

Community Services Advisory Commission
Regular Meeting
City Hall - Caldwell Park Conference Room
777 Cypress Avenue
Redding, California
July 8, 2015

MINUTES

The meeting was called to order at 4:03 p.m.

ATTENDANCE

The following Commissioners were present: Robert Brennan, John Deaton, Erin Resner and John Wilson. Commissioner Judy Salter was absent. Also present were Mayor Francie Sullivan, City Attorney Barry DeWalt, Community Services Director Kimberly Niemer, Recreation Supervisor Jennifer Moore and Executive Assistant Eric Fischer.

PUBLIC COMMENT

There were no comments from the public.

CONSENT CALENDAR

The minutes from the Special Meeting held on June 10, 2015; and the monthly Parks Maintenance, Recreation Division and the Tourism Activity Reports for June 2015 were presented.

Motion: To move Item B (Report: Parks Maintenance Activity for June 2015) to the regular agenda for further discussion and approve the rest of the agenda.
(Made by Commissioner Wilson, Seconded by Commissioner Deaton)

AYES: Commissioners Deaton, Resner and Wilson

NOES: None

ABSTAIN: None

ABSENT: Brennan, Salter

(Commissioner Brennan had not yet arrived and, therefore, was not yet present at the time of the motion.)

Motion Carries

BROWN ACT TRAINING BY CITY ATTORNEY BARRY DEWALT

Community Services Director Kimberly Niemer introduced City Attorney Barry DeWalt. City Attorney DeWalt thanked Director Niemer and gave a brief overview about his background. City Attorney DeWalt then provided an instructional/educational presentation on the Brown Act.

City Attorney DeWalt stated that the general intent behind the Brown Act is to have the public's business conducted publicly. As a democracy, this is worthy goal since as we value and respect the input of the citizens in our civic decision-making. Furthermore, often times, different members of the community can provide multiple perspectives for consideration regarding various issues, and the citizens can help provide additional information to help assist in the decision-making process of the government.

With respect to public access and public transparency, the Brown Act only applies to legislative bodies. It is primarily directed at elected and appointed public officials. The Brown Act, therefore, applies to the Community Services Advisory Board. It does not apply to an example like two government employees meeting for an internal one-on-one meeting.

The Brown act only applies to 'meetings'. When the majority of the decision makers are present, this is considered a 'meeting'. If, for example, there are five board members and two of them happen to be talking with one another, this is not considered a meeting. However, if three members are together and talking with one another, this is considered a meeting as there is a majority of the group present.

Commissioner Wilson inquired as to if being in the same room constituted a meeting. City Attorney DeWalt stated that a private gathering that includes multiple legislative members should be avoided as this has the potential to be a Brown Act violation. At public gatherings that are not specifically related to a certain legislative body, while the members just being in the same room are not necessarily considered to be in a meeting, the public perception should still be considered nevertheless. Moreover, with respect to legislative members interacting at gatherings open to the public, in terms of the potential to unintentionally discuss topics related to the jurisdiction of legislative body, it is safer to error on the side of caution and limit conversations and interactions in which the public does not also have ready and complete access to the communications. City Attorney DeWalt advised the Commissioners to exercise caution and avoid any such activities related to meetings that had the potential for Brown Act violations.

Chair Resner inquired as to if one happened to be at a meeting that was not under the jurisdiction of their advisory board and more than two members showed-up, should the members leave until there are only one or two remaining. City Attorney DeWalt stated that this was correct and the members should leave accordingly.

City Attorney DeWalt then talked about how serial meetings were also considered violations of the Brown Act. A serial meeting occurs when two members have communication regarding a certain topic under the jurisdiction of the legislative body after which this discussion is shared with one of the other members. If an outside third-party acts as a proxy between multiple

legislative members and their communications, this sets-up a similar scenario for a potential Brown Act violation.

