

MT. SHASTA CITY COUNCIL REGULAR MEETING MINUTES
Monday, July 22, 2013; 6:30 p.m.
Approved as Submitted 08-12-2013

1. Call to Order And Flag Salute

At the hour of 6:30 p.m. Mayor Moore called the meeting to order and led the audience in the recitation of the Pledge of Allegiance.

2. Roll Call

Present: Council Members Michael Burns, Sr., Jeffrey Collings, Geoff Harkness, Timothy Stearns, and Mayor Tom Moore.

Absent: None

3. Public Comment: NONE

14. Adopt Resolution CCR-13-35 RE: Approve Terms of Employment Agreement for the City Manager

Council agreed to move item 14 forward for discussion and possible action.

City Manager Marconi provided staff report. Amended changes to the agreement were provided to Council during the meeting with clarifying changes within the severance pay clause and the term clause sections of the agreement.

No discussion was noted.

Council Action: Council Member Stearns moved, seconded by Council Member Collings to approve and adopt Resolution No. CCR-13-35 Approve Terms of Employment Agreement for the City Manager by title only. Motion carried on a voice vote of 5-0.

4. Approval Of Minutes: Minutes of July 8, 2013 Regular City Council Meeting
Minutes of July 13, 2013 Special City Council Meeting

Council Action: Council Member Burns moved, seconded by Council Member Harkness to approve the minutes of the July 8, 2013 Regular City Council Meeting and July 13, 2013 Special City Council Meeting. Motion carried on a voice vote of 5-0.

5. Special Presentations & Announcements - NONE

6. Consent Agenda - The City Manager recommends approval of the following Consent Agenda items:

a. Approval of Disbursements: Accounts Payable: 06/26/13 through 07/15/13

Total Gross Payroll and Taxes: For Period Ending 07/07/2013

Council Action: Council Member Harkness moved, seconded by Council Member Stearns to approve Consent Agenda Items **6a**. Motion carried on a voice vote of 5-0.

7. PUBLIC HEARING and Consider Resolution No. CCR-13-36 RE: Authorizing Special Fire Assessments for the 2013-14 Tax Roll (Director of Finance)

Director of Finance Terrell provided staff report.

Mayor Moore opened the public hearing. No public comment was noted and the public hearing was closed.

Council Member Collings asked for clarification on the one quarter of 1% administrative fee. Director of Finance Terrell clarified it is the fee for the County to administer the assessment and add it to the property tax bill. Council Member Collings asked for clarification regarding where the total of this fee ends up in relation to the fire equipment salaries. Director of Finance Terrell stated that it goes into the Fire Assessment Fund which is used specifically for equipment.

Council Action: Council Member Stearns moved, seconded by Council Member Collings to approve and adopt Resolution No. CCR-13-36 Authorizing Special Fire Assessments for the 2013-14 Tax Roll by title only. Motion carried on a voice vote of 5-0.

8. Report on Agreement with Chamber for Operation of the Visitor's Bureau

Chamber Executive Director Marie Wells Wells, first asked if the Council was more interested in the Chamber or the Visitor's Bureau. Mayor Moore requested a focus on the Visitor's Bureau due to funding from the City. Chamber Executive Director Marie Wells gave an update on the Fourth of July event with 4,000 registered participants.

Chamber Executive Director Marie Wells asked for specific questions from Council in regards to the Visitor's Bureau update. Mayor Moore requested information regarding staffing and funding at the Visitor's Bureau. Chamber Executive Director Marie Wells stated that the TOT is down and the Bureau at the minimum funding at \$65,000, decisions were made to cut staffing which leaves the Visitor's Bureau operating with one staff member at the Visitor Center. The Bureau has 2,500 visitors for the month. The Bureau is also closed for an hour for lunch per day which used to be covered. The Bureau did not rehire two seasonal employees. The winter hours were reduced while still maintaining open hours seven days a week, ensuring they are open for weekends and snow storms. QR codes are also available that directs visitors to the website. The Bureau will be providing local businesses with the codes to display which would help customers visiting Mt. Shasta.

Mayor Moore asked why the taxable retail sales were down compared to last year. Chamber Executive Director Marie Wells stated that no one is buying what the Visitor's Bureau has to offer which is souvenir focused. Mayor Moore expressed the observation that with the economy improving, visitors and sales would increase, however it seems that it has decreased from last year. Chamber Executive Director Marie Wells reminded Council that the Visitor's Center is not trying to compete with downtown businesses, so items offered are of lesser quality.

