

City Council, Regular Meeting  
Civic Center Council Chambers  
777 Cypress Avenue  
Redding, California  
May 18, 2010 6:00 p.m.

The Pledge of Allegiance to the Flag was led by Mayor Emeritus Carl Arness.

The Invocation was offered by Police Chaplain Debbie Ivey.

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

Also present were City Manager Starman, City Attorney Duvernay, Assistant City Manager Tippin, Transportation and Engineering Director Crane, Development Services Director Hamilton, City Clerk Mize, and Executive Assistant Grimm. The City Manager introduced all Department Directors that were present.

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PUBLIC COMMENT

[L-010-390]

Daniel Valdivia expressed concerns about a new driveway off Woodacre Drive, under Use Permit 04-08 for Neighborhood Church at 777 Loma Vista Drive, and increased traffic and safety issues related to proximity to residential units and a nearby park,.

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PRESENTATION - Northern California Veterans Home

[E-050/A-050-060]

Frank Williams, Administrator of the Northern California Veterans Home, gave a presentation on the new 160,000 square foot/150 unit veterans facility being built on Knighton Road. Mr. Williams provided extensive detail on background, current activities, and the vision for the future of the campus and programs that will be available to eligible veterans in mid 2012. He invited everyone to attend the ground-breaking ceremony on Friday, May 21, 2010, at 10:30 a.m. at the site.

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CONSENT CALENDAR

The following matters were considered inclusively under the Consent Calendar:

Approval of Minutes - Regular meeting of May 4, 2010.

Approval of Payroll and Accounts Payable Registers

[A-050-100-500]

It is the recommendation of the Finance Director that the City Council approve Accounts Payable Register No. 21, for check numbers 883189 through 883646, inclusive, ACH Transfer numbers 6835 through 6861, inclusive, and Wire Transfer numbers 2277 through 2313, inclusive, for a total of \$9,262,758.84, for the period of May 3, 2010, through May 14, 2010; and Payroll Register No. 22, for electronic deposit transaction numbers 278344 through 279215, inclusive, and check numbers 544568 through 546512, inclusive, in the amount of \$2,515,602.85, for the period April 18, 2010, through May 1, 2010.

TOTAL: \$11,778,361.69

Ordinance - Amending Redding Municipal Code 18.36 - *Public Facilities District*, Section 18.36.010 - *Purpose*, Schedule 18.36.030.A - *Land Use Regulations*, and Chapter 18.60.030 - *Public and Semipublic Use Classifications* under Rezoning Application RZ-3-10

[L-010-230/L-010-500-050]

It is the recommendation of the Development Services Director that the City Council adopt Ordinance No. 2457, an ordinance of the City Council of the City of Redding amending Redding Municipal Code 18.36 - *Public Facilities District*, Section 18.36.010 - *Purpose*, Schedule 18.36.030.A - *Land Use Regulations*, and Chapter 18.60.030 - *Public and Semipublic Use Classifications* relating to transitional and supportive housing facilities and commercial uses as detailed in rezoning application RZ-3-10.

## The Vote:

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

Ordinance - Adopting Specific Plan Amendment SPA-1-10, Downtown Redding Specific Plan and an Addendum to the Negative Declaration

[G-030-140]

It is the recommendation of the Development Services Director that the City Council adopt Ordinance No. 2458, an ordinance of the City Council of the City of Redding adopting Specific Plan Amendment SPA-1-10, Downtown Redding Specific Plan amendments and an Addendum to the Negative Declaration, subject to determinations and findings contained in the staff report dated April 20, 2010, and accepted by the City Council on May 4, 2010.

Ordinance - Adopting an Addendum to the Mitigated Negative Declaration prepared for the City of Redding Zoning Map; and amending Title 18 - *Zoning Map of the City of Redding* under Rezoning Application RZ-1-10

[L-010-230]

It is the recommendation of the Development Services Director that the City Council adopt Ordinance No. 2459, an ordinance of the City Council of the City of Redding adopting an Addendum to the Mitigated Negative Declaration prepared for the City of Redding Zoning Map and amendments to the City of Redding Zoning Map under Rezoning Application RZ-1-10, rezoning certain parcels to be consistent with the policies of the North Market Street Focus Area of the General Plan, subject to determinations and findings contained in the staff report dated April 19, 2010, and accepted by the City Council on May 4, 2010.