In addition to one-on-one meetings, phone conversations, and emails, even a group email blast can lead to a serial meeting. A Brown Act violation could occur if there are follow-up email communications by any of the legislative members. Furthermore, regardless of whether an informational email blast between legislative body members is followed-up on or not, the public should have access to the information which was shared in the initial email. For these reasons, City Attorney DeWalt advised against email blasts and recommended that materials be shared in the meeting or through the associated public postings.

City Attorney DeWalt stated that Brown Act violations are misdemeanors, and there are penalties. If the legislative members realize that a Brown Act violation has unintentionally taken place, they can address this and 'fix' this in an appropriate public forum through redoing everything that was shared and communicated in regards to the violation.

City Attorney DeWalt concluded with a statement of general guidance. The public is entitled to have the advisory committee members deliberate in public. As part of our democracy, the public is entitled to provide the advisory committee input. And, therefore, they should have access to all of the communications and information which the committee members have shared between one another.

City Attorney DeWalt thanked everyone for their time and stated that he is always available if anyone happens to have any questions related to the Brown Act.

STAY ON TOP OF IT SWIM PROGRAM

Director Niemer invited Recreation Supervisor Jennifer Moore to provide an update for 'Stay On Top Of It', a program sponsored by the Aquatic Center which provides free water-safety education and swim lessons for the young children of Redding. Commissioner Brennan was instrumental in helping raise the current round of matching funds for 'Stay On Top Of It'. The funding in place at the beginning of the summer was \$8,000 plus \$8,000 for a total of \$16,000. Based on current expenditures, there will be a portion of this funding available for use in the following year as well.

Supervisor Moore thanked everyone for giving her an opportunity to talk about the current status of the program and then proceeded to show a video highlighting the current efforts and objectives of 'Stay On Top Of It'. The video also showed an interview of two of the parents whose children partook in the program as well as an interview with one of the swimming instructors.

Every year the Redding Aquatic Center hosts end-of-the school year parties for thousands of students from the local schools. A significant portion of the lifeguard rescues at these pool parties involve kids who have a desire to be in deeper water but who also require further education and additional swim lessons. Recognizing this as an opportunity to help kids in

particular need of improving their water-safety and swimming skills, the Aquatic Center put together a program to assist in identifying, training, and teaching those kids most at risk.

With the help of local partners like The McConnell Foundation and the Redding Sunset Rotary Club, the Redding Aquatic Center was able to seek matching funds from the National Swimming Pool Foundation to support swim lessons locally. Swim tests are administered. And, a child who needs assistance during the test is given a voucher for swim lessons. Their progress is tracked with a focus on the following water-safety skills: (1) step into water over one's head; (2) after submerging, return to the surface and float or tread water for one minute; (3) turn around in a full circle in order to find an exit from the pool; (4) swim twenty-five yards without stopping; (5) and, exit the pool without using a ladder.

Supervisor Moore discussed how many kids confuse their love of water for their ability to swim. Many kids have a false sense of over-confidence. Many of the kids' parents also have a false sense of security in terms of thinking that their child has already had sufficient instruction and practice when it comes to swimming and water-safety.

During the 2015 end-of-the school year pool parties at the Redding Aquatic Center, fifty-eight kids were identified as at-risk and given swim lesson vouchers. During their swim lessons the kids are then tested again for their basic water-safety and swimming skills. The parents are advised to have their child continue with the swim lessons until all of five of the tests are successfully passed.

The response for the program has been great. Parents and teachers have expressed how grateful they are for having something like this available for the children. As much fun as kids have in the water, there is always a risk. 'Stay On Top Of It' not only teaches improved swimming skills and better water awareness, but also provides a program that pro-actively helps to potentially save lives.

The elementary school breakdown of the fifty-eight participants enrolled in the program consisted of the following numbers from each school. Turtle Bay - 23; Bonny View - 7; Alta Mesa - 7; Mistletoe - 5; Mill View - 5; Cypress - 2; Prairie - 2; Sycamore - 2; Bethel - 1; Big Valley - 1; Columbia - 1; Shasta - 1. In the previous year, Cypress was the school which had the most kids in need of water safety and basic swimming instructions.

