

Redding City Council, Regular Meeting
Civic Center Council Chambers
777 Cypress Avenue
Redding, CA 96001
March 21, 2017, 6:00 PM

The meeting was called to order by Mayor Brent Weaver with the following Council Members present: Adam McElvain, Kristen Schreder, Francie Sullivan, and Julie Winter.

Also present were: City Manager Kurt Starman, City Attorney Barry E. DeWalt, Assistant City Manager/Electric Utility Director Barry Tippin, Deputy City Manager Greg Clark, Finance Director Dennice Maxwell, Planning Manager Paul Hellman, Assistant City Clerk Teresa Rudolph, and Executive Assistant Sharlene Tipton.

The City Manager introduced Department Directors that were in attendance: Public Works Director Brian Crane, Personnel Director Sheri DeMaagd, Fire Chief Gerry Gray, Community Services Director Kimberly Niemer, Information Technology Director Tony Van Boekel, and City Treasurer Allyn Feci Van Hooser.

The Pledge of Allegiance to the Flag was led by Steve Bade.

The Invocation was provided by Pastor Nathan Blank, Little Country Church.

PRESENTATIONS

- 2A. Presentation of Shasta Mosquito & Vector Control District's 2016 Annual Report, incorporated herein by reference, by Peter Bonkrude, District Manager.
[A-050-060-600]

The City Council took no action on this informational item.

CONSENT CALENDAR

The following matters were considered inclusively under the Consent Calendar and each Report to Redding City Council (staff report) is incorporated herein by reference:

- 4(a). Approve Minutes – Special Meeting of February 13, 2017; Regular Meeting of March 7, 2017; and Special Meeting of March 9, 2017.
[A-050-060]

Samuel Williams spoke relative to the minutes for the Special Meeting of February 13, 2017.

- 4(b). Approve Payroll and Accounts Payable Register
[A-050-100-500]
Approve: (1) Accounts Payable Register No. 17 for the period of March 1, 2017, through March 17, 2017, for a total of \$7,342,999.86 for check numbers 123537 through 124109, inclusive, ACH Transfer numbers 13344 through 13377, inclusive, and Wire Transfer numbers 6704 through 6728, inclusive; and (2) Payroll Register No. 19 for the period of February 26, 2017, through March 11, 2017, in the amount of \$2,853,880.14, for electronic deposit transaction numbers 434603 through 435467, inclusive, and check numbers 602934 through 602957, inclusive;
SUMMARY TOTAL: \$10,196,880.00

- 4(c). Adopt Ordinance No. 2568, an ordinance of the City Council of the City of Redding, amending Redding Municipal Code Title 2 (Administration and Personnel), Chapter 2.57 (Administrative Hearings Board), Section 2.57.040 (Administrative Hearings Board Membership – Organization), and 2.57.090 (Conduct of Administrative Hearings), all relating to amendment of the quorum requirement and the conduct of hearings.
[C-110-100/B-080-005]

- 4(d). Adopt Ordinance No. 2569, an ordinance of the City Council of the City of Redding, amending Redding Municipal Code Title 4 (Revenue and Finance), Chapter 4.22 (Public Projects), by amending Section 4.22.120 (Emergencies), relating to conforming emergency declaration procedures to California law and delegating authority to declare an emergency to the City Manager.
[C-110-100/P-150-050]
- 4.2(a). Adopt Resolution 2017-024, a resolution of the City Council of the City of Redding declaring April as ***Fair Housing Month*** in the City of Redding.
[A-050-060-600/G-100-030-150]
- 4.2(b). Authorize the Mayor to send a letter to the California Treasurer supporting modifications to procedures governing the allocation of low-income housing tax credits.
[S-050/H-150]
- 4.2(d). Authorize the Mayor to send a letter to legislators supporting Assembly Bill 1326, which would make it a felony if the aggregate value of items stolen in a 12-month period exceeds \$950.
[L-040-300]
- 4.4(a). Accept the 2016 General Plan/Housing Element Annual Progress Report and direct staff to forward the document to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.
[G-030-070]
- 4.5(a). Award Request for Proposal No. 4869, Design and Deliver Dual-Function SCR/CO-Oxidation Catalysts, to CCA Combustion Systems for generating Units 5 and 6 at the Redding Power Plant for a total cost of \$1,502,000; approve a contingency amount not to exceed \$451,000; and authorize the City Manager or his designee to execute the agreement and approve any necessary change orders.
[B-130-070/E-120-150-675/E-120-150-676]
- 4.5(b). Accept the Redding Electric Utility January 2017 Monthly Financial Report and Industry Update.
[B-130-070]
- 4.6(b). Adopt Resolution No. 2017-025, a resolution of the City Council of the City of Redding approving and adopting the 69th Amendment to City Budget Resolution No. 2015-057 appropriating \$10,000 for engineering work to prepare specifications for repairs to trails and parks damaged by recent flooding.
[B-130-070/P-050]
- 4.6(c). Adopt Resolution No. 2017-026, a resolution of the City Council of the City of Redding declaring Friday, April 28, 2017, as ***Community Tree Planting Day***, otherwise known as *Arbor Day* in the City of Redding; and recognizing the Redding Electric Utility's receipt of the *Tree Line U.S.A. Utility* and *Tree City U.S.A. Awards*.
[A-050-060-600/A-050-220-075/P-050]
- 4.6(d). Award Request for Proposal No. 4873, Assessment District Landscape Maintenance Services, to McEntire Landscaping, Inc. with an evaluated annual total of \$268,800; and authorize the City Manager to execute the agreement for the period April 1, 2017, through March 31, 2018.
[B-050-100/A-170-075]
- 4.10(a) Accept the General Fund Monthly Financial Report for January 2017
[B-130-170]