Council Member Harkness requested clarification on the Visitor's Bureau advertising income. Chamber Executive Director Marie Wells states it is also shown as a corresponding advertising expense, and reflects the advertisements within the Visitor's Bureau booklet that pays for the printing of the booklet with a 10% profit which is passed through due to the Visitor's Bureau not wishing to gain profit from the advertisers. Council Member Harkness asked why this revenue was down 50% from last year. Chamber Executive Director Marie Wells stated this is due to lack of interest from advertisers. Also, Enjoy magazine no longer requires the assistance from the Visitor's Bureau.

Council Member Burns noted website visitors had increased 25%. He asked whether or not this is a venue the Bureau can capture opportunities from. Chamber Executive Director Marie Wells stated that email requests have decreased due to visitors finding the needed information on the website. The Bureau does attempt to build an email list of visitors which is used to promote events. Chamber Executive Director Marie Wells is attempting to figure out if the visitors on the website translate into physical visitors of Mt. Shasta by asking visitors to the center where they gained their information.

Council Member Collings asked which webpage the expenses are for. Chamber Executive Director Marie Wells responded that it was the Visit Mt. Shasta page. Facebook announcements are the only free aspects of the websites.

Council Member Stearns requested clarification on the line item regarding Enjoy Magazine ads and whether or not it was an income or an expense. Chamber Executive Director Marie Wells stated it is a pass through that the income coming in goes back out in expenses. Council Member Stearns clarified that the expenses for Enjoy Magazine for October 2012-June 2013 is from Visit Mt. Shasta which Chamber Executive Director Marie Wells confirmed it was.

Council Member Stearns asked about the documentary filming crew line item. Chamber Executive Director Marie Wells stated that information is limited however the film crew had requested information which the Bureau responded by sending pamphlets and reminding the film crew of permits.

Council Member Stearns asked what the plans were for this coming year. Brett Waite, Committee Chair, informed Council that the Visitor's Bureau would continue to provide marketing and advertising for the community. The Bureau is limited by their budget and no new advertising methods are being developed. Council Member Stearns asked about the Winter Wonderland, and Brett Waite, Committee Chair, stated that the Chamber of Commerce agreement with the City of Mt. Shasta states that the Chamber will coordinate a tree lighting which would be on a community Christmas tree. At this point, the agreement cannot be fulfilled due to a lack of a community Christmas tree. This event is integral to the winter economy and she would like to see the City provide a community Christmas tree. Mt. Runners have offered support in this task if the City is unable to provide the community Christmas tree. Vince Reinig stated that Mt. Runners is willing to host the event at Parkers Plaza. The Chamber cannot afford to bring in a tree, which costs \$6,000, to be placed before City Hall. The event requires a high level of community volunteers which cannot be predicted for future events. With limited funds available, the event is not yet confirmed. There is discussion of having an event that will provide funding support for the Winter Wonderland event. Council Member Stearns asked how the Chamber, Bureau and the City could work together to ensure the viability of the event or additional events. Vince Reinig stated that an event of that magnitude needs a source of revenue and the Chamber and Bureau are open to suggestions. According to the agreement, the Chamber and Bureau are not required to provide that type of an event and this event was created by volunteers which have economically supported the businesses down town during winter. Some suggestions are following Medford's example of a Turkey Trot to fund the event. Vince Reinig suggested having an events coordinator for the City. Mayor Moore stated that the starting point should be a committee for the Winter Magic. Brett Waite, Committee Chair, suggested hiring someone to help coordinate events and share with Mt. Runners who have already stated that they need someone to coordinate the run walk event. Council Member Stearns asked if the proposed committee would actually be beneficial. Brett Waite, Committee Chair, stated that City Manager Marconi, Public Works Director Bryan, and staff members have already been helpful. Brett Waite, Committee Chair, would like to be able to fulfill the contract, and though the event could be moved to Parker Plaza, there may be visitors who are disappointed that the tree lighting is not on a massive tree. Mayor Moore stated that a committee would help explore funding resources.

