

Community Services Advisory Commission
Special Meeting
City Hall - Council Chambers
777 Cypress Avenue
Redding, California
January 25, 2012, 4:00 p.m.

MINUTES

The meeting was called to order at 4:10 p.m. Commissioner Wilson led the Pledge of Allegiance.

ATTENDANCE

The following Commissioners were present;

Adam McElvain, Susan Hinz, Leona McCoach, John Wilson and Bob Brennan.

Also present were Councilwoman Missy McArthur, City Manager Kurt Starman, Planning Manager Doug Demallie, Community Services Director Kimberly Niemer, Parks Superintendent Paul Anderson, and Executive Assistant Sarah Sheetz. Management Analyst Matthew McCallum joined the meeting at 4:13 p.m.

PUBLIC COMMENT

No public comment.

APPOINTMENT OF COMMISSION CHAIRPERSON AND VICE-CHAIRPERSON

Motion: To nominate Commissioner Wilson as Chairperson and Commissioner Brennan as Vice-Chairperson for 2012.
(Made by Commissioner McCoach, Seconded by Commissioner Hinz)

AYES: Commissioners
NOES: None
ABSTAIN: None
ABSENT: None

CONSENT CALENDAR

The minutes from the Regular Meeting held on November 9, 2011, the monthly Convention Center Activity Reports for November and December 2011, the monthly Parks Maintenance Activity Reports for November and December 2011, the monthly Recreation Division Activity Reports for November and December 2011, the monthly Tourism Activity Reports for November and December 2011, and the Annual Meeting Calendar for 2012 were presented.

Motion: To approve the Consent Calendar.
(Made by Commissioner McCoach, Seconded by Commissioner Hinz)

AYES: Commissioners
NOES: None
ABSTAIN: None
ABSENT: None

CONSIDERATION OF MODIFICATIONS TO THE REDDING MUNICIPAL CODE RELATIVE TO PARK RULES

Director Niemer advised that the City has been experiencing an increase in vandalism and overnight camping in our public parks. Additional signage has been posted to raise awareness about the regulations in our parks. There are a variety of sections in the Municipal Code that regulate the parks, however the sections are not grouped together and citing each section on the signage is cumbersome. Director Niemer requested the Commission appoint a subcommittee of one or two members to work with her to revise the code as it relates to park rules and regulations. The revisions will be presented to the CSAC for review, and then proposed to City Council.

Chair Wilson requested volunteers from the commission. Commissioners McCoach and Hinz volunteered.

Motion: To form a subcommittee with Commissioners McCoach and Hinz to review the Municipal Code as stated by the staff report.
(Made by Commissioner McElvain, Seconded by Commissioner Brennan)

AYES: Commissioners
NOES: None
ABSTAIN: None
ABSENT: None

REDDING RIVERFRONT SPECIFIC PLAN UPDATE

Director Niemer advised that the joint subcommittee of CSAC Commissioners and Planning Commissioners had met to follow up on City Council's direction to review whether the Redding Riverfront Specific Plan needs to be re-opened.

During the course of the second meeting, Commissioner McElvain brought to the attention of the subcommittee that he had a copy of the plan that was different than the plan that was distributed a year and a half ago. Staff reviewed and determined that the plan previously distributed was not the current plan. Staff followed up by providing a current plan to each commissioner, as well as correspondence that delineated the differences between the two plans.

Director Niemer advised that she had retrieved that plan from the Planning Division Library, and acknowledged that some concerns have been raised about the review, specifically of the Turtle Bay Hotel Project. Director Niemer invited Planning Manager Doug Demallie to speak about the issue. Planning Manager Demallie addressed the question 'Did the fact that you [CSAC] had an unadopted plan before you when you were reviewing the Turtle Bay Use Permit in any way affect your consideration and your recommendations?' He responded that only the CSAC can answer that question, but that from his perspective, he didn't see how it could have. He stated that the Planning Commission had the ultimate authority for approving the Use Permit and the sole responsibility of making the determination as to whether or not the Use Permit for the hotel was consistent with the

Redding Riverfront Specific Plan. The references used by the Planning Commission were from the adopted plan.

Councilwoman Missy McArthur addressed the CSAC stating that as the liaison from City Council during the time of the Turtle Bay Hotel review she wanted to own some responsibility for this mistake. Ms. McArthur thanked Commissioner McElvain for bringing the error to the attention of city staff. She expressed a desire for the Commission to get back to work, to work together, and to realize that mistakes are made. Ms. McArthur then invited City Manager Kurt Starman to speak.

