

Mt. Shasta City Council Regular City Council Meeting Minutes

Mt. Shasta Community Center, 629 Alder Street

Monday, June 23, 2014; 5:30 p.m.

Approved as Submitted on July 14, 2014

“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
	<p>1. Call to Order and Flag Salute</p> <p>At the hour of 5:33 p.m., Mayor Stearns called the meeting to order and led the audience in the Pledge of Allegiance.</p>
	<p>2. Roll call</p> <p>Councilmembers Present: Burns, Collings, Harkness, Moore, and Mayor Stearns Councilmembers Absent: None</p>
	<p>3. Special Presentations & Announcements:</p> <p style="padding-left: 20px;">a. Parks and Recreation Proclamation – Michael Rodriguez</p> <p>Mayor Stearns read into the record the City’s Proclamation in support of the Parks Make Life better efforts.</p>
	<p>4. Public Comment:</p> <p>Mayor Stearns opened the meeting for public comment on items not on the agenda.</p> <ul style="list-style-type: none"> • <u>Roslyn McCoy:</u> Ms. McCoy spoke in support of the “buy local” concept and suggested the City consider adding a section to the bidding process for local hiring, including a section for an explanation if a local hire is not made. • <u>Vickie Gold:</u> Ms. Gold asked about moving the City Council meetings back to a start time of 6:30 pm to allow the residents to participate in Farmer’s Market. <p>Hearing no further requests to comment, Mayor Stearns closed the public comment agenda item.</p>
	<p>5. Meeting Recess</p> <p>By consensus of the City Council a meeting recess was not taken at this time.</p>
	<p>6. Approval of Minutes: Minutes of June 9, 2014 Regular City Council Meeting</p> <p>MOTION to approve the minutes of the June 9, 2014, Regular City Council Meeting as submitted. Motion by: Councilmember Burns Second by: Councilmember Harkness Council Action: Motion carried on a voice vote as follows:</p>

	<p>5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>7. Reports RE: Attendance at Outside Meetings</p> <ul style="list-style-type: none"> • Councilmember Harkness reported the City received approval from the IRWM group to move forward with the grant submittals of the two City projects (water meters and to improve the water supply line at Cold Springs). • Councilmember Burns reported on his participation in the ATAC meeting including upcoming grant opportunities. • Mayor Stearns reported on his attendance to the PEVC meeting to explore electric charging stations.
	<p>8. Council and Staff Comments</p> <p>The City Manager introduced Nicole Dove, the new Administrative Secretary. He congratulated the Chamber for their recent hire of Jim Mullins, Executive Director. The City Manager provided an update as to the Welcoming Team and the efforts to become proactive with the transient issue. He spoke to ATAC's active engagement with grants and projects and commended their efforts. City Manager spoke to the fund raising efforts of the Fire Department.</p> <p>The Public Works Director indicated he had sent an email to all Councilmembers regarding a letter received from the Central Valley Water Quality Control Board regarding changes to the ammonia toxicity criteria in setting limits for the affluent from the waste water treatment plant. He reviewed the options the City has to meet this change to the criteria. The Public Works Director indicated the City must respond to the letter by July 15, 2014. This issue will be brought back to the Council for further discussion and possible action.</p> <p>A brief discussion was held regarding the possible presence of aquatic life and what that is, including what other communities will be included in the initial study and the process of the study itself.</p> <p>Public Comment was requested on this topic at this time.</p> <ul style="list-style-type: none"> • Frances Mangels: Mr. Mangels indicated to the Council and the Public Works Director that it is his opinion there are the presence of freshwater Mussels in the Upper Sacramento River and McCloud River. <p>Councilmember Moore commented on the "Climb Against the Odds" event and stated twenty of twenty-five who climbed made it to the top of Mt. Shasta, including Tessa Montgomery, who raised over \$10,000 for breast cancer awareness.</p> <p>Mayor Stearns commented on the "Climb Against the Odds" event and stated that over \$100,000 has been raised for the local area over the past eleven years of this event.</p> <p>Councilmember Moore made comment on an Ordinance from the City of Weed regarding vacant property owner registration. He indicated he would be interested in looking into this for the City of Mt. Shasta, as it outlines the obligations the property owner has to the property as far as weed abatement, etc., so as to prevent it from looking abandoned. Councilmember Moore provided a copy to the City Manager for</p>