Council Member Harkness brought up the discussion from a previous CEDAC meeting about a proposed business tax district (TID) and if it could potentially support an event coordinator. Vince Reinig stated that is possible, however the TID is a voluntary association. Chamber Executive Director Marie Wells stated that the Tourism Business Improvement District is a self-assessed tax that is usually willing to contribute to and also to run the Visitor's Bureau. The EDC is attempting to find consensus through the hoteliers. City Manager Marconi stated that CDBG grants were awarded to investigate forming a Tourism Improvement District, however the grants are in limbo. An initial study has been conducted. Council Member Stearns asked what the problem is with hiring consultants for this grant and what is being done to resolve this issue. City Manager Marconi stated that the State has to approve the procurement process of consultants before the City can enter into that procurement process. This was changed half way through the grant process at which point a consultant had already been procured, hired, and the first phase was completed. The second consultant to complete the second phase is currently awaiting State approval. Council Member Stearns asked what the time frame was. City Manager Marconi stated this needs to be done quickly. Council Member Stearns asked if Tonya or Jason would be more adept to handle. City Manager Marconi stated that they are aware of the time frames as the City is already contracted with them as sub-contractors to carry out the CDBG Grant, however it is the Housing and Community Development at the State level that refuses to talk to the sub-contractors and would rather talk to the Cities and Counties which confuses the process.

Council Member Harkness asked to see the monthly, quarterly, or annual statistics from the Visitor's Bureau to the City. City Manager Marconi stated that the report provided is the latest monthly report, and it is possible to provide this to the Council. Chamber Executive Director Marie Wells stated that the quarterly report is larger and includes the newspaper and advertising. Mayor Moore requested that the Council be given the quarterly reports. Council Member Harkness would also like responses to advertising, number of visitors, and other statistics. Chamber Executive Director Marie Wells also stated that those statistics include where visitors are coming from on a global scale.

Council Member Harkness stated he has participated in various Turkey Trots and it seems that Mt. Runners might want to coordinate such events. Brett Waite, Committee Chair, stated that Mt. Runners does Run for Food at COS. Mayor Moore stated that from his experience that runs do not make money. Council Member Harkness pointed out that the Fourth of July run/walk does make money. Mayor Moore stated it was due to their sponsors. Sponsorship brings money, the run itself does not.

Mayor Moore asked for clarification on what the plaza maintenance is. Vince Reinig stated it is to clean the public restrooms at City Hall. Mayor Moore provided the history of why the Chamber and Bureau have this expense rather than the City. \$6,000 goes to the upkeep of the restrooms, of which Mayor Moore wanted Council to be aware of this expense.

Mayor Moore thanked the Chamber and Bureau for a wonderful Fourth of July event and the time that is put into the Visitor's Bureau and the Chamber.

Brett Waite, Committee Chair, pointed out that tourism is a vital aspect of the Community and the more funding that can be put into advertising would translate to greater TOT's. Supporting the Visitor's Bureau and the Chamber would support the increase in tourism. Vince Reinig requested that Council let them know when they know who they want on the committee as the Chamber and Bureau do have ideas regarding tourism. Mayor Moore stated that he would like to be on that committee as well as Council Member Stearns. Council Member Harkness stated that CEDAC is discussing branding and marketing at this time.

Chamber Executive Director Marie Wells thanked the Police Department and Fire Department who worked with them on Fourth of July as well as the community.

9. Adopt Resolution CCR-13-XX RE: City Council of the City of Mt. Shasta Adopting the Illness & Injury Prevention Program for the City of Mt. Shasta (City Manager/Director of Public Works)

(Council Member Stearns noted that Consultant Butzlaff returned and requested to know if there was additional information regarding the City Manager. Mayor Moore stated that they would continue with item number 9 and come back to that topic.)

Council Member Stearns expressed his opinion that the presented Illness and Injury Prevention Program is not complete and ready to be presented to and adopted by the City Council. The program should include distracted driving and cell phone use by City employees. Council Member Stearns requested that this item be tabled to a later date with direction to staff to modify to include distracted driving and cell phone use while operating motor vehicles.