- 4.11(b). Authorize the following action relative to Bid Schedule No. 4839 (Job No. 2463), Victor Avenue Safety Project: (1) award to Sunrise Excavating in the amount of \$1,719,283.40 to improve vehicle, pedestrian, and bicycle safety on Victor Avenue between Enterprise Park and Bramble Place; (2) approve an additional \$255,000 to cover the cost of administration and inspection fees; (3) approve \$172,000 to provide construction contingency funding; (4) authorize the City Manager to approve additional increases in either the construction management or construction contingency amounts up to a total of \$50,000, for a total of \$2,196,283.40; and (5) adopt Resolution No. 2017-027, a resolution of the City Council of the City of Redding approving and adopting the 68th Amendment to City Budget Resolution No. 2015-057 appropriating \$1,340,680 for said purpose.
[B-050-020/B-130-070/S-070-100]
- 4.11(c). Approve the First Amendment to License and Permit for Commercial Activities (C-6807) with Peninsula Airways Inc. (PenAir), and authorize the City Manager, or designee, to execute the amendment and all future amendments to the agreement, thereby reducing the size of the leasehold for PenAir, limiting it to just the Station Manager's Office, and providing PenAir with a right of first refusal for a period of one year, for the ticket counter and adjacent back-office space.
[A-070-080/A-090-100]
- 4.11(d). Authorize the following action relative to Bid Schedule No. 4866, Enterprise Park Playground Equipment Project: (1) award to G&G Builders, Inc. in the amount of \$106,324 for installation of City purchased replacement playground equipment; (2) approve \$5,000 to provide construction contingency funding; and (3) authorize the City Manager to approve additional increases, in either the construction management or construction contingency amounts, up to a total of \$1,500, for a grand total of \$112,824.
[B-050-020/P-050-145]
- 4.11(e). Award Bid Schedule No. 4868 for tires and related services to the sole bidder, Tehama Tire Service Inc., for the period of May 1, 2017, through April 30, 2018; and authorize the Purchasing Officer to extend the bid for up to two-consecutive one-year extensions.
[B-050-100]

A MOTION WAS MADE by Council Member Sullivan, seconded by Council Member Schreder, that the foregoing items on the Consent Calendar be accepted, acknowledged, adopted, approved, and/or authorized as recommended.

The Vote:

AYES: Council Members - McElvain, Schreder, Sullivan, Winter, and Weaver
 NOES: Council Members - None
 ABSTAIN: Council Members - None
 ABSENT: Council Members - None

Ordinance Nos. 2568 and 2569 and Resolution Nos. 2017-024 through 2017-027 are on file in the Office of the City Clerk.

PUBLIC HEARINGS, PETITIONS, AND PROTESTS

- 6.1. Public Hearing – Regarding Rezoning Application (RZ-2017-00126), initiated by the City of Redding, to consider amending Redding Municipal Code (RMC) Title 18 (Zoning)
[C-110-100/L-010-230]

Planning Manager Hellman provided an overview of the Report to Redding City Council (staff report), incorporated herein by reference. He noted that the proposed amendments to RMC Title 18 are minor in nature and are primarily intended to clarify the intent of the existing regulations, provide additional flexibility in the administration of the Zoning Ordinance, and comply with state law.

