
CITY OF SUSANVILLE
66 North Lassen Street ♦ Susanville CA
Kathie Garnier, Mayor
Joseph Franco, Mayor pro tem
Mendy Schuster * Kevin Stafford * Brian R. Wilson

SUSANVILLE COMMUNITY DEVELOPMENT AGENCY SUSANVILLE MUNICIPAL ENERGY CORPORATION SUSANVILLE
PUBLIC FINANCING AUTHORITY

Susanville City Council
Regular Meeting ♦ City Council Chambers
May 17, 2017 * 6:00 p.m.

Call meeting to order

Roll call of Councilmembers present

Next Resolution No. 17-5383

Next Ordinance No. 17-1012

- 1 APPROVAL OF AGENDA: (Additions and/or Deletions)**

- 2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS (if any): Any person may address the Council at this time upon any subject for discussion during Closed Session.**

- 3 CLOSED SESSION:**
 - A PUBLIC EMPLOYMENT – pursuant to Government Code §54957:
Public Employee Performance Evaluation: City Administrator
 - B CONFERENCE WITH LEGAL COUNSEL – anticipated litigation pursuant to Government Code 54956.9(d)(2): one
 - C CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code §59456.8:
 - 1 Property: Portion of APN: 107-280-09
Agency negotiator: Jared G. Hancock
Negotiation parties: City of Susanville/Sierra Pacific Industries
Under Negotiation: Price/Conditions/Terms
 2. Property: Susanville Municipal Airport Hangar #37
Agency negotiator: Jared G. Hancock
Negotiating parties: City of Susanville/Experimental Aircraft Association
Under negotiation: Price/Condition/Terms of Lease
 3. Property: APN: 101-270-10
Agency negotiator: Jared G. Hancock
Negotiating parties: City of Susanville/Lassen Community College
Under negotiation: Price/Condition/Terms of Lease
 - D CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:
 - 1 Agency Negotiator: Jared G. Hancock
Bargaining Unit: SPOA

4 **RETURN TO OPEN SESSION:** (recess if necessary)

- *Reconvene in open session at 7:00 p.m.*
- *Pledge of allegiance*
- *Report any changes to agenda*
- *Report any action out of Closed Session*
- *Moment of Silence or Thought for the Day: Mayor Garnier*
- *Proclamations, awards or presentations by the City Council:*

5 **BUSINESS FROM THE FLOOR:**

Any person may address the Council at this time upon any subject on the agenda or not on the agenda within the jurisdiction of the City Council. However, comments on items on the agenda may be reserved until the item is discussed and any matter not on the agenda that requires action will be referred to staff for a report and action at a subsequent meeting. Presentations are subject to a five-minute limit

6 **CONSENT CALENDAR:**

All matters listed under the Consent Calendar are considered to be routine by the City Council. There will be no separate discussion on these items. Any member of the public or the City Council may request removal of an item from the Consent Calendar to be considered separately.

- A Approve minutes from the City Council's April 17 and 19, 2017 meetings
- B Approve vendor warrants numbered 100230 through 100342 for a total of \$330,272.70 including \$102,209.41 in payroll warrants
- C Receive and file monthly Finance Report: April 2017

7 **PUBLIC HEARINGS:**

- A Consider approval of **Resolution No. 17-5368** establishing and adopting Schedule of Fees for Services previously Resolution No. 16-5281

8 **COUNCIL DISCUSSION/ANNOUNCEMENTS:**

Commission/Committee Reports:

9 **NEW BUSINESS:**

- A Consider **Resolution No. 17-5369** authorizing the City Administrator to execute a Utility Agreement for Reimbursement of Costs Associated with Relocation of Fire Hydrants Along Main Street with Caltrans for the State's CAPM Overlay Project No. 02-4F990
- B Consider **Resolution No. 17-5378** approving Mike Engman proposal for Geothermal drain
- C Consider **Resolution No. 17-5379** Finding of Public Convenience or Necessity (PCN) for the issuance of a Type 42, on-sale beer and wine liquor license
- D Consider **Resolution No. 17-5380** authorizing the Fire Chief to sign the agreement with the State of California OES for Haz-Mat team training
- E Consider **Resolution No. 17-5381**, Resolution of Intention pursuant to Streets and Highways Code §36534 approving annual budget and scheduling public hearing to consider setting assessments for FY 2017/2018

- F Consider appointment of 2017 League of CA Cities Annual Conference voting delegate
- G Consider **Resolution No. 17-5382** approving Alliance for Workforce Development Job Placement program and authorizing City Administrator to execute agreement

10 **SUSANVILLE COMMUNITY DEVELOPMENT AGENCY:** No business.