City Manager Marconi clarified that the Illness and Injury Prevention Program is a policy framework on which all of the other protocols and injury and illness prevention program hangs. It is meant to be a basic outline which is adapted from the Illness and Injury Prevention Program that was adopted in 1991. SCORE has advised to readopt the Illness and Injury Prevention Program in the outline form which has been tested with a compliance auditor for another risk management pool, and meets the requirements of CalOSHA. Each department within the City has their own safety and procedures, best practices manual, and SOP's which indicate the specific safety requirements for that department. Instead of the Council being required to update and adopt a master document every year, the framework can be adopted once. An additional self-inspection checklist which is an appendix of this document is over 50 pages long that outlines procedures for inspection processes which goes into more detail. SCORE has stated that this document could be revised again in the future, making it unnecessary to be adopted tonight so long as the previous Illness and Injury program is kept in place. Without one in place, the City is subject to a fine of up to \$3,500.

Mayor Moore clarified that the safety manuals for each department would have the specific documents. He agrees with Council Member Stearns of adding the distracted driving and cell phone use while operating motor vehicles but does not believe it needs to be added to the Illness and Injury Prevention Program document itself. City Manager Marconi stated that it is already within the Public Works department manual and may still be in the City Personnel Manual. Mayor Moore asked if Council Member Stearns was comfortable with this. Council Member Stearns responded that no one on this Council was present on the Council in 1991 when the City adopted the previous Illness and Injury Prevention Program and that none of the Council members have seen it. Council Member Stearns requested to see the current Illness and Injury Prevention Program and what the proposed document is replacing. Council Member Stearns stated that the City is currently in compliance and that a stripped down Illness and Injury Prevention Program may have benefits. City Manager Marconi concurred. There is a slight possibility that there might be segments of the current Illness and Injury Prevention Program that is outdated and if OSHA were to inspect they could state that the City had failed to follow certain sections. Council Member Stearns proposed to table this item until the next meeting. Mayor Moore suggested forming a committee to go over the Illness and Injury Prevention Program with the City Manager, and return to the Council with a report and suggested Council Member Stearns and Harkness. Council Member Stearns suggested an alternative which was requesting the existing Illness and Injury Prevention Program at the next meeting and if a committee is necessary at that time it can be put into place. Mayor Moore is concerned about the amount of time at the next meeting if a committee is not created prior to the next meeting.

City Manager Marconi suggested distributing the Illness and Injury Prevention Program to all the Council Members and collecting their comments and incorporating into the Illness and Injury Prevention Program. Council Member Stearns declined being on the proposed committee but welcomes the opportunity to look at the existing Illness and Injury Prevention Program. Mayor Moore asked that everyone on Council review the Illness and Injury Prevention Program and respond to City Manager Marconi with any proposed changes.

Council Member Burns asked if a Job Hazards Analysis has been completed. Director of Public Works Bryan stated that yes the Job Hazardous Analysis is located under the work place inspections and is also looked at after any accidents. Job Hazards Analysis is mainly for high risk activities such as confined spaces and trenches compared to putting up a stop sign. Council Member Burns asked if there were weekly safety meetings. Director of Public Works Bryan stated that meetings are conducted twice a month per department.

14. Adopt Resolution CCR-13-35 RE: Approve Terms of Employment Agreement for the City Manager Continued

Mayor Moore returned to item number 14 in where he updated the Council that the Contract has been signed and returned by Paul Eckert who has accepted the position of City Manager of the City of Mt. Shasta. Mayor Moore offered his appreciation to Jeff Butzlaff for the work he has put in for the search for a City Manager as well as the staff and community members involved in the process.

Council Member Stearns requested that Mayor Moore officially announce who the new City Manager will be. Mayor Moore stated that it will be Paul Eckert. Council Member Stearns commented that there were over 70 applications which were narrowed down to 30 and Council interviewed approximately 14 of those, with all five Council Members agreeing that Paul Eckert was the number one choice. As part of the background investigation, Council interviewed 14 people from Sioux City ranging from current and past City Council Members, current and past Mayors, Police and Fire Chiefs, and community members, city attorney, his pastor, previous administrative assistant, and did community research. All research was positive towards Paul Eckert and speaks highly of his abilities as a City Manager. Provided background checks are positive, Paul Eckert will begin on August 26, 2013.

10. Adopt Resolution No. CCR-13-37 RE: Award Contract in the Amount of \$70,030 to Sunrise Excavating for the Pine Street Accessibility Project (Director of Public Works)

Director of Public Works Bryan provided staff report.