City Manager Starman agreed with Councilwoman McArthur that Commissioners have every right to expect to have good accurate information from city staff. He echoed the apologies of Director Niemer and Councilwoman McArthur. He discounted some opinions that misinformation was provided by design. He stated that he is one hundred percent confident that this is not the case. He stated that he has worked with Director Niemer for many years, and that she is an honorable and ethical person. He stated that the most important thing going forward is that we all have the correct information in hand as work begins on the Redding Riverfront Specific Plan.

Director Niemer stated that her intent of putting the item on the agenda was to catch everyone up from where it was last left and to convey her apologies that the wrong document was mistakenly distributed. She advised that the next step, per the City Council's direction, is a joint meeting with the Planning Commission and the CSAC to review whether or not there is a need to amend the Riverfront Plan.

Chair Wilson clarified that the purpose of that meeting will be to determine if there was any validity in opening up the Redding Riverfront Specific Plan to look at changes at all. Director Niemer confirmed that is correct.

DISCUSSION REGARDING STAFF SUPPORT FOR THE COMMUNITY SERVICES ADVISORY COMMISSION - INFORMATION AND BACKGROUND PRESENTATION BY COMMISSIONER MCELVAIN.

Commissioner McElvain stated that he would like the Commission to review some issues that they have experienced in the recent past.

Commissioner McElvain presented four (4) issues that he believes are of concern. They include:

1. The Convention Center Privatization Study in 2009 and subsequent request in July 2010 to explore the possibility of a Master Plan for the Convention Center Campus.

Commissioner McElvain stated that it was not until October 2011 when he submitted a detailed proposal that any reportable action was taken by the Community Services Department in response to the motion made in July 2010 to explore the possibility of a Master Plan for the Convention Center Campus. He also noted that it was not until the Convention Center privatization study was complete that the CSAC found out that the Convention Center Campus was part of a planning document called the Redding Riverfront Specific Plan. He stated that the CSAC was given a copy of the Redding Riverfront Specific Plan as a resource in consideration of the Turtle Bay Hotel development in, which we now know to be the unapproved version.

2. Parks Maintenance Privatization Study in 2010/2011

Commissioner McElvain presented an excerpt from a staff report presented to City Council dated November 15, 2010 as well as the action taken by City Council regarding that staff

report on December 7, 2010. He also presented excerpts from the CSAC Meeting Minutes for the February 2011, April 2011, and May 2011 meetings stating that he felt that the direction taken by the Community Services staff was contradictory to the direction given by City Council. Commissioner McElvain stated that the intention of staff was to pursue a Request for Proposal (RFP) rather than a Request for Quotation (RFQ). He presented an excerpt of the minutes from a June 2011 City Council Meeting where Director Niemer apologized for a language error in the staff report. He also addressed the issue of the 'six cost saving measures' which he felt had been pursued incorrectly by staff at the time, stating that the Director and city staff moved forward at that time and drafted a contract amendment with IBEW prior to the RFQ going public. Commissioner McElvain stated that he felt that Director Niemer's statement that the side letter did not give the city a new, unfair advantage during the bidding process was contradictory as this measure had been listed as a cost saving measure.

3. October 2011 proposal to the Commission to pursue a new planning document for the Convention Center and surrounding areas, the distribution of the unapproved version of the Redding Riverfront Specific Plan and subsequent correspondence.

Commissioner McElvain stated that following his proposal to the Commission in October 2011 the CSAC was again given an unapproved version of the Redding Riverfront Specific Plan. He stated that this was the second major decision the CSAC made based on this piece of faulty information. He recounted how it was discovered that the unapproved version had been handed out. He stated that he felt misled by the table distributed by staff in December 2011, which summarized the changes between the unapproved and final version because it identified the changes as per Resolution 12-483 when in fact, the correct Resolution number was 92-483. He added that Resolution 92-483 didn't account for all of the differences between the two plans. A final approved copy of the plan accompanied the correspondence sent to the CSAC in December 2011.

4. Agenda Item 7 for today's meeting.

Commissioner McElvain stated that his request to have this Agenda item added to the Agenda was acknowledged by city staff, but when the Agenda was posted Item 7 was left out. He stated that he contacted the City Manager and the situation was rectified.

In summary, Commissioner McElvain stated that he has witnessed a number of other issues that trouble him, such as inaccurate minutes and conflicting budgets. He stated that it is the responsibility of the CSAC to make accurate recommendations to the City Council. He believes almost every major recommendation that the CSAC has made to the City Council has been based on a misinformation or a lack of information. Commissioner McElvain stated that this is an issue of trust for him. He stated that he feels he cannot trust what is said, staff recommendations, staff reports, or what appear to be official city documents.