Additionally, the Redding Aquatic Center is one of the only facilities in the area that is part of the Red Cross 'Learn To Swim Program'. The 'Stay On Top Of It' program ties in with the centennial year of The American Red Cross' water safety and drowning prevention campaign. Redding has been selected as one of the fifty cities on which they are focusing their campaign this year. In addition to encouraging basic swimming fundamentals, the campaign includes education regarding keeping pools safe, supervision guidelines for overseeing kids when they are in the water, and responding to emergencies such as pulling someone to safety and CPR.

Director Niemer added that the Redding Aquatic Center is the only facility in the community which is Red Cross certified. The requirements of other comparable certification processes are

not as rigorous as those of the Red Cross. The City of Redding actually provides training for members of nearby cities. Lifeguards from other communities such Oroville and Weaverville travel to The Redding Aquatic center in order to earn their Red Cross water safety instructor certificates.

Commissioner Deaton inquired as to the drowning statistics in Redding. Supervisor Moore stated that, on average, ten people drown per year in Shasta County. The Aquatic Center has had one very close call. Fortunately, the life saving techniques provided by the staff and trained bystanders were able to help ensure that the child survived.

Chair Resner inquired as to the breakdown between the percentage of adults and children with respect to the ten drowning per year. Supervisor Moore stated that, in terms of national statistics, the second most common cause of accidental death in children is drowning. For adults, drowning is the fifth most common cause of accidental death.

Commissioner Wilson inquired as to the prerequisite swim tests mandated at the Aquatic Center. Supervisor Moore stated that, from individuals to groups to camps, everyone is required to take a test prior to using the pool.

Supervisor Moore thanked everyone for the support of the Aquatic Center and its programs like 'Stay On Top Of It'.

CONSENT CALENDAR ITEM B (REPORT: PARKS MAINTENANCE ACTIVITY FOR JUNE 2015)

Director Niemer suggested that prior to moving on to the next agenda item, the Parks Monthly Maintenance Report be discussed.

Chair Resner agreed and asked Commissioner Wilson if he would like to talk about the items of interest regarding the Parks Maintenance Report at this time.

Commissioner Wilson stated that in the Parks Maintenance Report for June, given there were nine repaired leaks in the water lines, there is cause for concern regarding a number this high. Director Niemer stated that the Parks Department has been discussing the uptick in pipe breakage and other related issues. While the system is fairly old, the current drought might be contributing to the recent problems. The dry soil is compacted and as a result there is increased external impact on certain locations. Also, given the lower water uses, the water pressure in the pipes has been affected.

Commissioner Wilson stated that, with underground pipes, compaction should always be kept in mind and the change in water flow could cause increased water pressures in different areas of the system.

Director Niemer stated that Parks Superintendent Paul Anderson recently resigned. Commissioner Wilson inquired as to the timeline for hiring a replacement.

Director Niemer stated that Dan Cannon is going to be working in the position on an interim status until a permanent replacement is hired. Dan Cannon has been retired for the last five years; however, prior to retiring, he was the City of Redding's Parks Superintendent for about fifteen years.

Director Niemer noted that she was in the processes of evaluating the needs of the Division with input from the Parks Division staff and is considering some reorganization and restructuring might be undertaken. This will, in turn, have an influence on the qualifications that are required for the new person. Over the last three years, the hiring process has gone very well. The current team in place is really amazing. The group includes a number of young leaders who will be able to help ensure the long term strength and success of the department.

REVIEW OF DRAFT OPEN SPACE STRATEGY

Director Niemer stated that the edits which Commissioner Deaton recommended were incorporated. The original open space strategy document was written in 2003 and passed in 2004, and a number of references have been updated in order to reflect the changes which have occurred in recent years. New sections have been added for Turtle Bay East, Henderson, and Riverland Drive. There are plans to provide more details within the Oregon Gulch section. The purchase and acquisition of the Oregon Gulch Open Space will be one of the stated goals in the document.