Council Member Collings asked about the dollar amount spread among the bids about the raw materials for the cost of concrete for the sidewalk and asked if all concrete materials are the same. Director of Public Works Bryan responded that he did not know what the discrepancy was between the bidders. Some had subcontractors that would have been paid to complete the work which might go into the cost difference.

Council Member Burns asked who would be performing inspections to the project. Director of Public Works Bryan stated that the City Engineer would be performing such inspections, and they would consist of quality of the concrete, forms of the sidewalk, and meet all ADA requirements.

Council Action: Council Member Stearns moved, seconded by Council Member Burns to approve and adopt Resolution No. CCR-13-37 RE: Award Contract in the Amount of \$70,030 to Sunrise Excavating for the Pine Street Accessibility Project by title only. Motion carried on a voice vote of 5-0.

11. Report on Status of FOG Control Program (Director of Public Works)

Director of Public Works Bryan provided staff report.

Council Member Harkness asked what the difference is between the proposed five point policy and what is currently being done and if monthly, bimonthly, or semiannual inspections are being done. Director of Public Works Bryan responded that this is currently what is being done and that letters have not been sent simply due to the fact that there has not been an over flow issue that can be contributed to a restaurant. There are certain lines that take time to clean but this is due to the time between the last cleaning.

Regular cleaning has rarely gone above two hours per line which is reasonable. Council Member Harkness asked if the balance between the resources being expended through the public relations campaign and resources being expended for restaurants taking responsibility for detrimental practices of putting too much grease in the pipes is being achieved through this proposal. Director of Public Works Bryan doesn't believe it would be an additional burden on his department as the department is currently doing many of the things proposed.

Council Member Stearns focused on paragraph two, taking longer than two hours to clean a line where an invoice would be created that would include labor and equipment charges, and assumed that the City is currently not doing this if it is in the proposal. He asked that if it is a change, has the City sent this to the City Attorney to confirm it is in accordance with City rights and ordinances. Director of Public Works Bryan stated that this has not been done and based on the minutes from a previous meeting the proposed changes would require a possible ordinance revision depending on Council's review of the FOG proposal. Director of Public Works Bryan stated that the question is back to the Council on whether or not an ordinance revision is necessary. Council Member Stearns proposed that the FOG proposal should be brought to the City Attorney to see whether ordinances changes are required. If it is required, it is requested that staff bring a proposed change of the ordinance to Council for consideration. Director of Public Works Bryan stated that based on previous conversations with City Manager Marconi current ordinances do support recovering costs from restaurants if there are problems. Council agrees to have the City Attorney look over the proposal to ensure that no changes to ordinances need to be changed. Council Member Stearns stated that the issue is that if labor is more than two hours then there will be a charge which requires clarification from the City Attorney. Mayor Moore asked if there would be a problem looking into some restaurants and not at others based on knowledge of problems; however, due to some being on a shared system the City cannot find either restaurant responsible. Director of Public Works Bryan stated that it is a potential problem and unless there is proof of a specific restaurant, than neither restaurant can be tagged. Mayor Moore stated that he has a problem with not tagging all or tagging them all on a line. Director of Public Works Bryan stated that they have not documented a SSO due to grease from a restaurant at this time. The City does flush the lines twice a year. Council Member Stearns commented that putting the emphasis on prevention solves the issue of whether it is one restaurant over another. Director of Public Works Bryan stated that the ultimate prevention is requiring grease interceptors which have financial ramifications. According to the current ordinance, the City can require a restaurant to install a grease interceptor if there is a problem with that restaurant which is why the City is beginning with the educational component. Mayor Moore confirmed that there has not been a problem so far. Director of Public Works Bryan concurred.

Council Member Stearns agrees with the proposal so long as the City Attorney has input as to ordinance changes regarding policy number two.

12. Report on Status of Greenway, Trail, and Mini-park Deeds (City Manager/City Planner)

City Manager Marconi provided staff report.

Council Member Stearns had requested this update. This property transfer was intended to take place several years ago. Council Member Stearns proposes that he be allowed to act on the Council's behalf to review the file, titles, and additional documents, and report back to Council with a recommended course of action after discussing such with the City Attorney. Mayor Moore agreed with the proposal and would like clarification on whether or not if the City were granted the title that the title would then be transferred to Mt. Shasta Parks and Recreation for maintenance. City Manager Marconi stated that Mt. Shasta Parks and Recreation has already stated that they do not want the property. Council Member Stearns was given permission by Council to follow through with his proposal.

