

Mt. Shasta City Council Regular City Council Meeting Minutes

Mt. Shasta Community Center, 629 Alder Street

Monday, August 25, 2014; 5:30 p.m.

Approved as Submitted on September 8, 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 Pro-Tem Harkness 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, Moore, and Mayor Pro-Tem Harkness Councilmembers Absent: Mayor Stearns</p> <p>Mayor Stearns arrived to the meeting at 5:59 p.m.</p>
	<p>3. Special Presentations & Announcements:</p> <p>a. Mt. Shasta Greenway update – Joe Wirth and Greg Messer</p> <p>Mr. Messer provided the Council with a PowerPoint presentation regarding the Mt. Shasta Greenway project. A paper copy of the presentation was submitted to the Deputy City Clerk for the record. He defined what the project is, reviewed the vision and scope of the project and provided background information. Mr. Messer indicated the project will incorporate streams and wetlands, trail linkages and establish five miles of greenway network through Mt Shasta and extending to Lake Siskiyou. Mr. Messer discussed the potential partners for the project and concluded by discussing next steps.</p> <p>At the hour of 5:59 p.m., Mayor Stearns arrives at the meeting.</p> <p>Council inquired as to the trail and greenway areas intended for use with this project. Mr. Messer clarified the property boundaries. Council commented on the enormity of this project and commended them for taking this on. They further inquired as to upkeep and maintenance of the trails and greenway spaces. Mr. Wirth explained they will look to the Mt. Shasta Trails Association/Siskiyou Land Trust to maintain the trails. A brief discussion was held regarding a timeline for completion and what collaboration will be undertaken.</p> <p>From the audience, the public asked how they could get involved and volunteer. Mr. Messer indicated they could access their website to gain the appropriate contacts. The public also asked about how they could have access to the presentation materials. Mr. Messer indicated they would place it on the city’s webpage, as well as the Trails Association website. The public inquired as to the Park and Recs need to hook up to the City’s wastewater treatment plant.</p>

b. Data on Mt. Shasta Precipitation and Snow Depth – Raven Stevens

Ms. Stevens, Dr. Axelrod, and Mr. Toriello, provided the Council with a PowerPoint presentation of their Mt. Shasta Area Water Vulnerability Study. Ms. Stevens provided the Council with a summary of why this study and research was completed and indicated they hoped to shed light on how precipitation and snow pack affect output and how other users, like industrial users, also affect output. She further stated their presentation will cover the vulnerability of the City's spring, Cold Creek, to drought conditions. Ms. Stevens commented that as a result of their research, they question the validity of some of the data and reports provided by the Crystal Geyser Company. Ms. Stevens concluded with recommendations for the scoping process and EIR.

Dr. Axelrod explained the process of age of water supply as it relates to precipitation and provided a video example of how volcanic tubes work to collect and hold water. Mr. Toriello explained the data contained in the graphs and charts. Dr. Axelrod provided further explanation as to how the precipitation data and flow rates were analyzed.

Ms. Stevens reported on the wells located on the Crystal Geyser property and their production capabilities when compared to residential wells and spoke specifically to data on the Dex-6 well. She further spoke to the cross-correlation of their data on precipitation.

Mayor Stearns requested the presenters provide a copy of the presentation materials. Council inquired as to the correlation of the report received in advance and the data provided via PowerPoint presentation in addition to further questions regarding the chart and graph data and reference to the Geosyntec report and inaccuracies reported on their initial data. Council complimented the presenters on their presentation and thanked them for their time. A brief discussion ensued regarding the takeaways from this presentation for the Council as well as discussion with respect to impacts on other springs in the area. Further comment was entertained regarding the tracing of water and precipitation from the mountain into the springs as well as discussion regarding the comparison of Big Springs and Cold Springs.

By **CONSENSUS** of the Council, Mayor Stearns called a recess of the meeting at the hour of 7:47 p.m. Mayor Stearns reconvened the meeting at the hour of 8:07 p.m.

By **CONSENSUS** of the Council, agenda item #11 was taken up at this time.

The Public Works Director Bryan reviewed his staff report and recommendation with the Council. ATAC Chair, Michael Williams provided clarification to the Council as to sphere of influence and Siskiyou County's involvement with the project.

MOTION to adopt Resolution CCR-14-46, Adopting Appendix G List of Projects into the City of Mt. Shasta Bicycle Pedestrian and Trails Master Plan, by title only.