11 **SUSANVILLE MUNICIPAL ENERGY CORPORATION:** No business.

12 **CONTINUING BUSINESS:**

- A Consider **Ordinance No. 17-1011** adding Chapters 8.52 Property Maintenance, 15.09 Neglected Vacant Buildings and 15.10 Abatement of Dangerous Buildings to the Susanville Municipal Code: Waive the second reading and adopt

13 **CITY ADMINISTRATOR'S REPORTS:**

- A Setting date for Fiscal Year 2017/2018 Budget Workshop

14 **COUNCIL ITEMS:**

- A AB1234 travel reports:

15 **ADJOURNMENT:**

- **The next regular City Council meeting will be held on June 7, 2017 at 6:00 p.m.**

Reports and documents relating to each agenda item are on file in the Office of the City Clerk and are available for public inspection during normal business hours and at the meeting. These reports and documents are also available at the City's website www.cityofsusanville.org, unless there were systems problems posting to the website.

Accessibility: An interpreter for the hearing-impaired may be made available upon request to the City Clerk seventy-two hours prior to a meeting. A reader for the vision-impaired for purposes of reviewing the agenda may be made available upon request to the City Clerk. The location of this meeting is wheelchair-accessible.

I, Gwenna MacDonald, certify that I caused to be posted notice of the regular meeting scheduled for May 17, 2017 in the areas designated on May 12, 2017.


Gwenna MacDonald, City Clerk

Reviewed by: JGH City Administrator
_____ City Attorney

Motion Only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted By: Gwenna MacDonald, City Clerk

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Minutes of the City Council's April 17 and 19, 2017 meetings

PRESENTED BY: Gwenna MacDonald, City Clerk

SUMMARY: Attached for the Council's review are the minutes of the City Council's April 17 and 19, 2017 meetings.

FISCAL IMPACT: None.

ACTION REQUESTED: Motion to waive oral reading and approve minutes of City Council's April 17 and 19, 2017 meetings.

ATTACHMENTS: Minutes: April 17, 2017
April 19, 2017

SUSANVILLE CITY COUNCIL
Special Meeting Minutes
April 17, 2017 – 10:00 a.m.

Meeting was called to order at 10:03 a.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joseph Franco and Kathie Garnier.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief and Gwenna MacDonald, City Clerk.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief; John King, Police Chief; Dan Newton, Public Works Director; Deborah Savage, Finance Manager; and Gwenna MacDonald, City Clerk.

1 APPROVAL OF THE AGENDA:

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve the agenda as submitted; motion carried. Ayes: Wilson, Stafford, Franco and Garnier.

2 PUBLIC COMMENT: No comments.

3 CLOSED SESSION: No business.

4 SCHEDULED MATTERS

4A Review letters of interest and consider appointment of applicant to fill vacancy on the Susanville City Council Mr. Hancock explained that with the resignation of Councilmember De Boer, a vacancy was created on the City Council effective April 1, 2017. The California Government Code provides for the filling of vacancies by conducting a special election, or appointment. The City Council voted to fill the vacancy by appointment, and directed staff to move forward with a recruitment. The vacancy was advertised and six letters of interest were received from eligible candidates. Mr. Hancock outlined the proposed process and explained that he would be asking each candidate to select a piece of paper containing a printed number to determine the order in which they would answer the interview questions. The questions would be asked in order with candidate number one answering question one first, candidate two answering question two first, and working through the interview questions in that manner so that each candidate would have the opportunity to answer each question and answer at least one question first. Mr. Hancock invited the applicants to draw numbers, they were seated and introduced to the City Council in the following order: Mary Loflin, Kurt Bonham, Brian Moore, Mendy Schuster, Wayne Jambois and Lino Callegari.

Mayor Garnier thanked the applicants for showing an interest in serving on the City Council. She began the interview process.

Question No. 1

Please introduce yourself and share what you feel makes you a good City Council candidate:

Mary Loflin stated that she is from Susanville, was born and raised and has strong ties to the community. She is a local business owner and has a background in engineering, and has recently retired from her position with the County Public Works Department. She is interested in serving on the City Council with

economic development being of particular interest.