Motion: That this Commission respectfully request to the City Manager to appoint a different staff member to work with the CSAC.
(Made by Commissioner McElvain, died for lack of second)

Commissioner McCoach stated that she has been part of the CSAC since November 2003, and that she has found that Director Niemer provides correct information, in a timely manner, when requested. She stated that when reviewing the Convention Center privatization study, which Director Niemer was not involved in, the CSAC repeatedly asked if there were any plans in the area, and they were told multiple times that there was no plan to be given to them.

Commissioner Hinz stated that she has some concerns along with Commissioner McElvain. She stated that the Commission needed to be re-assured in some fashion that they are receiving accurate information in the future, perhaps a procedural checklist put into place. She stated that if it did require a change in staff assignments she would support that.

Commissioner Wilson stated that he gets a lot of input from a lot of different levels of the community. He stated that Commissioners should be able to believe staff reports, but that there are times when there are biases, and Commissioners need to be able to read those out, and that he believed Director Niemer thought the document distributed was the correct one. He stated that the other items that Commissioner McElvain brought up were innuendo until one has the real numbers, real notes, real minutes side by side.

Director Niemer requested the opportunity to comment. She apologized again for distributing a dated version of the Riverfront Plan. She stated the allegations presented were distorted snippets and lacked the complexity of the whole story. She stated that she takes great offense at the allegations, not because Commissioner McElvain doesn't have the right to ask questions, but because he has been provided explanations, time and again, at every level in this organization. She stated that he has met repeatedly with Mayor McArthur and the City Manager, both of whom spoke today in support of Director Niemer's integrity and professionalism.

Director Niemer clarified several points, including that when Commissioner McElvain became the Chair of the CSAC, she had requested that the two of them meet monthly to go over the Agenda and to work off of the same page. She pointed out that the initial analysis for the Park Maintenance Privatization study concluded that if city staff performed the work with a blend of temporary and full time staff, that it would be significantly less expensive. Commissioner McElvain did not agree with the numbers at that time. Four months later when the Request for Proposal results were in, the result was within one percent of staff's estimate. She stated that Management Analyst Matthew McCallum was dead on in his analysis.

Director Niemer recalled the issue of the 'six cost savings measures,' where the Council report included an itemization of the six items. The Council discussed the cost savings measures, but their final motion didn't specifically address the measures. City Council authorization was not required for the tasks, and many were already in progress and within the authority of staff, including water conservation measures and training. It was the intent of Council that the Department to pursue cost saving measures at that time, as \$20 million had just been cut from the General Fund. Similarly, the Personnel Director and the Assistant City Manager understood that there was consent to proceed on the side letter with the labor union, and they did. When Community Services went back to the City Council to clarify its intent, they confirmed that it was their intent that those six cost savings measures proceed and reaffirmed the City Manager's authority to enter into labor agreement side letters.

Management Analyst McCallum stated that the Community Services Department did not receive responsibility for the Convention Center or for Park Maintenance until July 1, 2010. As such, the Convention Center study and was done with the Support Services Department. From August 2010 to December 2010, the CSAC was invested in the Parks Maintenance review, which involved a great deal of research and reporting. From December 2010 to August 2011 the CSAC and staff have been involved primarily with the Convention Center review, and resolving a solution that ensured the Convention Center stay open.

Mr. McCallum stated that his job as an analyst is to research, interpret data, and draw conclusions to the best of his ability, and to provide the Commission, and the Director, with the best possible information in the time allocated. He requested that Commissioner McElvain provide specific examples of budgets he doubted.

Chair Wilson recalled that the Commission was under Support Services through the whole Convention Center study.

Commissioner McElvain inquired if Commissioner Hinz would like to clarify her amendment to the motion.

Motion: To work with Mr. Starman and the Director of the Division to resolve these issues from everything from meetings, I don't know what the potentials are, in fact I don't want to say what they would be, but also to potentially the alteration of the staff assignment.

(Made by Commissioner Hinz, died for lack of second)

Chair Wilson stated that his decisions on this Commission are made upon reading the staff report, talking around town, and background information he has from being here all of his life.

Commissioner McCoach requested that the charge of the Commissioner be clarified. She stated that she feels this is unfounded and delves into the human resources management arena.

Motion: That myself [Commissioner McElvain] and Commissioner Hinz work with the City Manager to resolve this issue with the possibility of staff reassignment.