Ordinance - Amending Redding Municipal Code Title 2 - *Administration and Personnel*, Chapter 2.16 - *City Clerk*

[A-050-055]

It is the recommendation of the City Attorney that the City Council adopt Ordinance No. 2460, an ordinance of the City Council of the City of Redding amending Redding Municipal Code Title 2 - *Administration and Personnel*, Chapter 2.16 - *City Clerk*, by repealing Section 2.16.010 - *Duties* and adding new Sections 2.16.010 through 2.20.060, all relating to defining and describing the duties of the elected position and the administrator position in the Office of the City Clerk. The Vote:

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

Letter - Opposition to SBX6 2 relating to prepayment of Transient Occupancy Taxes

[L-040/T-010-600]

It is the recommendation of the Assistant to the City Manager that the City Council authorize the Mayor to submit a Letter of Opposition to Senate Bill X6 2, which would exempt online travel services from paying occupancy taxes while seeking to challenge the amount owed.

Letter - Opposition to AB 155 relating to local government bankruptcy

[L-040/A-050-060]

It is the recommendation of the Assistant to the City Manager that the City Council authorize the Mayor to submit a Letter of Opposition to Assembly Bill 155, which would require approval of the California Debt and Investment Advisory Commission before a municipality could file for Chapter 9 bankruptcy protection.

Resolution - Appropriating funds for completion of Redding Power Plant Generating Units No. 5 and No. 6

[B-130-070/E-120-150-675/E-120-150-676]

It is the recommendation of the Electric Utility Director that the City Council approve additional contingency funds for the Supply and Professional Services Contract (C-4836) with Siemens Power Generation, Inc., for furnishing and delivery of a Distributed Control System for Redding Power Plant Generating Units No. 5 and No. 6, and adopt Resolution No. 2010-47, a resolution of the City Council of the City of Redding approving and adopting the 21<sup>st</sup> amendment to City Budget Resolution No. 2009-61 appropriating \$283,500 for fiscal year 2009-10 for same.

Award of Bid - Bid Schedule No. 4314 for Redding Power Plant Unit 4 Steam Turbine Fall 2010 Overhaul Parts

[B-050-100/E-120-150-500]

It is the recommendation of the Electric Utility Director that the City Council award Bid Schedule No. 4314 by line item to: Tetrad Services Inc. of Red Bluff, CA; Turbo Parts LLC of Clifton Park, NY; Action Turbine Repair Services of Summit, IL; and Stephens Mechanical Corporation of Concord, CA, for furnishing and delivery of steam turbine and generator parts for the Redding Power Plant Unit 4 Steam Turbine Electric Generator Fall 2010 Overhaul project, and approve a \$25,000 contingency expenditure for unforeseen required parts.

Agreement - Mead & Hunt, Inc., for architectural design services for the Redding Municipal Airport Passenger Terminal Building Expansion

[A-090-100/G-100-070-095]

It is the recommendation of the Transportation and Engineering Director that the City Council approve an Authorization of Services Agreement (AOS No. 10-101) with Mead & Hunt, Inc., to provide architectural services for expansion of the passenger terminal building at Redding Municipal Airport.

Final Map and Subdivision Agreement - East Oak Estates (S-02-09)

[S-101-048]

It is the recommendation of the Transportation and Engineering Director that the City Council approve the Final Map by minute order for East Oak Estates (S-02-09), located on Heavenly Oak Lane, east of Churn Creek Road, and south of Arizona Street; that the Mayor be authorized to execute the Subdivision Agreement with Ronald G. Mygrant; and that the City Clerk be instructed to file the map with the Shasta County Recorder.

Award of Bid - Schedule No. 4311 (Job No. 2347), 2010 Sanitary Sewer Replacement

[B-050-020]

It is the recommendation of the Transportation and Engineering Director that the City Council award Bid Schedule No. 4311 for the Sanitary Sewer Replacement project to R.A. Martin Constructors, Inc., in the amount of \$289,144.60, for the replacement of several hundred feet of sanitary sewer that requires ongoing maintenance, as well as the elimination of a sewer within a creek corridor, to decrease the potential of a sewer overflow into Calaboose Creek; that an additional \$75,000 be approved for administration and inspection fees; and that \$50,000 be approved to provide construction contingency funding, for a total of \$414,144.60.

Notice of Completion - Bid Schedule No. 4057 (Job No. 2198), Clear Creek Wastewater Treatment Plant Rehabilitation and Expansion Project, Bid Package 3

[B-050-020/W-010-450]

It is the recommendation of the Transportation and Engineering Director that the City Council accept the subject construction contract performed by Ray Toney and Associates as satisfactorily complete and authorize the City Clerk to file a Notice of Completion with the Shasta County Recorder. Final cost was \$21,321,092.