The hour of 6:00 p.m. having arrived, Mayor Weaver opened the public hearing to consider Rezoning Application (RZ-2017-00126), initiated by the City of Redding, to consider amending RMC Title 18 (Zoning).

The Affidavit of Publication – Notice of Public Hearing is on file in the Office of the City Clerk.

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

A discussion amongst the Council ensued.

A motion was made by Council Member Schreder to delay consideration of amendments to Section 18.17.020 (Temporary Uses Exempt from Permits) until such time as the City Council has had an opportunity to discuss food truck operations in the City of Redding.

Motion died due to lack of a second.

A SECOND MOTION WAS MADE by Council Member Brent Weaver, seconded by Council Member Sullivan, to: (1) adopt the Addendum to the Zoning Code Mitigated Negative Declaration; (2) offer Ordinance No. 2570, an ordinance of the City Council of the City of Redding amending RMC Title 18, (Zoning), Chapter 18.17 (Temporary Use Permits) by amending Sections 18.17.020 (Temporary Uses Exempt from Permits) and 18.17.030 (Temporary Uses Requiring Permits); Chapter 18.40 (Development and Site Regulations) by amending Sections 18.40.020 (Buffer Yards) and 18.40.180 (Walls and Fences); Chapter 18.42 (Signs) by amending Sections 18.42.080 (Prohibited Signs); Chapter 18.43 (Standards for Specific Land Uses) by amending Sections 18.43.020 (Accessory Uses and Structures) and 18.43.180 (Short Term Rentals); Chapter 18.51 (“FP” Floodplain Overlay District) by amending Section 18.51.080 (Construction Standards); and Chapter 18.61 (List of Terms and Definitions) by amending Section 18.61.020 (Definitions) all relating to clean-up and updating of the Zoning Code for first reading by title only, waive the full reading; and (3) authorize the City Clerk to publish a summary ordinance.

The Vote:

AYES: Council Members - McElvain, Sullivan, Winter, and Weaver

NOES: Council Members - Schreder

ABSTAIN: Council Members - None

ABSENT: Council Members - None

City Attorney DeWalt read the title of Ordinance No. 2570.

- 6.2. Public Hearing – Regarding Rezoning Application (RZ-2017-00127), initiated by the City of Redding, to consider amending Redding Municipal Code (RMC) Title 18 (Zoning) relative to freeway-oriented signage.

[C-110-100/L-010-230]

Planning Manager Hellman summarized the Report to Redding City Council (staff report), incorporated herein by reference. He noted that the proposed amendments would allow for freeway-oriented signage under appropriate circumstances.

The hour of 6:00 p.m. having arrived, Mayor Weaver opened the public hearing to consider Rezoning Application (RZ-2017-00126), initiated by the City of Redding, to consider amending RMC Title 18 (Zoning) relative to freeway-oriented signage.

The Affidavit of Publication – Notice of Public Hearing is on file in the Office of the City Clerk.

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

A MOTION WAS MADE by Council Member Winter, seconded by Council Member Schreder, to: (1) adopt the Addendum to the Zoning Code Mitigated Negative Declaration; (2) offer Ordinance No. 2571, an ordinance of the City Council of the City of Redding amending RMC Title 18, Zoning, Chapter 18.42 (Signs) by amending Sections 18.42.030 (General Standards) and 18.42.040 (Standards for Certain Types of Signs) and Chapter 18.61 (List of Terms and Definitions) by amending Section 18.61.020 (Definitions), all relating to freeway signs for first reading by title only, waived the full reading; and (3) authorized the City Clerk to publish a summary ordinance.

The Vote:

AYES: Council Members - McElvain, Schreder, Sullivan, Winter, and Weaver
 NOES: Council Members - None
 ABSTAIN: Council Members - None
 ABSENT: Council Members - None

City Attorney DeWalt read the title of Ordinance No. 2571.

APPOINTMENTS

7.1. Appointment to Board of Appeals – Todd McEfee
 [B-080-050]

Mayor Weaver highlighted the Report to Redding City Council (staff report), incorporated herein by reference.

A MOTION WAS MADE by Council Member McElvain, seconded by Council Member Sullivan, to appoint Todd McEfee to the Board of Appeals to fill an unexpired term vacancy due to the resignation of Lynne Wonacott, ending January 1, 2019. The Vote: Unanimous Ayes.