Kurt Bonham thanked the City Council for the opportunity to serve as a Councilmember. Mr. Bonham explained that he served on the City Council from 2006 to 2010, and as mayor from 2008 to 2010. He has maintained his involvement in local government, and brings a strong background in finance, having worked as a municipal auditor for the majority of his career. He noted that some of his accomplishments as councilmember included refinance of the natural gas system, and he brings a unique ability to hit the ground running, and work together to bring about the best result for the community.

Brian Moore explained that he was born in Susanville, and has worked with youth in the community for the past years, and is currently working as the administrator of the group youth home. He has budget experience, with taking the group home budget from \$12,000 to \$200,000 annually. He would bring a fresh perspective to the City Council and he thanked them for the opportunity to be considered.

Mary Schuster stated that she is from Susanville, and that her grandparents moved here in the 1940's. She was raised here and has also raised her family here. She is retired now, and worked for the Lassen High School District and Lassen College, also serving on the Site Council for Meadow View and Diamond View schools. She has noticed that the sense of community has begun to dissipate in Susanville, and then at Christmas attended the Magical Country Christmas event, and that restored her faith in the town's community spirit. She added that she is very committed to promoting economic prosperity and community pride.

Wayne Jambois explained that he worked for the Post Office for 28 years, and has taught gun and hunter safety and served on the Fish and Game Commission for 13 years. He has been a member of the Susanville Planning Commission since 2000 and has a strong sense of community service. Mr. Jambois stated that he was very impressed with the caliber of the candidates who were applying for the vacant seat on the Council, and that it is encouraging to see so many people who care about the future of the community.

Lino Callegari stated that he was born in Lassen County, served in the military and then came to Susanville after the Korean War. He played football for Lassen College, and then went to work for the Lassen County Road department. He went into law enforcement and worked for the Sheriff's office until 1986. After retiring from law enforcement he went to Lassen College and was in charge of the criminal justice program. He brought a driver's training program to the college, and has always been a person who saw what was needed and then worked to make it happen. He served 26 years on the City Council, and thanked the Council for the opportunity to put his name in the hat to fill the vacancy.

Question No. 2

What types of relationships would you like to develop with the Council, City Administrator, Department Heads and City staff and how would you establish them:

Mr. Bonham stated that staff is critical, and while the City Councilmembers sit on various boards and commissions as Council representatives, it is the staff who does the day to day work and developing a relationship with those professionals is very important in order to keep moving forward. Serving on the Council is a big time commitment, and developing a unified voice between Council and staff is necessary to present to the community.

Mr. Moore explained that he has a good working relationship with his colleagues, and sets about to get to know them on a personal and professional level in order to build the team spirit that is necessary for success.

He added that the most important aspect to building successful relationships is mutual respect.

Ms. Schuster stated that in her work at the High School and College, she was successful in building positive relationships with everyone that she needed to, adding that being a good listener, remaining open minded and possessing good communication skills were all a part of her success in building positive relationships.

Mr. Jambois explained that in his job at the post office, he spent 28 years communicating with all kinds of people, every day, and he very much enjoyed that aspect of his career. It starts with mutual understanding, listening, and when problems do arise, solving them in a professional and respectful manner. He stated that he understands the perspectives of other people, and has found it to be a good starting point when dealing with others.

Mr. Callegari stated that the council and staff work as a team, and there will be differences of opinion and disagreements, but it is always important to be professional. The Council needs to understand that its job is not to micromanage, and to let the professional staff do their jobs. As a former detective and background in law enforcement, he had the opportunity to talk with people from all walks of life, and getting cooperation during the investigative process is the key to success, and it is important to remember that people are the city's greatest asset.

Ms. Loflin advised that her approach would be bring staff and council together as a unit and focus on understanding and communication. She explained that she enjoys listening to people, and having the opportunity to discuss problems, and she relates well with others.

Question No. 3

Are you familiar with the Brown Act and your responsibilities regarding confidential information and how would you respond to requests for information.

Mr. Moore replied that he is familiar with the Brown Act, and in his capacity as group home administrator and working with kids, he is very much aware of the importance of confidentiality, and not disclosing details or information about confidential topics. It is something that he deals with daily, and if asked for confidential information, he would turn the request over to the Administrator or Legal Counsel for assistance.

Ms. Schuster stated that she is familiar with the Brown Act and her job at Lassen College was considered to be a confidential position as she dealt with human resources, personnel and other confidential information.

Mr. Jambois explained that in his capacity as Planning Commissioner he has had the opportunity to take the ethics training that includes a segment pertaining to the Brown Act, and if there were any questions regarding information that was requested, as a Councilmember he would defer to the City Administrator to follow up on those requests.