Award Request for Proposal - Schedule No. P1014, Twin View Boulevard Bridge Replacement Project; and

Resolution - Adopting the 22<sup>nd</sup> amendment to Budget Resolution 2009-61 appropriating funds for same for fiscal year 2009-10

[B-050-100/S-070-050]

It is the recommendation of the Transportation and Engineering Director that the City Council: (1) adopt Resolution No. 2010-48, a resolution of the City Council of the City of Redding approving and adopting the 22<sup>nd</sup> amendment to City Budget Resolution No. 2009-61 appropriating Federal Grant Capital Public Work Funds in the amount of \$600,000 for Fiscal Year 2009-10 for the design of the Twin View Boulevard Bridge Replacement Project; (2) award Request for Proposal No. P1014 to Drake Haglan and Associates, Inc., and authorize staff to negotiate a consultant services contract; (3) authorize the Mayor to execute a Consulting and Professional Services contract with Drake Haglan to provide project management, preliminary and final design, environmental compliance, support, right-of-way coordination, and technical assistance during bidding and construction for the Twin View Boulevard Bridge Replacement Project for a not-to-exceed fee of \$400,000; (4) authorize a contingency reserve of \$60,000 for the contract.

Resolution - Approving Engineer’s Report ordering the formation of Landscape Maintenance District 02-09, confirming and approving the Annual Assessments, and staying the levying and collection of same for fiscal year 2010-11

[A-170-075-088]

It is the recommendation of the Transportation and Engineering Director that the City Council adopt Resolution No. 2010-49, a resolution of the City Council of the City of Redding approving the Engineer’s Report and maps, ordering the formation of Landscape Maintenance District LMD-02-09 (Placer West Subdivision S-2-08), confirming and approving the annual assessments pursuant to the Landscaping and Lighting Act of 1972, commencing with Section 22500 of the Streets and Highways Code, and staying the levy and collection of same for fiscal year 2010-11.

**A MOTION WAS MADE** by Council Member McArthur, seconded by Council Member Stegall, that the foregoing items on the Consent Calendar be approved and adopted as recommended, with the exception of the item(s) approved by separate vote as indicated above. The Vote:

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

NOES: Council Members - None

ABSTAIN: Council Members - None

ABSENT: Council Members - None

Ordinance Nos. 2457 through 2460 and Resolution Nos. 2010-47 through 2010-49 are on file in the Office of the City Clerk.

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APPOINTMENT - Economic Development Corporation of Shasta County

[B-080-150]

**A MOTION WAS MADE** by Council Member Dickerson, seconded by Council Member Bosetti, approving the Mayor’s recommendations to appoint Karen J. Walker and reappoint Pat Corey and Patrick Moty to the Economic Development Corporation of Shasta County for four-year terms from July 1, 2010, to June 30, 2014.

The Vote: Unanimous Ayes

APPOINTMENT - Community Development Advisory Committee

[B-080-600-100]

**A MOTION WAS MADE** by Council Member Bosetti, seconded by Council Member McArthur, approving the Mayor’s recommendation to appoint Matthew B. Moseley to the Community Development Advisory Committee to serve an unexpired term ending December 1, 2011. The Vote: Unanimous Ayes

INVOCATIONS - Discuss the Possibility of Inviting Additional Community Members to deliver the Invocation at City Council Meetings

[A-050-060]

City Manager Starman summarized the Report to City Council (staff report) dated May 11, 2010, incorporated herein by reference, noting reasons that Redding Police Chaplains were asked to offer invocations at Council meetings beginning in 2003, and referring to a 2002 Court of Appeals decision known as the “Rubin case”. Mr. Starman opened Council discussion per the Mayor’s request.

Mayor Jones recognized the excellent work the Redding Police Chaplains have done, and expressed interest in more participation from the community.

David Haddon and Patricia Heinsohn opposed invoking any deity other than Jesus Christ and Mr. Haddon suggested suspending invocations at meetings.

Council Members expressed their viewpoints on this subject including interest in offering the invocation themselves, past problems with reliability, true diversity, potential for contentious action over this controversial topic, the role of government, and constitutional rights issues.

City Manager Starman attempted to ascertain if a consensus of Council existed to direct staff to move forward with creation of non-sectarian invocation guidelines and an application form, and issuance of an invitation to the community to participate in an invocation program.