	<p>follow-up.</p> <p>Mayor Stearns commented on the Castle Crags Summit Century bike ride which occurred over the week-end. As a result of this event, most of the lodging in Mt. Shasta was booked through the weekend.</p> <p>Public Comment was requested on this topic at this time.</p> <ul style="list-style-type: none"> • <u>Bayla Greenspoon:</u> Ms. Greenspoon commented on community fundraisers and reported on the Spring Hill Nursery Library fund raiser. She indicated approximately \$3,000 was raised for the Library during this event. • <u>Roslyn McCoy:</u> Ms. McCoy asked if the City was fined for the ammonia levels and inquired as to the available options.
	<p>9. City Council Interviews of Board/Commission /Commissioner Candidates: None</p>
	<p>10. 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> <p style="padding-left: 40px;">a. Approval of Disbursements: Accounts Payable: 5/22/14, 5/29/14, 6/5/14 and 6/12/14 Total Gross Payroll and Taxes: For Period Ending 6/11/14 (Finance Director)</p> <p style="padding-left: 40px;">b. Monthly Finance/Investment Report – May 31, 2014 (Finance Director)</p> <p>MOTION to approve the consent agenda items (a) and (b). Motion by: Councilmember Moore Second by: Councilmember Harkness Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>11. Resolution CCR-14-28 RE: Approving An Amendment To The Professional Services Agreement For Engineering Consultant Services Between The City Of Mt. Shasta And Pace Engineering, Inc. For Engineering Design And Construction Engineering Services, Including Environmental Services For Construction Of The EDA-Funded Wastewater Interceptor And Wastewater Treatment Plant Improvements Project To Include Expanded Environmental Impact Report Services For Environmental Review Of Components Of The Crystal Geyser Bottling Facility</p> <p><u>Background:</u> The City of Mt. Shasta City Council has provided general guidance to City staff to expand the current environmental review to include components of the Crystal Geyser bottling facility, located outside the City Limits in Siskiyou County. This expanded effort is beyond the existing environmental effort for the construction of the interceptor line. Existing project funding will cover the costs of the expanded project.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director</p> <p><u>Council Action:</u> Possible adoption of Resolution CCR-14-28</p>

The City Manager introduced this agenda item and asked the Council to support the amendments to the original agreement with PACE Engineering and North State Resources to expand the EIR to include the bottling facility. He briefly spoke to the bidding process and the proposed timeline for action on this item. The Public Works Director further provided comment on the consultant selection process. He recommended the Council hear the presentation on this agenda item and defer action until Council has had adequate time to review the amendment and to receive Public Comment on the matter. The Public Works Director reported the expanded EIR will result in an increase to the budget by \$269,263. He further indicated the scope could change in the future as a result of the scoping meetings.

Wirt Lanning, North State Resources, Project Manager, spoke to the original scope of work and the additional work to evaluate the bottling facility itself. He gave a brief overview of the additional studies for the project, which will include a traffic impact study, hydrogeological study, water quality study, air quality study and noise study of the plant to adjacent residents.

Council inquired as to what specifically the additional studies will cover, the legal review and discussion as to a timeline with the additional work.

Council asked for clarification as to the distinction between the County's relationship with regards to CEQA and Crystal Geyser plant and the City's relationship with the sewer upgrade and the scope of the EIR and who pays. Mr. Lanning responded that the two projects became intertwined and one is not independent of the other. A brief discussion was held regarding jurisdictional matters and the possible language to address mitigation issues. Council asked for further clarification as to the entwinement of these two projects and one not being able to move forward without the other.