Motion by: Councilmember Harkness

Second by: Councilmember Moore

	<p>Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Harkness/Moore/Mayor Stearns)</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>Nelda Cheny:</u> Ms. Cheny asked what Mt. Shasta will gain by bringing Crystal Geyser here. Councilmember Collings provided a response.• <u>Francis Mangels:</u> Mr. Mangels called for a moratorium and indefinite delay of all further work on the wastewater interceptor line project until the data gaps are filled, until the drought ends, aquifers are studied and better understood, and chemical studies are completed. He further commented on water rights and the make-up of aquifers.• <u>Rose Taylor:</u> Ms. Taylor spoke to Shasta County's undertaking of the geo-engineering and aluminum contamination issue and asked Council to make this a priority and reminded them of Shasta's vote to support these studies. She reiterated the possible impacts of these contaminants to the Council, as well as the State of Emergency with the drought.• <u>David Casebeer:</u> Mr. Casebeer asked the Council to schedule an emergency town hall meeting to discuss the drought and the geo-engineering issues. He spoke to the impacts of these two issues. Mr. Casebeer spoke to a few of the solutions to these issues.• <u>Molly Brown:</u> Ms. Brown spoke to the precautionary principal as it affects this situation with Crystal Geyser. She indicated that if an action or policy has a suspected risk of causing harm to the public or environment, in the absence of the scientific consensus that the action or policy is not harmful; the burden of proof that it is not harmful would fall to those who are taking the action. Ms. Brown surmised from this principal that it would be Crystal Geysers responsibility to prove that the aquifers would not be harmed. She further infers that the water supply vulnerability study establishes a plausible risk based on empirical data. Ms. Brown reiterated her concern over compliance issues.• <u>Knight Starr:</u> Mr. Starr stated he lives close to the bottling plant and related his experiences with noise and hours of operation issues when Dannon was in business. He reiterated his concern that these issues and others be considered with Crystal Geyser.• <u>Melinda Willy:</u> Ms. Willy commented that it is clear there is inadequate data and information on the issue of this evening's presentation and that it further shows an expanded EIR is necessary to include current or more recent data. She spoke to bills being introduced into legislation that may relate to what is happening here with Crystal Geyser. Ms. Willy reported on her visit to Calistoga and the Crystal Geyser plant there.• <u>Diane Lowe:</u> Ms. Lowe thanked the presenters for their information and thanked the Council for continuing to ask questions. She inquired as to payment for the EIR.• <u>Vicki Gold:</u> Ms. Gold thanked the presenters for their informative presentation and time spent to put it together. She spoke to Crystal Geysers current arrangement with the County regarding the amount of water they can pump and the privatization of water. Ms. Gold spoke to the financial impact if local

	<p>wells go dry and the endangerment of municipal water.</p> <ul style="list-style-type: none"> • <u>Rhea Harlow:</u> Ms. Harlow voiced her concern regarding the Council addressing the community’s fears regarding the Crystal Geyser operations and their water extraction. She indicated the water needs to be protected and the real data needs to be presented. • <u>Joan Romer:</u> Ms. Romer asked who will pay for the EIR. Council confirmed this is the City’s project and they are the applicant on the wastewater interceptor line and as the applicant the City is choosing, with legal guidance to include the plant in the EIR, as to who pays, Council indicated these expenses will come out of the 3 million dollar contribution by Crystal Geyser as well as funds through the grant, as these are expenses related to the project. The total cost of the EIR will be determined after the scoping. • <u>Sarah Jewett:</u> Ms. Jewett asked for clarification regarding the contribution from Crystal Geyser in that if the City accepts the money, is the City then held to go through with the project. Council stated the money does not commit the City to Crystal Geyser. • <u>Jennifer Matthews:</u> Ms. Matthews voiced her appreciation for the forum this evening and the presentation. She asked about the recommendations made during the presentation calling for new and current data. Ms. Matthew stated her concern over what the process will be from here. • <u>Allou Guthmiller:</u> Ms. Guthmiller spoke to her concern over the smoke in the air, climate change, and the need to protect the water. She further voiced her concern over the possibility of a fire happening locally and there being the availability of water to put it out if Crystal Geyser is allowed to pump all the water they want. • <u>Bruce Hillman:</u> Mr. Hillman thanked the Council for having the presentation. He indicated this demonstrates the need for further studies on the aquifers. Mr. Hillman inquired as to the timeline for the scoping meeting for the EIR. • <u>Bayla Greenspoon:</u> Ms. Greenspoon asked if Crystal Geyser can open their plant before the EIR. Council responded they cannot. <p>Hearing no further requests for Public Comment, Mayor Stearns closed this agenda item.</p>
	<p>5. Meeting Recess</p> <p>Council recessed earlier in the meeting.</p>
	<p>6. Approval of Minutes: Minutes of August 11, 2014 Regular City Council Meeting</p> <p>MOTION to approve the minutes of the August 11, 2014, Regular City Council Meeting as submitted. Motion by: Councilmember Moore Second by: Councilmember Burns Council Action: Motion carried on a voice vote as follows: 4 – Ayes (Burns/Collings/Moore/Mayor Pro-Tem Harkness) 1 – Abstain (Mayor Stearns)</p>
	<p>7. Reports RE: Attendance at Outside Meetings</p>