13. Closed Session

- a. Public Employment – Pursuant to Government Code §54957

Position to be filled-City Manager

Closed session tabled without consideration.

15. Brown Act Committee Minutes/Meetings

Minutes for May 1, 2013 CEDAC Meeting

16. Reports RE: Attendance at Outside Meetings

Council Member Collings attended a meeting with the Broad Band Committee with Golden Bear that Senate Bill 740 was derailed by large carriers. The Committee is forming a group to figure out how to reroute the bill so that it will move around the concerns of the large carriers that are being used to shut down the bill. Council Member Collings was asked to join this group.

Mayor Moore and Council Member Stearns attended League of Local Agencies (LOLA) meeting.

City Manager Marconi attended the Local Enterprise Partners meeting. Enterprise Zones are no longer in existence in California after December 31, 2013. He opined the Enterprise Zone has been the most effective economic development tool that Siskiyou County has had, and has been the means to bring together the various elements in the County to work on a common goal of economic development. Mayor Moore stated that currently the City is paying \$25,000 for the Enterprise Zone and asked what that funding would be used for in the next fiscal year. City Manager Marconi stated that all of the cities would have serious discussion regarding the budget for the next fiscal year, 2014-2015. Council Member Stearns asked how often the Enterprise Partners met. City Manager Marconi stated that they have quarterly meetings which is planned to continue through the middle of next year. Council Member Stearns asked who schedules the meetings to which City Manager Marconi responded that the EDC schedules the meetings.

Council Member Burns attended the Ad Hoc committee for the Waste Water Feasibility Study. The Study needs to be completed by June 2014. Lawrence and Associates is contracted to do some of the onsite work as part of the ground water monitoring network. PACE went over the strategies and program for the feasibility study. The work plans for the leach fields were submitted and returned with significant comments and changes on both from the Regional Water Quality Board. The next step is a meeting with this board to discuss the changes.

The second meeting that Council Member Burns attended was the ATAC meeting which was already explained with the Pine Street Contract. Grant money is still being searched for future projects.

Council Member Harkness attended the CEDAC meeting. The Business walk was reviewed and what the next steps were for the investor's network and branding. Council Member Harkness reviewed the results of the Business walk survey with Council. Council Member Collings was volunteered to discuss his thoughts on branding and marketing at the next CEDAC meeting. There is an effort to obtain the Bank of America building for a performing arts center.

17. Future Agenda Items:

- b. Update Memorandum of Understanding Regarding County Libraries and Local Communities with Siskiyou County**
- c. Adoption of Pavement/Sidewalk Management Plan**

Council Member Stearns would be able to give a report on the analysis of the Greenway situation.

Mayor Moore stated that the Illness and Injury Prevention Program would also be on the next agenda.

18. Council and Staff Comments

Council Member Collings noted that the TOT for June is down .5%. He asked what the numbers were. Director of Finance Terrell stated that the numbers will not be known until the end of July.

At the hour of 8:45 p.m. Mayor Moore adjourned the meeting to Closed Session; Reconvened at the hour of 9:38p.m.

19. Closed Session

- d. Conference With Labor Negotiator – Pursuant to Government Code §54957.6
Agency Negotiators: City Manager and Director of Finance
Employee Organization: Operating Engineers Local Union No. 3; Police and Police Communications Dispatcher Units; and Teamsters Union: Miscellaneous Unit
- e. Liability Claims – Pursuant to Government Code §54956.95 - 2 Cases
Claimants – 1) Donna R. Larson; 2) Farmers Insurance Group for Mt. Hospitality Group
Agency claimed against: City of Mt. Shasta

Mayor Moore reported that staff had been given direction and no final action was taken on the Closed Session items.

20. Adjourn

There being no further business before the Council, the meeting was adjourned at the hour of 9:40p.m. to the next Regular City Council Meeting to be held on Monday, August 12, 2013 at 6:30p.m.

Respectfully Submitted,

Kimberly A. Barden

Kimberly Barden, Deputy City Clerk/Administrative Assistant
For John E. Kennedy Sr., City Clerk