Council reiterated the cost of the EIR will come from the EDA grant. The City Manager confirmed the EDA's expectation throughout this process would be a 50/50 billing for all state regulatory aspects. Council expressed a concern as to what will happen if the EIR comes back with an unfavorable report and Crystal Geyser decides not to move forward, is the City left with the cost of the EIR and possible legal costs in pursuing reimbursement. A brief discussion was held regarding requiring a written agreement from Crystal Geyser. The City Manager disclosed the City does have a letter from Crystal Geyser indicating their participation in the interceptor line project and committing three million dollars to that end. Council inquired as to input from the County's legal team. Mr. Lanning reported the Notice of Preparation will come out sometime in the fall 2014, if this item is approved at the July 14, 2014, meeting.

Mayor Stearns opened this agenda item to receive Public Comment.

- **Roslyn McCoy:** Ms. McCoy inquired as to whether LAFCO could be used to assist the City with the authority to enforce CEQA and asked questions regarding the enforcement of CEQA. She further inquired as to the letter referenced from Crystal Geyser.
- **Frances Mangels:** Mr. Mangels reported factory affluent will kill freshwater mussels and could be a complicating factor. He further indicated Dunsmuir could sue the City if the City dumps into the river and has biological effects. Mr. Mangels made comment as to the City Manager's pre-dispositional statements regarding Crystal Geyser. The City Manager responded.

- **Barbara Coulter:** Ms. Coulter spoke to the amount of water Crystal Geyser proposes to pump in light of the drought conditions.
- **Kathleen Keith:** Ms. Keith spoke to her experience in commercial development and advised the Council there needs to be a development agreement created with Crystal Geyser to provide some protections and enforcement authority for the City.
- **Dennis King:** Mr. King spoke to his concern and frustration with the elected officials who appear to support the Crystal Geyser plant and their corporate interests. He further spoke to his disappointment in the meeting with Crystal Geyser whom he feels has not been forthcoming with information.
- **Ruth Pettinghouse:** Ms. Pettinghouse spoke to the hardship of being a farmer with the dangers now and in the future with the lack of water and drought conditions. She further spoke to water rights.
- **Melinda Willey:** Ms. Willey submitted a petition to the Council regarding the opposition to the Crystal Geyser plant. She commented as to Crystal Geysers unwillingness to put into writing the amount of water they intend to pump. Ms. Willey asked that this be included in the expanded EIR and spoke to Crystal Geyser's operation of the Calistoga plant.
- **Vickie Gold:** Ms. Gold spoke to the deferral of the Council's vote and indicated the importance of obtaining an agreement in writing from Crystal Geyser with respect to paying for the EIR as the three million should be, as indicated in the grant, used for the construction and improvements to the waste water interceptor line.
- **Gloria Cooper:** Ms. Cooper addressed her concern regarding the directive to "not clap". She indicated clapping is an automatic response to support an opinion given.
- **Dan Axelrod:** Mr. Axelrod responded to comments made regarding the amount of affluent and inquired as to what the exact amount will be. He reported there should be limits set on output/intake and spoke to his concerns that the Geosyntec Report will be used as a literature review for the EIR.
- **Molly Brown:** Ms. Brown urged the Council to look at climate change as part of the EIR and thanked the Council for their friendliness at the meetings.
- **Raven Stevens:** Ms. Stevens inquired as to the level of experience the sub consultants have with respect to volcanic aquifers as it appears they come from areas of ground water basins and spoke to the amount for the expanded EIR, which should include new hydrology testing. Ms. Stevens also encouraged the EIR to include the complete build out of all lines not just the initial first line and to look into Crystal Geysers use of the leach field.
- **Maggie Shepherd:** Ms. Shepherd inquired if a health risk assessment will be completed as part of the expanded EIR. Mr. Lanning responded there are triggers/thresholds that would have to be reached in order to trigger this action. She made comment regarding her concern about the accumulative impacts of the plastic bottles as well as the risks to the employees. Ms. Shepherd commented on chemicals used by Crystal Geyser.
- **Peggy Risch:** Ms. Risch thanked the Council for taking the time to ask questions and make sure the information and studies are correct. She spoke to the drought conditions as it relates to agriculture and the cumulative impacts for the area. Inquired as to the project description for the EIR.
- **David Casebeer:** Mr. Casebeer inquired as to periodic updates from Mr. Lanning. He commented the State has declared we are in a drought and this