Mr. Callegari responded that as a Councilmember for many years, he is very familiar with the Brown Act and the importance of maintaining confidentiality, and limiting the dissemination of information to one person, the City Administrator. The Administrator has been directed by the Council and advised by the attorneys as to what types of information can be shared. As a Councilmember, a person can give direction but never information.

Ms. Loflin answered that she was familiar with the Brown Act in her capacity with the Lassen County Road

Department, and that it is important to not release information or give advice. She would rely on legal assistance in handling that type of situation.

Mr. Bonham responded that he has taken Brown Act training and understands the confidentiality required by the Government Code. It is a simple concept: if it is discussed in closed session, it cannot be talked about. Any information that is legally shared from closed should come as a report out of closed session in the public meeting, by direction of the Council. Regarding a situation where a councilmember is asked for information, he stated that it was acceptable to share an opinion about a topic, but a councilmember should never be sharing information.

Question No. 4

What do you consider to be the three biggest challenges facing the City in the next five years.

Ms. Schuster replied that infrastructure, including streets and water system, and addressing the needs to repair both of those structures is a challenge. With State funding being limited, it is falling more on the people to fund those repair and maintenance costs, and it is a big expense.

Mr. Jambois stated that he agrees with Candidate Schuster, that water, roads, and how the City is going to fund those upgrades is a big challenge. Providing recreation opportunities for the youth in the community, including parks and open space is also important, as there seems to be limited things for young people in the community to do.

Mr. Callegari stated that the water system, getting the Cady Springs tank up and into the system, and improving on the jobs for young people to keep them in the community are all big challenges for the City.

Ms. Loflin explained that jobs, infrastructure, and the need to bring industry and increase tourism are all ways that would result in more money in the community to fund the improvements.

Mr. Bonham discussed the budget, and the importance of bringing jobs into the community. He stated that the annual revenue has not grown since his time on the City Council, and the revenue is needed in order to keep up with the increase in expenses to fund streets, public safety, and those types of services. The City needs a plan to bring to the community, because they just won't show up. He supports the concept of a three year rotating budget that provides for short and long term goals and spending.

Mr. Moore described the challenge of public safety and the overwhelming amount of drugs and crime in the community. He stated that he is speaking from his position in working with troubled youth, and the age in which young people are becoming involved in drugs and substance abuse is younger and younger, and it is not uncommon to see children as young as 12 or 14 selling drugs. That is unacceptable, and expanding the funding for law enforcement programs and providing positive activities for the youth is very important.

Question No. 5

What do you feel have been the City's most significant accomplishments in the last five years.

Mr. Jambois replied that staff selection, including the members of the City Council, has been a huge accomplishment. The City has terrific individuals who are very qualified professionals leading the departments and City, and that has brought about a positive change that did not exist several years ago. He has an opportunity to work with many members of the community, and the level of decorum and mutual respect that the City staff has with the public is very positive, and he hears a lot of positive feedback

regarding those interactions.

Mr. Callegari stated that cleaning up the City, and cleaning up the negative attitude about the City, has been a big accomplishment. It is a work in progress to clean up some of those blighted areas, but the City has moved in a positive direction since the Mill closure, and it is important to continue moving forward with the promotion of the City. HUSA does a good job of promoting the uptown, but we need to promote the whole town in order to attract more people.

Ms. Loflin stated that she sees some of the accomplishments as having a swimming pool, the number of road improvements that have occurred over the past year, and the City needs to keep on that positive track by encouraging community pride and economic development.

Mr. Bonham stated that he considers the refinance of the natural gas system, which has resulted in an affordable rate for the customers, as one of the City's biggest accomplishments. Combining the refinance with the water system allowed that to move forward and from a fiscal standpoint it has had a huge impact on the City's budget.

Mr. Moore responded that the biggest accomplishment he sees is in the middle of town, where there are several new businesses, a shopping center with new businesses, and the positive community relations that are promoted by the fire and police department. The community outreach events that those departments have with open house at the fire hall and those events are very positive and important.

Ms. Schuster agreed with Mr. Moore, stating that the new businesses, the relocation of Rite Aid, and those midtown improvements have been very positive. She assists with events such as the fishing derby, and the community support for those youth-oriented events is terrific. The golf course is also a benefit to the community and while she does not golf, she has family who does and they have given positive feedback about the condition of the course.

