits and concerns of workers. Mr. Duvernay advised Council that allowing City policy to be set by the voting public takes away Council's flexibility and power, citing San Francisco as an example.

In response to Ms. McArthur, City Manager Starman estimated costs for a June 2010 ballot measure to be approximately \$25,000, depending on other consolidated ballot measures.

Ms. Stegall pointed out that there will be additional costs related to educating voters, which cannot be done by Council Members, and noted that a loss at the ballot box would weaken the Council's position in future negotiating sessions.

Ms. McArthur suggested Shasta College's three-tiered benefit program as a model and clarified that she was not interested in taking away existing employee benefits, but wants to implement changes to what new employees would receive.

Based on Council consensus, Mayor Bosetti requested that the City Attorney prepare possible ballot measures for Council's consideration.

**ORDINANCE** - Amending Redding Municipal Code Title 2 re: Council Meeting protocol [A-050-060]

City Manager Starman recalled that Ordinance 2440 (relating to changes to City Council meeting start time, order of business, and procedures to address council) was offered for first reading on September 15, 2009. He introduced Council Member Jones' request for further discussion on the item.

Mr. Jones relayed Gary Cadd's objection to the requirement for public speaker cards to be turned in prior to start of discussion on the item. He concurred with Mr. Cadd that the current protocol is working and would rather not give the Mayor discretion on this item, stating that many times discussion prompts people to speak midway through the discussion, thinks the Ordinance should be reworded, and opened the topic to Council discussion.

Gary Cadd opined that the public should be able to turn a card into the Clerk at any time during public comment.

**MOTION:** Made by Council Member Stegall, seconded by Council Member Dickerson directing staff to modify language regarding speaker cards and return to Council with a revised Ordinance amending Redding Municipal Code Title 2, Section 2.04.170 (Meetings-Addressing Council-Procedure) and Sections 2.04.020 (Meetings-Time and Place), 2.04.120 (Meetings-Order of Business), and 2.04.150 (Meetings-Persons Wishing to Address Council) for first reading.

The Vote: Unanimous Ayes

PROJECT STATUS REPORT AND UPDATE ON MAJOR PROJECTS - Redding Power Plant Generating Unit No. 6 and Oasis Road Project

[A-050-080/E-120-150-676/G-030-110]

City Manager Starman provided an overview of the Project Status Report for September 2009, attached to the staff report, and introduced Paul Hauser and Brian King from Redding Electric Utility (REU).

Mr. Hauser, REU Director, introduced Brian King, REU Assistant Director-Distribution, stating that Unit 6 could not have been built without Mr. King.

Mr. King opened by reporting that the project was under-budget and on schedule and provided a highly detailed, 3D modeling of the Generating Unit No. 6 construction site and the components of the project, noting the importance of 3D modeling and how it enables identification of issues prior to actual construction and/or assembly. He also provided photographs of the project and its progress to-date, including the delivery, unloading, and placement of the 96 ton turbine.

Responding to Council Member Jones' request, Transportation and Engineering Director Crane provided an update on the status of the Oasis Road Project, noting that the project is ahead of all required deadlines and that there are no known or anticipated issues with right-of-way acquisitions at the present time.

RESOLUTION - Seller's Proposition 1A Receivable from the State

[B-130-070/F-205]

Finance Director Strong provided background information on Prop 1A, passed in 2004 to ensure local property tax and sales tax revenues remain with local government, thereby safeguarding funding for public safety, health, libraries, parks, and other local services. As allowed, Governor Schwarzenegger declared a fiscal necessity to suspend the provisions of Prop 1A and an emergency suspension was passed by the legislature and signed by the Governor in July 2009 as ABZ4 14 and ABX4 15. Under the provision, the State will borrow 8% of the amount of property tax revenue apportioned to cities, counties, and special districts, and will be required to repay those obligations plus interest by June 30, 2013. Mr. Strong explained that under ABX4 14 and ABX4 15, the Proposition 1A Securitization Program was instituted by California Communities to enable local agencies to sell their respective Prop 1A Receivables to California Communities, who will issue bonds ("Prop 1A Bonds") and provide local agencies with the cash proceeds in two equal installments on January 15, 2010, and May 3, 2010, equal to 100 percent of the amount of the property tax reduction.

Mr. Strong recommended that the City Council approve a resolution authorizing the City of Redding to participate in the Proposition 1A Securitization Program, and approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the Seller's Proposition 1A Receivable from the State, and directing and authorizing certain other actions in connection therewith.

**MOTION:** Made by Council Member Jones, seconded by Council Member McArthur, adopting Resolution No. 2009-183, a resolution of the City Council of the City of Redding, authorizing the City of Redding to participate in the Proposition 1A Securitization Program, and approving the form of and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the Seller's Proposition 1A Receivable from the State, and directing and authorizing certain other actions in connection therewith. The Vote:

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

NOES: Council Members - None

ABSTAIN: Council Members - None

ABSENT: Council Members - None

Resolution No. 2009-183 is on file in the Office of the City Clerk

COUNCIL TRAVEL REPORT - City Council Member attendance at conferences/meetings reimbursed at City expense (Requirement of Assembly Bill 1234)  
[A-050-060]

Council Member Stegall reported attending the Northern California Power Agency Annual Meeting in Berkeley, CA on September 23-25, 2009.

Council Member McArthur reported attending the League of California Cities Annual Workshop in San Jose, CA, on September 16-18, 2009.

CLOSED SESSION

At the hour of 8:53 p.m., Mayor Bosetti announced that Council would adjourn to Closed session to discuss:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Threatened litigation

Claim by Kiewit Pacific Co. concerning construction of certain elements for the Cypress Bridge Replacement Project. The communication is available for public inspection in the Office of the City Clerk pursuant to Section 54957.5

[L-100 & S-070-050-050]

At 9:12 p.m., Mayor Bosetti reconvened the Regular Meeting to open session and reported that the City Council had authorized the City Manager to settle a Notice of Potential Claim with Cypress Bridge contractor Kewitt through a negotiated change order. The details of the negotiated settlement will be publically available after signature of all parties.

ADJOURNMENT

There being no further business, at the hour of 9:13 p.m., Mayor Bosetti declared the meeting adjourned.

APPROVED:

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Mayor

ATTEST:

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Deputy City Clerk