

Mt. Shasta City Council Regular Meeting Minutes

Mt. Shasta Community Center, 629 Alder Street

Wednesday, May 27, 2015; 5:30 p.m.

Approved as Submitted 6/22/15

“Our mission is to maintain the character of our “small town” community while striking an appropriate balance between economic development and preservation of our quality of life. We help create a dynamic and vital City by providing quality, cost-effective municipal services and by forming partnerships with residents and organizations in the constant pursuit of excellence.”

Page	Item	STANDING AGENDA ITEMS
	1. Call to Order and Flag Salute	<p>At the hour of 5:31 p.m., Mayor Geoffrey Harkness called the meeting to order and led the audience in the Pledge of Allegiance.</p>
	2. Roll Call	<p>Councilmembers Present: Burns, Mayor Pro Tem Collings, Mayor Harkness Councilmembers Absent: Stearns (Arrived at 5:36 p.m.)</p>
	3. Special Presentations & Announcements: None.	
	4. Public Comment:	<p>Discussion from a member of the audience relating to the ordinance on sitting or lying on public sidewalks and plaza areas.</p>
	5. Meeting Recess: None	
	6. Council and Staff Comments	<p>City Manager Eckert updated Council on water meters, the new water line, and scheduled sidewalk improvements. The annual Business Walkabout will commence soon. He reminded Councilmembers about the May 28 Coffee with Council at City Hall and the Special City Council Meeting scheduled for June 2, 2015.</p> <p>Councilmember Stearns provided an update on the solar program. Councilmember Burns requested a breakdown on costs for construction and more analysis on the project.</p> <p>Mayor Harkness discussed the Integrated Regional Water Management (IRWM) Resolution that expressed concerns about health issues at the Crystal Geyser site. Water testing was conducted and, ultimately, samples were deemed safe. Concerns were expressed about the State Regional Water Control Board’s lack of information and oversight.</p>

CITY COUNCIL BUSINESS	
	<p>7. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items. All Resolutions and Ordinances on this agenda, or added hereto, shall be introduced or adopted, as applicable, by title only, and the full reading thereof is hereby waived.</p> <ul style="list-style-type: none"> a. Approval of Minutes: May 11, 2015 Regular City Council Meeting b. Approval of Minutes: May 11, 2015 Special City Council Meeting c. Acceptance of Brown Act Committee Minutes: Active Transportation Committee Regular Meeting Minutes of March 20, 2015; Community Economic Development Activities Committee Special Meeting Minutes of April 14, 2015; Beautification Committee Regular Meeting Minutes of April 8, 2015 d. Approval of Disbursements: Accounts Payable: 5/6/2015; Total Gross Payroll and Taxes: For Period Ending 5/12/2015 (Finance Director) e. Monthly Finance/Investment Report – April 30, 2015 – Finance Director f. Approve Resolution CCR-15-19 appointing Mark Clure to the Community Economic Development Activities Committee <p>MOTION to approve consent agenda item 7(a) Approval of Minutes: May 11, 2015 Regular City Council Meeting; 7(b) Approval of Minutes: May 11, 2015 Special City Council Meeting; 7(c) Acceptance of Brown Act Committee Minutes: Active Transportation Committee Regular Meeting Minutes of March 20, 2015; Community Economic Development Activities Committee Special Meeting Minutes of April 14, 2015; Beautification Committee Regular Meeting Minutes of April 8, 2015; 7(d) Approval of Disbursements: Accounts Payable: 5/6/2015; Total Gross Payroll and Taxes: For Period Ending 5/12/2015 (Finance Director); 7(e) Monthly Finance/Investment Report – April 30, 2015 – Finance Director 7(f) Approve Resolution CCR-15-19 appointing Mark Clure to the Community Economic Development Activities Committee</p> <p>Motion by: Councilmember Burns Second by: Mayor Pro Tem Collings 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p>
	<p>8. Second Reading of the Sitting and Lying on Public Property Ordinance</p> <p><u>Background:</u> The Police Department is seeking approval of the second reading regarding the Sit and Lie Ordinance in the downtown area. The Department has seen a dramatic increase in calls related to people sitting and lying in the downtown area from business owners. This ordinance is intended to assist downtown business owners to create and maintain prosperous businesses.</p> <p><u>Report by:</u> Parish Cross, Chief of Police</p>