	<p>is a very serious situation, climate change, and need an agreement in writing. Mr. Casebeer suggested the Council watch the film “The Organic Opportunity” and the documentary “Blue Gold”. He stated we need to protect our community.</p> <ul style="list-style-type: none"> • Rose Taylor: Ms. Taylor suggested the community members and Council watch the movie “Blue Gold”. She commented on the water bottling plant in Weed. <p>Hearing no further requests to comment, Mayor Stearns closed the public comment agenda item.</p> <p>Mayor Stearns called a recess of the meeting at 7:46 pm; Mayor Stearns called the meeting back to order at 7:56 pm.</p>
	<p>12. Resolution CCR-14-29 RE: Approving an Agreement Between the City of Mt Shasta and the Siskiyou Media Council for Operation of the Public, Educational, Government Channel.</p> <p><u>Background:</u> The City has contracted with Mountain Community Television-15 (MCTV-15), managed by Siskiyou Media Council, to provide broadcasting services of the City’s meetings of the governing body, the City Council through written Agreement. The current operating Agreement expires on June 30, 2014, and a proposed Agreement is before Council for consideration.</p> <p><u>Report By:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Council Action:</u> Adopt Resolution CCR-14-29</p> <p>The Finance Director reviewed her submitted report and recommendation. She entertained questions. A brief discussion was held regarding the sound equipment, acknowledging an upcoming meeting with Siskiyou Media Council to discuss possible maintenance and equipment set-up services. Council inquired as to the amount of time it takes for Siskiyou Media Council to put the meeting on their webpage for residents to access it via “instant demand”.</p> <p>MOTION to table action on Resolution CCR-14-29 and to bring this item back to the next City Council meeting after meeting with Siskiyou Media Council and to include a 48 hour turnaround time frame for the “On Demand” access to the meeting proceedings.</p> <p>Motion by: Councilmember Moore Second by: Councilmember Collings MOTION AMMENDED to leave this line item in the budget for approval. Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p> <p>Council recognized and acknowledged the services the Siskiyou Media Council provides to the City.</p>
	<p>13. Resolution CCR-14-30 RE: Establishing an Appropriations Limit for Fiscal Year 2014-2015.</p>

	<p><u>Background:</u> The voters of the State of California amended the Constitution with Proposition 4, adding Article XIII B in the early 1980's to require cities to establish an absolute limit for appropriations from the proceeds of taxes during a fiscal year.</p> <p><u>Report By:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Council Action:</u> Adopt Resolution CCR-14-30</p> <p>The Finance Director reviewed her submitted report and recommendation with the Council.</p> <p>MOTION to adopt Resolution CCR-14-30 Establishing an Appropriations Limit for Fiscal Year 2014-2015, by title only. Motion by: Councilmember Harkness Second by: Councilmember Burns Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>14. Resolution CCR-14-31 RE: Approving an Agreement for Library Management Services with Mt Shasta Friends of the Library.</p> <p><u>Background:</u> In the fiscal year 2011-2012, the voters of Mt Shasta approved an additional .25% Transaction and Use Tax in the City of Mt Shasta which is dedicated to the operation, maintenance, and improvement of the Mt Shasta Branch Library.</p> <p><u>Report By:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Council Action:</u> Adopt Resolution CCR-14-31</p> <p>The Finance Director reviewed her submitted report and recommendation with the Council.</p> <p>MOTION to adopt Resolution CCR-14-31 Approving an Agreement for Library Management Services with Mt Shasta Friends of the Library, by title only. Motion by: Councilmember Moore Second by: Councilmember Burns Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>15. Resolution CCR-14-32 RE: Approving The Job Description For Temporary Seasonal Firefighter And Authorizing The Hiring Of Two (2) Temporary Seasonal Firefighters For A Four Month Period At \$10 Per Hour; Appropriating The Funds From Existing Budgeted Expenditures</p> <p><u>Background:</u> Direction was given to staff to explore the feasibility of hiring two temporary seasonal firefighters for the 2014/2015 fiscal year. After much discussion and analysis, City Staff is recommending the hiring of two seasonal Firefighter positions.</p>