**A MOTION WAS MADE** by Council Member Dickerson, seconded by Council Member Stegall, maintaining the current practice of scheduling Redding Police Chaplains to offer invocations at all City Council meetings.

The Vote:

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

Motion failed due to lack of majority.

**A MOTION WAS MADE** by Council Member McArthur, seconded by Council Member Bosetti, directing staff to provide an opportunity for interested community members to participate in offering invocations at City Council meetings.

The Vote:

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

ORAL UPDATE - Redding Recreation Summer Activities

[A-050-080/R-006]

Community Services Director Niemer provided a PowerPoint presentation, incorporated herein by reference, detailing the numerous and varied programs available to the community for a wide range of ages, interests, and budgets.

REDDING CONVENTION CENTER - Community Services Advisory Commission Recommendations

[C-050-050/B-130-070]

Support Services Director Kersten summarized the Report to City Council (staff report) dated May 6, 2010, incorporated herein by reference, and acknowledged the diligence shown by the Community Services Advisory Commission (CSAC) members and the dedicated efforts they invested in the arduous task of analyzing future operation options for the Redding Convention Center and reduction of dependence on Transient Occupancy Taxes (TOT) to fund same. He recommended that the Council adopt the Commission's recommendations with the exception of redirecting repayments of internal debt accumulated as General Fund advances made during most of the 1990's.

Susan Hinz, CSAC Chair, noted city staff's responsiveness and support of the Commission's requests for thousands of pages of information used for developing the following determinations and recommendations:

1. Building needs a projected \$2.4 million in deferred maintenance/capital improvements over the next ten years; an itemized list is attached to the staff report.
2. Current debt burden of \$2.1 million requires annual payments of \$155,000; CSAC asked Council to consider redirection of annual repayment to the General Fund in the amount of \$55,840 into a capital improvement fund.
3. Campus includes Convention Center on approximately 48 acres. Committee recommendations are short-term and may only yield benefits for two-to-five years; a long-term master plan for campus with Convention Center as focal point is needed.
4. Community considers the Convention Center a very important public amenity.
5. Privatization was opposed by a majority of users; however, the committee continued to research the possibility in-depth and ultimately unanimously voted against privatization due to a lack of serious vendor response or evidence that dependency on TOT could be reduced.
6. City staff were held in high regard by customers, community, and committee members.
7. A new marketing plan is needed and staff is ready to implement.
8. Large capital improvements are problematic, but potential exists to fund with annual TOT allocation if it is maintained at 25 percent, with funds not used to subsidize operations being dedicated to capital improvements.
9. An updated fee structure should be implemented; a suggested fee schedule is attached to the staff report.
10. CSAC intends to continue to monitor Convention Center performance and make recommendations as may be necessary.

City Manager Starman clarified that the Council had voted to privatize and transfer operation of the Convention and Visitors Bureau to Shasta Cascade Wonderland Association at its meeting on April 6, 2010, as noted in the staff report, and stated that he anticipated a proposed agreement would be submitted to the City Council in June.

Ms. Hinz and Support Services Director Kersten responded to Council Members' comments regarding the solicitation process of private companies, utilization schedule, deferred maintenance costs and revenue increase estimates, turnaround time, revenue management, and the revised fee schedule.

Mayor Jones state that he would not support CSAC recommendations because he had hoped a private management company would be found that could aggressively pursue new business and thought that raising fees would cause a reduction in utilization and revenue instead of an increase.

**A MOTION WAS MADE** by Council Member Stegall, seconded by Council Member McArthur, adopting the Community Services Advisory Committee's recommendations with the exception of redirecting payments to the General Fund into a capital improvement fund, and directing staff to implement as soon as feasible.

The Vote:

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

NOES: Council Members - Jones

ABSTAIN: Council Members - None

ABSENT: Council Members - None

#### CLOSED SESSION

At the hour of 7:43 p.m., Mayor Jones announced that Council would adjourn to Closed Session.

At the hour of 9:30 p.m., Mayor Jones reconvened the Regular meeting to Open Session and reported on:

Closed session pursuant to California Government Code Section 54956.9(b)(3)(A):

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation

One (1) case

[L-100]

The City Council did not take any reportable action on this item.

Closed session pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATOR

Designated Agency Representative: Assistant City Manager Tippin

Employee Organization: All Represented and Unrepresented Employees

[P-100-050]

The City Council did not take any reportable action on this item.

#### ADJOURNMENT

There being no further business, Mayor Jones declared the meeting adjourned at the hour of 9:31 p.m..

APPROVED:

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Mayor

ATTEST:

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City Clerk