REGULAR CALENDAR: REPORTS & COMMUNICATIONS OF DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES

9A. Update Regarding Body Worn Cameras
 [P-150-150]

Police Chief Paoletti provided an overview of the Report to Redding City Council (staff report), incorporated herein by reference.

Council Member McElvain asked to discuss the reallocation of the \$250,000 in asset forfeiture monies designated for body cameras.

Vernon Price and David Robbins spoke in favor of utilizing body cameras.

A discussion amongst the Council ensued.

A MOTION WAS MADE by Council Member Sullivan, seconded by Council Member McElvain, to: (1) accept the updated information provided by the Redding Police Department (RPD) regarding the body worn cameras; (2) direct that the asset forfeiture monies in the amount of \$250,000 be released for usage by RPD on other eligible expenditures; and (3) delay implementation of the six-month pilot program until further discussion. The Vote: Unanimous Ayes

9.2(c). Impact Fee Deferral Request for Lowden Lane Senior Apartment Project
 [F-205-600/L-010-005/H-150]

Deputy City Manager Clark summarized the Report to Redding City Council (staff report), incorporated herein by reference.

The following spoke in support of the project and requested that the City reconsider its position to deny the deferral of impact fees for the Lowden Lane Senior Apartments: Laurie Doyle (Vice President of Affordable Housing Development Corporation), Thomas Tenorio (Community Action Agency of Butte County, Inc.), Marcus Partin, Marilyn Meissner, and Roger Scullion.

A discussion amongst the Council ensued.

A MOTION WAS MADE by Council Member Schreder, seconded by Council Member Winter, to: (1) accept the additional information regarding a request from the Affordable Housing Development Corporation; (2) deny the request to defer payment of development impact fees for a period of 15 years for the Lowden Lane Senior Apartment development; and (3) direct staff to consider this topic in a broader sense in conjunction with the review of the City's Impact Fee Program.

The Vote: Unanimous Ayes

9.4(b). Report Outlining the Planning Commission's Approval Process of the Churn Creek Marketplace Sign Variance

[L-010-410]

Planning Manager Hellman highlighted the Report to City Council (staff report), incorporated herein by reference.

California Gold Development Corporation President Scot Patterson requested that the City Council not reconsider the Churn Creek Marketplace sign variance permit approved by the Redding Planning Commission.

A discussion amongst the Council ensued.

A MOTION WAS MADE by Council Member Sullivan, seconded by Council Member McElvain, to accept the report outlining the Planning Commission's approval process of the Churn Creek Marketplace sign variance.

The Vote: Unanimous Ayes.

9.6(a). Concession Agreement with Todd Franklin for a Food Truck Court at Carnegie Park

[P-050-300/A-070]

Community Services Director Niemer provided an overview of the Report to Redding City Council (staff report), incorporated herein by reference. She provided an updated "page 2" of the Concession Agreement, incorporated herein by reference, correcting the term dates to reflect June 1, 2017, through May 31, 2019.

Todd Franklin provided a PowerPoint presentation, incorporated herein by reference, showcasing his plan for a proposed food truck court to be named "The Park" located in Carnegie Park.

The following spoke in support: Shannon Hicks, Suzanne Russell, Gracie Northrup, Alana Opdyke, Douglas Denton, Wendell Sanders, Daniel Drumgool, Lynn Fortenberry, Zach Shea, Candace McElroy, Kevin Crye, Michelle Penland, Luke Magnuson, Sam LaRobardiere, Ryan Russell, Amanda Smith, Dale Ball, Jake Mangas, and Gary Cadd.

The following spoke in opposition: Ron Largent, Craig A. Kraffert, MD, Armando Mejoredo, Karline Niver, Tina Carletta, Lisa White, Marshall Glashan, Jillian Mintz, Bill Shehan, Bret Speers, and Alex Gaxiola.

Scott Wlodarczyk (Woody's) expressed neutrality as his business is not affected, but requested that the downtown business owners be provided an opportunity to discuss the proposal before it is approved.

A discussion amongst the Council ensued.

A MOTION WAS MADE by Council Member Schreder, seconded by Council Member Winter, to defer action on this matter to the Council meeting on April 18, 2017, to allow for further discussions with downtown stakeholders.