	<p><u>Recommended Action:</u> Review and approve the Second Reading of the Sit and Lie Ordinance</p> <p>MOTION to approve An Ordinance of the City Council of the City of Mt. Shasta Adding Chapter 7.08 to the Municipal Code Relating to Sitting and Lying on Public Sidewalks and Plaza Areas Excluding Designated Benches, with the following revisions and/or additions:</p> <p>Chapter 7.08.020 – Prohibition on Sitting or Lying on a Sidewalk in a Commercial Area at Certain Times.</p> <p>(A) Prohibition. No person shall sit or lie down upon a public sidewalk, curb or street, or upon a blanket, stool, chair or other object placed upon a public sidewalk, curb, <u>or street, or alley</u> which is adjacent to any property zoned or used for commercial uses <u>in the Downtown Neighborhood as defined in Section 7.08.021</u>, between the hours of 7:00 a.m. and 12:00 a.m.</p> <p>Addition to Ordinance: <u>Chapter 7.028.021 – Downtown Neighborhood</u></p> <p><u>As used in this chapter, the term “downtown” or “downtown neighborhood” shall refer to that area of the City of Mt. Shasta within the following boundaries: North Boundary – Alma Street; South Boundary – Water Street; West Boundary – From Alma Street, the West Alley off of the 400 block of N. Mt. Shasta Boulevard, continuing South following Castle Street which changes to Maple Street and South off of Maple Street following Mill Street to Water Street; East Boundary – From the intersection of Alma Street, Chestnut Street to the intersection of S. Mt. Shasta Boulevard and Water Street.</u></p> <p>Motion by: Councilmember Stearns Second by: Mayor Harkness 3 Ayes: Burns, Stearns, Mayor Harkness 1 Nay: Mayor Pro Tem Collings</p> <p>ORDINANCE NO. CCO-15-01: THE CITY COUNCIL OF THE CITY OF MT. SHASTA DOES ORDAIN THAT THE MUNICIPAL CODE IS AMENDED TO ADD CHAPTER 7.08 RELATING TO SITTING OR LYING ON PUBLIC SIDEWALKS AND PLAZA AREAS, EXCLUDING DESIGNATED BENCHES</p>
	<p>9. Second Reading of the Public Consumption of Marijuana Ordinance</p> <p><u>Background:</u> In response to the increased complaints, the Police Department recommends a no smoking marijuana in the downtown area ordinance. The Police Department respectfully requests the City Council to approve the second reading and anticipate a passage of this ordinance will help in keeping the downtown area healthy and kid friendly.</p> <p><u>Report by:</u> Parish Cross, Chief of Police</p> <p><u>Recommended Action:</u> Review and approve the second Reading of the Public Consumption of Marijuana Ordinance</p> <p>MOTION to approve An Ordinance of the City Council of the City of Mt. Shasta Adding Chapter 6.4.00 to the Municipal Code Relating to the Public Smoking of Marijuana.</p>

	<p>Motion by: Councilmember Burns Second by: Mayor Pro Tem Collings 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p> <p>ORDINANCE NO. CCO-15-02: THE CITY COUNCIL OF THE CITY OF MT. SHASTA DOES ORDAIN THAT THE MUNICIPAL CODE IS AMENDED TO ADD CHAPTER 6.4.00 RELATING TO THE PUBLIC SMOKING OF MARIJUANA</p>
	<p>10. Second Reading of the Consumption of Alcoholic Beverages on Public Property Ordinance</p> <p><u>Background:</u> Over the last several summers the City of Mt. Shasta has experienced an extreme increase in the seasonal transient population during the summer months. With this increase in the seasonal population, the Police Department has experienced a proportional increase in calls related to public alcohol consumption. The Police Department respectfully requests the City Council to approve the second reading to amend the current alcohol beverage on public property ordinance within the city municipal code.</p> <p><u>Report by:</u> Parish Cross, Chief of Police</p> <p><u>Recommended Action:</u> Review and approve the second Reading of the Consumption of Alcoholic Beverages on Public Property Ordinance</p> <p>MOTION to approve An Ordinance of the City Council of the City of Mt. Shasta Amending Section 7.06.10 of the Municipal Code Relating to Consuming Alcoholic Beverages on Public Property.</p> <p>Motion by: Mayor Pro Tem Collings Second by: Councilmember Burns 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p> <p>ORDINANCE NO. CCO-15-03: THE CITY COUNCIL OF THE CITY OF MT. SHASTA DOES ORDAIN THAT SECTION 7.06.10 OF THE MUNICIPAL CODE IS AMENDED RELATING TO CONSUMING ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY</p>
	<p>11. Second Reading of the Dogs in the Downtown Area Ordinance</p> <p><u>Background:</u> Over the last few years the City has seen a significant increase in the seasonal transient population along with dogs belonging to this group of people. The Department respectfully requests the City Council to approve the second reading of this ordinance that responds to complaints from the downtown area and assists in keeping the downtown area safer.</p> <p><u>Report by:</u> Parish Cross, Chief of Police</p> <p><u>Recommended Action:</u> Review and approve the second Reading of the Dogs in the Downtown Area Ordinance</p> <p>MOTION to approve An Ordinance of the City Council of the City of Mt. Shasta Adding Chapter 9.03 of the Municipal Code Relating to Dogs in the Downtown Neighborhood, with the following revisions and/or additions:</p>

Section 9.03.010 – Prohibition

No person shall own, have custody of, control or possess a dog in the City’s Downtown Neighborhood as defined in Section ~~9.07.092~~ 09.03.020 unless:

(A) The dog is at all times on a leash, held by the person owning, controlling or possessing the dog.