Question No. 6

What do you consider to be the three most significant opportunities for the City in the next five years.

Mr. Callegari responded that employment opportunities to keep young people in the community are important, and support of those agencies that employ a lot of people such as BLM, the Department of Corrections and Herlong is important. Schooling, education, and supporting the programs at Lassen College that will bring people to the community who will stay and raise their families here is important. He discussed tourism opportunities in the area, and the need to attract more visitors to the community.

Ms. Loflin supported the tourism concept, and stated that bringing people through town to the attractions that are unique to our area, such as Eagle Lake, Lassen Volcanic Park, the Bizz Johnson Trail, as well as ball fields for hosting large sporting events, are all terrific opportunities. She stressed the importance of tourism and marketing in the area in order to increase visitors as ways to increase revenue that will benefit the community.

Mr. Bonham remarked that it will sound redundant, but he agrees with Mr. Callegari and Ms. Loflin, that tourism is a very important opportunity for the community. It is a wonderful community, and for those that did not grow up in Susanville, others came here and made their homes here for a reason. We need to sell ourselves to the rest of the world, because most people do not know about Susanville and what it has to offer. This is a place that can draw a lot of people and marketing opportunities are really only limited by

imagination, and of course being mindful of budget.

Mr. Moore stated that he is always focused on the youth, but he supports family programs, and opportunities such as the Fire and Police Explorer programs that will provide an opportunity for the youth to get interested in a career in those fields. Attracting businesses and bringing jobs for people is important, but it has to include opportunities to provide the youth so they will be encouraged to stay in the community and raise their family here too.

Ms. Schuster discussed the opportunity for business, citing the example of the success of Lassen Ale Works. They came to town, saw a good business market and now have expanded their operation to a second location. Advertising events such as the Bizz Johnson marathon that expands every year, is very important, and taking advantage of those opportunities is going to build on the success of those events that have already proven to be very popular. She suggested going to the schools, and asking for an essay of what it is that the youth enjoy about living here, as a source for ideas on what to expand upon.

Mr. Jambois explained that he believes promotion of small and tech businesses and then creating recreation opportunities for those people is important. It may be hard to compete with other areas of the country, such as Texas, but Susanville offers a unique opportunity for smaller business and the type of professionals that would enjoy living in a rural environment. There are few places in California that offer the variety of recreation opportunities that are available in our region, and that should be developed and expanded through marketing. It is also a good retirement destination and there are more people moving here every year for that reason.

Question No. 7

Do you have any special interest or potential conflicts of interest.

Ms. Loflin discussed her involvement with physical education programs, dance and modeling classes that she has facilitated over the years, and stated that her position as owner of New Image Fitness and Racquetball Club would not create any conflicts of interest with her responsibilities as Councilmember.

Mr. Bonham stated that he is involved with Veterans groups, but he is retired and has no business dealings in the community or with any members of staff that would create a conflict.

Mr. Moore responded that he does not have any conflicts of interest that he is aware of.

Ms. Schuster explained that she has interest in the improvement of the physical environment of the community, in a more open way to communicate with the public, such as a fact sheet or question and answer link on the City's website. She has no business dealings that would create a conflict of interest if she is appointed to the City Council.

Mr. Jambois stated that he is retired and has no potential conflicts with serving on the Council.

Mr. Callegari discussed various projects that he is interested in, including bringing dialysis to the community. He is in support of bringing a center to Susanville to accommodate the needs of many people who are faced with driving to Reno and often times giving up other necessities in order to accommodate going to get their treatment. As a retiree, he has no conflicts of interest with sitting on the Council.

Question No. 8

Is there anything else you would like to share about yourself or the answers you have given.

Mr. Bonham congratulated the other applicants on their interest in serving on the City Council, and stated that any one of them would do a great job in representing the citizens and he did not envy the City Council in having to make this choice and select only one to fill the vacancy. He added that he is very qualified to serve, has the experience and stated that he works on principles, and not an agenda. It is a short 14 month assignment, and he could hit the ground running, having the past experience and knowledge of many of the current as well as past issues. He thanked the Council for their consideration.

Mr. Moore thanked the Council for the opportunity to apply for the position, adding that he does not have the experience that some of the other candidates have, and his focus is all on the youth of the community. He stated that he would bring a fresh perspective and a commitment to the betterment of the community.

Ms. Schuster stated that her grandson is the sixth generation of her family to grow up in Susanville, and she is very committed to the people of the community and making it a better place for everyone. She thanked the Council for their consideration.