(Made by Commissioner McElvain, died for lack of second)

Commissioner Hinz stated that she is not asking for a human resources decision. She stated that assurances just need to be made that the Commission receive the information that is needed to make the best decisions that they can, and make the best recommendations.

Commissioner Brennan stated that he was a little bit blind-sided by today's presentation. He stated that he is not aware of Director Niemer doing anything improper, because he has not gotten any bad information per se. He stated support for resolving the situation.

Motion: That myself [Commissioner McElvain] and Commissioner Hinz work with the City Manager to resolve this issue with the possibility of staff reassignment.

(Made by Commissioner McElvain, died for lack of second)

Commissioner Hinz stated that the motion should be limited to solely and exclusively to how we move forward where we don't have this type of conflict. She stated that these issues can be resolved. Commissioner McCoach stated that one of the issues is that she has an issue with a current member of the CSAC. She stated that everybody has the right to change their mind on a vote, but that they should also let the Commission know that their views have changed. She stated that there are people on the Commission that she doesn't trust.

Mr. Starman provided some clarification relative to a Council-Manager form of government. He stated that the authority for personnel decisions lies with himself [Mr. Starman] as the Chief Executive Officer of the organization.

Motion: That myself [Commissioner McElvain] and Commissioner Hinz meet with the City Manager to discuss this issue and any possibilities to rectify this issue.
(Made by Commissioner McElvain, Seconded by Commissioner Hinz)

AYES: Commissioners Brennan and Wilson

NOES: Commissioner McCoach

ABSTAIN: None
ABSENT: None

PROJECT UPDATES

Director Niemer advised that as of last week Advance Redding, Inc. took over management of the Redding Civic Auditorium and that all is going well. She stated that Sheri Silk is in the audience, and will be providing a report at a future meeting on how things are going.

Director Niemer advised that the Fantasy Fountain Re-Creation project is picking up steam. There have been three project management meetings to date and fund-raising efforts are underway. Redding East Rotary has come on board as our partner and has provided us with Jerry Peters, a retired general contractor who will be assisting with the technical piece of the project.

Turtle Bay East is a project that Community Projects Manager Terry Hanson continues to work on. It should be complete sometime in the Summer of 2012.

The Lake Redding Parks project has been pushed out to Spring 2012 due to workload issues.

COMMISSIONER COMMENTS

Commissioner Brennan inquired if the CSAC would get updates on what is happening at the Convention Center, or if they would be able to provide any input. Director Niemer advised that there are some contractual obligations that will be monitored, and that she believes Sheri Silk of Advance Redding is interested in keeping open communication with the City. However, the Convention Center has been privatized, so the arrangement will be similar to the arrangement with the CVB.

Commissioner Brennan inquired if CSAC would continue to receive reports on the Convention Center. Director Niemer advised that there is no reporting requirement per the lease agreement. Commissioner Brennan inquired if there is a monthly income from the lease of the Convention Center. Director Niemer advised that there is a monthly rental rate beginning near the end of next year. Advance Redding is also required to have a certain number of outside events other than church and school activities, as well as a certain number of city, or community events, which will be monitored.

Commissioner McCoach inquired as to whether or not the CSAC would receive an annual or semi-annual report if there has been deferred maintenance on items such as the roof or windows, or if they met their obligations of the bookings. Director Niemer advised that staff can provide an annual update on those items.

Commissioner Wilson inquired as to what is going on at the Soccer Park. Director Niemer advised that the Soccer Park would bring a presentation to the CSAC in February.

Commissioner Wilson inquired about the Recreation Management Software System. Analyst McCallum stated that we should be getting the initial demonstration version for testing purposes at the end of the month.

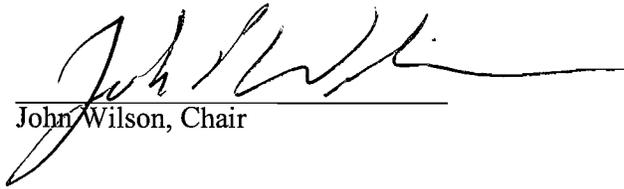
Chair Wilson announced that he is officially moving the meeting into a smaller room due to difficulty with hearing all of the comments.

DIRECTOR COMMENTS

Director Niemer followed up on Commissioner Brennan's inquiry from the last meeting on who pays for the lights on the Sundial Bridge. The lights are considered trail lighting and fall into the Parks budget. She stated that since we are also moving forward with a complete streets policy and ordinance that she will revisit the topic and that may be an expense that we could look at moving to REU.

ADJOURNMENT

There being no further business, at the hour of 5:35 Chair Wilson declared the meeting adjourned.



John Wilson, Chair