~~(B) Groups of dogs acting aggressively or menacingly are prohibited.~~

(B) The dog is accompanied by its owner or the person who has custody, control or possession of the dog and shall not be left unattended by the owner or the person who has custody, control or possession of the dog. Any unattended dog may be taken into custody by the police department, animal services authority or any person or entity appointed by the city manager to perform the function after some reasonable effort to identify the owner.

(C) If the adjacent property owner ~~receives approval from the city manager, in accordance with applicable encroachment criteria,~~ has obtained an encroachment permit, which shall be issued at no charge, ~~He he or She she~~ may authorize the dog to be tied or tethered to a pole, bench, planter or other structure or object on the street or sidewalk, or to any structure in the public right-of-way affixed to any building, ~~and~~ provided the dog is under the control or supervision of the person owning or possessing the dog.

(D) The dog must display collar tags evidencing the fact that the dog is currently vaccinated and currently licensed by the City of Mt. Shasta or another valid licensing jurisdiction.

Section 09.03.015 – Groups of Aggressive or Menacing Dogs Prohibited.

(A) Groups of dogs acting aggressively or menacingly are prohibited in the City’s downtown neighborhood, as defined in Section 09.03.020.

Motion by: Councilmember Stearns

Second by: Mayor Pro Tem Collings

4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness

ORDINANCE NO. CCO-15-04: THE CITY COUNCIL OF THE CITY OF MT. SHASTA DOES ORDAIN THAT THE MUNICIPAL CODE IS AMENDED TO ADD CHAPTER 9.03 RELATING TO DOGS IN THE DOWNTOWN NEIGHBORHOOD

12. Second Reading of the amended Parks and Recreation Areas Ordinance

Background: This ordinance amendment reflects the current arrangement with the Recreation and Parks Department and will assist in the management of Parker Plaza upon its transfer to the City of Mt. Shasta.

Report by: Parish Cross, Chief of Police

Recommended Action: Review and approve the second Reading of the amended Parks and Recreation Areas Ordinance

MOTION to approve An Ordinance of the City of Mt. Shasta Amending Chapter 7.20 of the Municipal Code Relating to Parks and Recreation Areas.

	<p>4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p> <p>ORDINANCE NO. CCO-15-05: THE CITY COUNCIL OF THE CITY OF MT. SHASTA DOES ORDAIN THAT CHAPTER 7.20 OF THE MUNICIPAL CODE IS AMENDED RELATING TO PARKS AND RECREATION AREAS</p>
	<p>13. Acceptance of Parker Plaza Property from Mt. Shasta Runners, Inc.</p> <p><u>Background:</u> City staff respectfully recommends the City Council adopt the attached Resolution executing the Certificate of Acceptance of Parker Plaza from the Mountain Runners Association. Execution of the Certificate of Acceptance is required prior to the City Council accepting the Quitclaim Deed at the June 8th City Council meeting.</p> <p><u>Report By:</u> Paul Eckert, City Manager</p> <p><u>Council Action:</u> Review and adopt attached resolution CCR-15-20</p> <p>MOTION to adopt Resolution CCR-15-20 Accepting the Property Commonly Referred to as Parker Plaza, APN 057-186-050, from Mountain Runners, Inc. for \$0, with the following modification:</p> <p>Mountain Runners, Inc. is correctly named: <u>Mt. Shasta Runners, Inc.</u></p> <p>Motion by: Councilmember Stearns Second by: Mayor Harkness 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p>
	<p>14. Continuation of discussion regarding Exemption of Organic Material Recycling</p> <p><u>Background:</u> With the passage of AB 1826 California is requiring all jurisdictions to implement an organics recycling program by January 1, 2016. However, we may opt to take advantage of a 5-year exemption from this requirement because Siskiyou County is a rural county containing less than 70,000 persons. Therefore all jurisdictions within Siskiyou County meet the exemption requirement. By adopting a resolution and submitting it to CalRecycle we will formally be approved for the exemption. We would then have until January 2020 to implement an organics recycling program.</p> <p><u>Report By:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Council Action:</u> Adoption of Resolution CCR-15-11</p> <p>MOTION to adopt Resolution CCR-15-11, Opting to Affirm an Exemption from the Requirements of Mandatory Commercial Organics Recycling.</p> <p>Motion by: Councilmember Burns Second by: Mayor Pro Tem Collings 3 Ayes: Burns, Mayor Pro Tem Collings, Mayor Harkness 1 Nay: Stearns</p>
	<p>15. Water Conservation Committee Monthly Update and Report</p> <p><u>Background:</u> In accordance with Governor Brown’s Executive Order mandating substantial statewide water reductions, the City has formed a Water Conservation Committee to discuss the drought conditions, water conservation and reduction strategy, compliance with the order, and will provide an update to the City Council.</p>