There was a meeting with the open space strategy focus group. Commissioner Brennan took part in a portion of this meeting. A number of the new changes in the draft reflect the group's comments and suggestions.

Commissioner Wilson inquired as to if the Hammond Property is going to be included. Director Niemer stated that Parks does not own the property anymore. It could potentially be included as part of the Sacramento River Corridor section.

DROUGHT MEASURES UPDATE

Director Niemer stated that the drought measures and water cutbacks which have been recently implemented by the Parks Division have probably been too much. There are a number of trees that are stressed and at risk of potentially dying-off. There have already been some tree losses. The warm early summer has taken its toll as well. The goal of 36% reduction in water usage might not be achieved as it is not worth the cost of losing the trees, lawns, and other foliage currently at risk.

Commissioner Brennan inquired as to the actual realistic financial penalties that the State of California has talked about if the 36% goal is not achieved. Director Niemer stated that the penalty is \$10,000 per day. But, the extent to which the State will actually enforce this probably has a lot to do with the good faith efforts that are shown by the community.

Mayor Francie Sullivan stated that in meeting with the other mayors throughout the state, regarding the drought, one of the considerations is per-capita use. While Palm Springs is the highest, Redding is one of the higher per-capita users as well. Cities like Los Angeles and San Diego are hitting their targets. Mayor Sullivan has tried to explain in these meetings that Redding has a population spread-out over approximately sixty square miles and has a higher percentage of open land compared to a lot of the more densely populated cities. Additionally, in terms of hitting the 35% goal, if Redding's citizens had a better understanding that the City's parks are at-risk, perhaps this awareness could help in the conservation efforts throughout the community as a whole.

Commissioner Brennan inquired as to the percentage water-usage by the City compared to the total. Director Niemer stated that the City is the largest user and estimated that the percentage is approximately 10% of the total. Commissioner Brennan stated that given the potential costs if trees and lawns are lost and have to be replaced, the community should be made aware of their greater responsibility in terms of hitting the target goal of 36%.

There was a general discussion among the Commissioners, Mayor Sullivan and Director Niemer regarding the need to protect the City's Parks. Given the potential costs involved, the Parks Department needs to try and cutback as much water as it can, but not to a point where there is a legitimate risk of losing the trees and lawns in the Parks.

PROJECT UPDATES

Director Niemer stated that the Henderson Open Space project is progressing well. The California Housing and Urban Development Department recently awarded a grant of \$125,000 for Henderson and Library Park. The portion of the money for Henderson will likely be used to construct a restroom. For Library Park, the grant money will be used to construct a gate and fencing in order to close the park at night, which should help address the illegal camping and littering issues.

The Palisades Trail Project is near completion. The view over the river is amazing. The fencing adjacent to the cliffs is in place. There are some signs, benches, and tables that are going to be installed. But, for the most part the project is close to being finished. Technisoil is going to be used along the trail in order to help prevent erosion. The California Conservation Corps is currently focused on the fires in Northern California. However, once fire season is over, they will assist in the final aspects of the trail construction. Everything should be completed in the fall time frame.

The Freedom Festival went very well. The attendance for the 4th of July was great. Pyro Spectaculars put on an incredible fireworks display. There were no spot fires this year. Jon Thompson oversaw the entertainment. There were two opening country rock bands which led up to more of a concert format by the local band Cattle Rocket. North State Public Radio was brought back this year in order to broadcast the music accompanying the fireworks. The Fire and Police Departments did not have to deal with any major issues. Overall, the Freedom Festival went very smooth and was a successful event.

Commissioner Brennan inquired as to the unexploded ordinances and clean-up. Director Niemer stated that the Fire Department does the initial sweep of the area. Then Officer Bob Brannon with the Redding Police Department has his clean-up crew pick everything-up. The clean-up is usually finished by late morning on the 5th.