	<ul style="list-style-type: none"> • Councilmember Moore reported on his attendance to the Sheriff's Association meeting and welcomed the Governor to our community. • Councilmember Collings reported on his attendance to the train safety presentation with Union Pacific in Redding.
	<p>8. Council and Staff Comments</p> <ul style="list-style-type: none"> • City Manager Eckert provided a brief update on the 2014 Business Walk and the follow-up that will be completed. He also thanked the Public Works staff and the County staff for their work on the chip sealing project. Eckert reminded the Council of the upcoming Labor Day events. He reported on his and Mayor Pro-Tem Harkness' participation in a meeting with Rural Development initiatives. • Councilmember Moore reported his follow-up with John Redmond regarding the fire wall requirement for his business.
	<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> <ul style="list-style-type: none"> a. Approval of Disbursements: Accounts Payable: 08/07/2014 and 08/08/2014; Total Gross Payroll and Taxes: For Period Ending 08/06/2014 (Finance Director) b. Monthly Finance/Investment Report – July 2014 (Finance Director) <p>MOTION to approve the consent agenda item (a). Motion by: Councilmember Collings Second by: Councilmember Moore Council Action: Motion carried on a voice vote as follows: 5 – Ayes (Burns/Collings/Moore/Mayor Pro-Tem Harkness/Mayor Stearns)</p>
	<p>11. Resolution CCR-14-46 RE: Adopting Appendix G List of Projects into the City of Mt. Shasta Bicycle Pedestrian and Trails Master Plan.</p> <p><u>Background:</u> The current Master Plan is 5 years old and incorporating the List of Projects will help address the needs of the Plan and better position future projects for grant funding.</p> <p><u>Report By:</u> Rod Bryan, Public Works Director</p> <p><u>Council Action:</u> Adopt Resolution No. CCR-14-46</p> <p>This agenda item was taken up earlier in the meeting by consensus of the Council.</p>
	<p>12. Brown Act Committee Minutes/Meetings: None</p>

	<p>13. Upcoming Future Agenda Items:</p> <ul style="list-style-type: none"> a. Develop Financing Structure and Award Contracts for Engineering and Environmental Contracts. b. Recommendation regarding Short-term Vacation Rentals c. Review of Ordinance #275 with the intent to add language allowing the inclusion of downtown property owners to be eligible to sit on the DEAC d. Potential Annexation of Orchard Property e. Recycling Enhancements f. Staff update regarding results of Economic Development Business Walk About g. Parking Space Marking Improvements h. Centennial Greenway Progress Update i. Arts and Culture Subcommittee for Ballot Consideration j. MOU between Mt. Shasta City Fire Department and the Mt. Shasta District Fire Department k. Fire Department Sleeper Program l. Proposed Crystal Geyser Project Overview of Scoping Process m. Possible RV Park Development at the Landing property n. Consideration of a Moratorium on Water and Wastewater Hook-up Fees <ul style="list-style-type: none"> • Council suggested the City Manager review this list and give updates during staff comment as to the status.
	<p>14. Closed Session:</p> <ul style="list-style-type: none"> a. Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to Government Code §54956.9: One Potential Case <p>By CONSENSUS of the Council, this agenda item was pulled.</p>
	<p>15. Adjourn</p> <p>There being no further business before the Council, the meeting was adjourned at the hour of 9:11 p.m. to the next Regular City Council Meeting to be held on Monday, September 8, 2014 at 5:30 p.m.</p>

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Tammy Laphorne

Tammy Laphorne,
Deputy City Clerk