	<p><u>Report By:</u> Matt Melo, Fire Chief</p> <p><u>Council Action:</u> Adoption of Resolution CCR-14-32</p> <p>The Fire Chief reviewed his submitted report with the Council and provided a brief background for the recommendation. Council briefly commented on the need for the hiring of temporary seasonal firefighters.</p> <p>Council inquired as to whether the hiring of two seasonal firefighters would be sufficient to cover the upcoming fire season, options for recruiting volunteers and the creation of an MOU between the Mt. Shasta City Fire Department and the District Fire Department.</p> <p>MOTION to adopt Resolution CCR-14-32 Approving The Job Description For Temporary Seasonal Firefighter And Authorizing The Hiring Of Two (2) Temporary Seasonal Firefighters For A Four Month Period At \$10 Per Hour; Appropriating The Funds From Existing Budgeted Expenditures, by title only. Motion by: Councilmember Burns Second by: Councilmember Moore Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>16. Resolution CCR-14-33 RE: Adopting An Operating Budget For Fiscal Year 2014-2015 And Approving Authorized Positions For The Fiscal Year.</p> <p><u>Background:</u> The Finance Department had provided the Council and the public with the proposed budget at the June 9, 2014, Council meeting. This is an opportunity for further discussion or questions at this time.</p> <p><u>Report By:</u> Muriel Howarth-Terrell, Finance Director</p> <p><u>Council Action:</u> Adopt Resolution CCR-14-33</p> <p>The Finance Director provided a review of her written report with the Council and entrained questions. She also advised the Council she will add the Seasonal Firefighters to the budget. Council thanked City staff for their work. A brief discussion was held regarding the accuracy of forecasting for the budget and attaining a balanced budget.</p> <p>MOTION to adopt Resolution CCR-14-33 Adopting An Operating Budget For Fiscal Year 2014-2015 And Approving Authorized Positions For The Fiscal Year with the addition of the two Seasonal Temporary Firefighters, by title only. Motion by: Councilmember Moore Second by: Councilmember Collings Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</p>
	<p>17. Brown Act Committee Minutes/Meetings:</p> <p>a. ATAC Meeting Minutes of May 20, 2014</p>

	<p>Councilmember Harkness noted the level of engagement and the high level of activeness of the ATAC.</p>
	<p>18. Upcoming Future Agenda Items:</p> <ul style="list-style-type: none">a. Award Contracts for State mandated waste water treatment improvements Engineering and Environmental Contracts.b. Recommendation regarding Short-term Vacation Rentalsc. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEACd. Potential Annexation of Orchard Propertye. Recycling Enhancementsf. Staff update regarding results of Economic Development Business Walk Aboutg. Parking Improvementsh. CDBG Guidelines and Subcontracti. Potential Locations for Electric Charging Stationsj. Centennial Greenway Progress Update
	<p>19. Adjourn</p> <p>There being no further business before the Council, the meeting was adjourned at the hour of 8:49 p.m. to the next Regular City Council Meeting to be held on Monday, July 14, 2014, at 5:30 p.m.</p>

Respectfully Submitted,

Tammy Lapthorne

Tammy Lapthorne,
Deputy City Clerk