	<p><u>Report By:</u> Rod Bryan, Public Works Director</p> <p><u>Council Action:</u> Receive update report</p> <p>Council requested staff to: (1) share via media channels the details of the drought resolution effective June 1st; (2) bring back to Council revised sprinkler restrictions; and (3) bring back to Council in July an opt-out procedure for water meters.</p> <p>No formal action was taken by the City Council on this agenda item.</p>
	<p>16. A resolution to approve a line of credit with Tri-Counties Bank for \$1,000,000.</p> <p><u>Background:</u> A line of credit of \$1,000,000 will allow the City to pay water project contractors in a timely basis while waiting for reimbursement from the State to for those expenditures.</p> <p><u>Report by:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Recommended Action:</u> Review and approve Resolution CCR-15-21</p> <p>MOTION to adopt Resolution CCR-15-21 to approve a line of credit with Tri-Counties Bank for \$1,000,000.</p> <p>Motion by: Mayor Harkness Second by: Councilmember Stearns 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p>
	<p>17. Approve Resolution CCR-15-22 RE: Award the 2015 Regional Surface Transportation Program (RSTP) Sidewalk Project Contract to Shasta Services, Inc. DBA Timberworks in the amount of \$89,824.21.</p> <p><u>Background:</u> Bids were opened on May 14, 2015 and PACE Engineering is recommending award of the Project to Timberworks.</p> <p><u>Report by:</u> Rod Bryan, Public Works Director</p> <p><u>Recommended Action:</u> Review and approve Resolution</p> <p>MOTION to adopt Resolution CCR-15-22 to Award the 2015 Regional Surface Transportation Program (RSTP) Sidewalk Project Contract to Shasta Services, Inc., DBA: Timberworks, in the amount of \$89,824.21.</p> <p>Motion by: Mayor Pro Tem Collings Second by: Councilmember Stearns 4 Ayes: Burns, Mayor Pro Tem Collings, Stearns, Mayor Harkness</p>
CITY COUNCIL/STAFF REPORTING PERIOD	
	<p>18. Council Reports on Attendance at Appointed/Outside Meetings</p> <p>Councilmember Stearns reported that the City may be required to partially fund marketing efforts for the tech brainstorming.</p> <p>Councilmember Burns reported that in the Local Transportation Commission (LTC) meeting, the Siskiyou County Ground Transportation Center was funded and has started construction.</p>

	<p>Mayor Harkness reported that the Regional Water Management Group (RWMG) is currently evaluating prospective projects.</p>
	<p>19. Future Agenda Items (Appearing on the agenda within 60-90 days):</p> <ul style="list-style-type: none">a. Annual update from Beautification Chairperson – 6/2015b. Annual update from Planning Commission Chairperson – 7/2015c. Update regarding potential water rate structure in Fiscal Year 2016/17– 7/2015d. Update of efforts to mitigate adverse impacts of increased transient population – 7/2015e. Centennial Greenway Progress Update – 6/2015f. Bike Trails Project Presentation by Mayor Harkness – 6/2015g. Business Walk Results – 6/2015h. Very High Fire Hazard Severity Zone – 7/2015i. Rooftop solar ordinance – 7/2015j. Humane Society Contract Renewal – 8/2015 <p>Added to future agenda items:</p> <ul style="list-style-type: none">k. IRWMG Project – Shortfall Funding of Sewer and Water Connection Fees
	<p>20. Closed Session:</p> <p>At the hour of 8:45 p.m., Mayor Harkness adjourned the meeting to Closed Session.</p> <p>Conference with Labor Negotiator – Pursuant to Government Code §54957.6 Agency Negotiator: City of Mt. Shasta- City Manager and Director of Finance Employee Organization: Dave Hawley, Teamsters Local 137, Representing miscellaneous, police, and dispatchers.</p> <p>Mayor Harkness reconvened the meeting to Open Session at the hour of 8:57 p.m.</p>
	<p>21. Adjourn</p> <p>There being no further business before the City Council, the meeting was adjourned at the hour of 8:59 p.m.</p>