The Vote:

AYES: Council Members – Schreder and Winter

NOES: Council Members – McElvain, Sullivan, Weaver

ABSTAIN: Council Members - None

ABSENT: Council Members – None

Motion failed.

A MOTION WAS MADE by Council Member Sullivan, seconded by Council Member McElvain, to approve a Concession Agreement with Todd Franklin for a food truck court at Carnegie Park for a period of two (2) years, June 1, 2017, through May 31, 2019, with an initial monthly fee of \$850 per month in consideration of access privileges, with said term being extended upon mutual agreement for two (2) additional five (5) year terms.

The Vote:

AYES: Council Members – McElvain, Sullivan, and Weaver

NOES: Council Members – Schreder and Winter

ABSTAIN: Council Members - None

ABSENT: Council Members – None

At the hour of 9:50 p.m., Mayor Weaver announced that the City Council would take a 10-minute break.

At the hour of 10:01 p.m., Mayor Weaver reconvened the regular meeting of the Redding City Council.

9.15(a).Oral Presentation Regarding California Public Employees Retirement System (CalPERS) Rates on Ten-Year Plan

[B-130-070/P-100-230]

Finance Director Maxwell highlighted the Report to Redding City Council (staff report) and provided a PowerPoint presentation, both incorporated herein by reference. She provided detailed information, along with various scenarios, relative to what the projected impact could be to the General Fund Ten-Year Plan due to CalPERS discount rate changes to employer rates.

Gary Cadd opined that the City needs to be working on ways to mitigate its unfunded liabilities with CalPERS and the Public Agency Retirement System (PARS).

A discussion amongst the Council ensued.

The City Council took no formal action on this informational item.

9.11(a).Oral Update on Status of Emergency Repair Work to Keswick Dam Road and Associated Waterlines

[S-070/W-030-725]

Public Works Director Crane provided a PowerPoint presentation, incorporated herein by reference, relaying the latest information on the status of emergency repair work to Keswick Dam Road and associated waterlines in accordance with Public Contract Code Section 22050(c)(1). He noted that work should be completed next week, and staff will return with a notice of completion.

A MOTION WAS MADE by Council Member Sullivan, seconded by Council Member Winter, to reaffirm approval of emergency repair work to Keswick Dam Road and associated waterlines.

The Vote:

AYES: Council Members - McElvain, Schreder, Sullivan, Winter, and Weaver

NOES: Council Members - None

ABSTAIN: Council Members - None

ABSENT: Council Members - None

PUBLIC COMMENT - for non-agendized matters within the city's jurisdiction

[A-050-060/P-150-150]

Vernon Price opined that there have been incidents of police misconduct at the Ponderosa Inn. He also presented a letter on behalf of Kathy Bass regarding this activity.

POTENTIAL TOPICS FOR FUTURE CITY COUNCIL MEETINGS

[C-110-100/A-050-060/B-080-300]

At the request of Council Member Winter, it was the consensus of Council for staff to prepare a report outlining options for the City Council's consideration amending the Redding Municipal Code to provide the City Council with the ability to review, if deemed necessary, decisions made by the Redding Planning Commission.

CLOSED SESSION

At the hour of 10:35 p.m., Mayor Weaver announced that the Council would adjourn to Closed Session.

At the hour of 11:10 p.m., Mayor Weaver reconvened the Closed Session to Open Session and reported that in reference to:

- 13A. Closed Session pursuant to California Government Code Section 54956.9(d)(4):
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation – City v. Genesis Management and Insurance Services
[L-100]
Pursuant to Government Code Section 54957.1(a)(2), the City Council authorized the City Attorney to initiate litigation. The action, defendants, and other particulars shall, once litigation is formally commenced, be disclosed to any person upon inquiry.

- 13B. Closed Session pursuant to California Government Code Section 54956.8:
CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property Location: 1313 and 1371 California Street, Assessor’s Parcel Nos. 101-290-003 and 101-290-001
Agency Negotiator: City Manager Kurt Starman
Negotiating Parties: City of Redding and Equity Streams, LLC
Under Negotiation: Price and Terms
[C-070-200/C-050-550]
The City Council took no reportable action on this item pursuant to Government Code Section 54957.1(a)(1).

ADJOURNMENT

There being no further business, Mayor Weaver declared the meeting adjourned at the hour of 11:12 p.m.

APPROVED:

Brent Weaver, Mayor

ATTEST:

Teresa Rudolph, Assistant City Clerk