Two Boy Scouts and their mother were in attendance at the meeting. There was a brief discussion regarding different projects that the Boy Scouts could do in conjunction with the City. Civic responsibilities and the Boy Scouts' interactions with the community were also briefly talked about.

COMMISSIONER COMMENTS

Commissioner Brennan inquired as to the status of the Bike Pump Park. Director Niemer stated that the project is moving forward. A neighborhood meeting needs to take place in order to help update and inform the local citizens who live near the planned park.

Commissioner Brennan inquired as to the status of potentially using the revenues from Big League Dreams for the Soccer Park field. Director Niemer stated that the request was brought-up with the City Council. However, they did not approve it. The main reason given for declining was that the original budget did not take this into consideration; therefore, if the money was to go to the Soccer Park, funding would effectively have to be taken away from somewhere else in the pre-existing budget plans.

Commissioner Wilson emphasized the need to allocate a sufficient level of funds in order to address maintenance in the Parks. He expressed concern about adding new projects when the maintenance of existing infrastructures needs to be taken into consideration and properly addressed.

Director Niemer stated that the larger capital expenditures such as replacing the playgrounds are the items which are posing a more significant challenge. While a replacement is currently in the works for Kids' Kingdom, the task of trying to upgrade a number of the neighborhood park playgrounds is definitely an issue. Any potential safety concerns are always quickly taken care of and day-to-day maintenance is overall generally being addressed. Nevertheless, more maintenance can always be undertaken.

In terms of existing allocated funds, the money is spread throughout the parks system. With respect to closing some of the more under-utilized parks in order to save costs, the community in general does not want to shut down any of the existing parks. Even if a park is not well used, citizens still want to keep it open and available for future use.

Most of the funding for new projects comes from alternative sources such as grants, fundraising and agreements with housing developers. There are not many grants to fund existing maintenance efforts.

With respect to a lot of the more recent Park projects, the grant-funded trail and open space developments such as Turtle Bay East are relatively very low maintenance. Additionally, in terms of the new parks such as Highland Park, maintenance funding was built into the agreements with the developers and budgeted accordingly for the future.

Commissioner Wilson inquired as to if Farm Camp was over or not. Director Niemer said that Farm Camp takes place the following week.

Commissioner Wilson inquired as to the status of the Dobrowsky House potentially being moved to Henderson. Director Niemer stated that presently there is a proposal into the offices of the State Courts. The Court must approve the application before more work is done on re-location.

Commissioner Wilson inquired as to the status of land along the River Trail and property rights. Director Niemer stated that with respect to property that is within the pre-Shasta Dam high water designated flood lines, this property is considered City Property if it is adjacent to both existing City Property and the Sacramento River.

Commissioner Deaton inquired as to the status of the Grand Jury Report regarding the Soccer Park. Director Niemer stated that the City Council will consider a response at their August meeting. Additionally, after the report, there was a Soccer Park Board Meeting that focused on trying to identify different fund-raising opportunities as well as new funding sources.

Commissioner Brennan inquired as to the lifecycle of the Soccer Park field. Director Niemer stated that the field is playable for at least two more years.

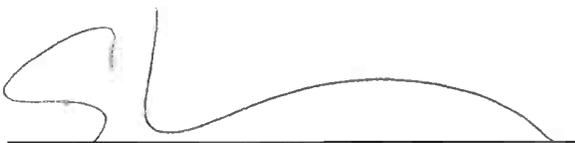
Commissioner Brennan inquired as to the estimated cost to replace the Soccer Park field. Director Niemer stated that, given the lawsuit, specific costs cannot really be discussed by the City. Commissioner Brennan expressed concerns that in potentially two years time, the fields could potentially be dormant if no money is found to replace it.

DIRECTOR COMMENTS

There were no additional comments.

ADJOURNMENT

There being no further business, Chair Resner adjourned the meeting at 5:48 p.m.



Erin Resner, Chair