Mr. Jambois remarked that he has dedicated the majority of his life to being a public servant, through his career with the post office and his service on commissions. He has always enjoyed working with the public, and he stated that he also did not envy the City Council for the choice before them, and was proud to be among such a fine selection of qualified people for the position. He thanked the Council for the opportunity.

Mr. Callegari discussed the contributions and dedication of past councilmembers, and what it means to a community to have so many qualified people who are willing to contribute to the betterment of all the citizens. He thanked those who applied to serve on the Council, and thanked the City Council for their consideration. He acknowledged that they have a very hard decision to make.

Ms. Loflin shared her vision of improvements to the quality of life in the community and important milestones, such as bringing back the community swimming pool. She stated that she is excited about the future and now that she is retired, is hoping to dedicate more time to the community where she has strong family ties, and an interest in economic growth and prosperity. She thanked the City council for its consideration.

Mr. Hancock stated that with the conclusion of the interview portion of the meeting, it would be appropriate to turn the floor back to the City Council to share comments, ask questions, and invite any question from members of the public that they may have for the candidates.

Mayor Garnier thanked the applicants, and acknowledged that this decision of appointment to fill the vacancy would be her hardest decision to date as a city councilmember. She invited questions or comments from the City Council.

Councilmember Stafford stated that he would recommend the appointment of Mendy Schuster to the City Council.

Mayor pro tem Franco indicated that he would recommend the appointment of Kurt Bonham.

Councilmember Wilson stated that this is a very difficult decision, and he does not know Ms. Schuster, but she did an excellent job in the interview. He hears a recurring theme from citizens and that is that they want

a change, and he would support the nomination of Ms. Schuster for the position.

Mayor Garnier stated that she would support the appointment of Mr. Bonham, based upon his experience and positive contribution he could make to the City based upon his fiscal background.

Councilmember Wilson agreed, stating that Mr. Bonham brings financial background as well as institutional knowledge that would be valuable, and his estimate of the time involved in serving on the Council was accurate so he knows what to expect. On the other hand, Ms. Schuster brings a fresh perspective so not having been on the Council is a positive, and some of the answers that she gave really resonated with him.

Mayor Garnier stated that she appreciated all of the candidates and the qualifications of each person has made this decision very difficult. Ms. Schuster is a positive person who seems to be looking towards the future of the community and she has a good background and would bring a unique perspective and point of view to the Council.

Mayor pro tem Franco commented that he would be brutally honest regarding Mr. Bonham, that at times, he is not the most positive person but he brings wisdom, insight, experience, and he can hit the ground running and make a real contribution with the time that he has. He served before, and there is a steep learning curve on the Council, and with the positive approach that the City has taken over the last several years, he is confident that Mr. Bonham would be on board with those positive changes.

Mayor Garnier agreed that Mr. Bonham offers a strong fiscal background which is a positive and the City's need for increasing revenue is huge. Ms. Schuster brings a creativity and fresh ideas and seems to speak from the heart regarding the community. She stated that while the councilmembers do not always agree with one another, at this time she is in agreement that she would support Ms. Schuster's appointment.

Motion by Councilmember Stafford, second by Councilmember Wilson, to appoint Mendy Schuster to the fill the unexpired term of office through June 2018; motion carried. Ayes: Wilson, Stafford, Franco and Garnier.

At 11:48 p.m., Mayor Garnier called for a five minute recess prior to consideration of the next item.

The City Council reconvened at 11:58 p.m.

4B Consider approval of Resolution No. 17-5374 amending agreement with the Honey Lake Valley Recreational Authority for Management, Administration and Operational Services Mr. Hancock explained that the item is related to the agreement that the City has to provide administrative and management services to the Honey Lake Valley Recreational Authority (HLVRA). The JPA asked that the City revise the agreement to also include the provision of operational services for staffing and to get it off the ground and running. There is a lot involved with human resources and other items to consider when having employees and the coordination of that process is a duty that the City would assume by way of contract amendment.

The attached agreement had been reviewed, and there were minor modifications including: the areas referencing administrative and management duties also include the word operational. Section 5 addresses a mechanism by which if the JPA is not satisfied with the services or individuals providing those services, either the Executive Officer, Secretary or Pool Director/Manager, they can request that the City make a change in that staff person who has been assigned to those duties. The section regarding workers

compensation has been modified, and the second related to termination of the agreement now requires 90 days' notification. Staff is requesting comments and feedback from the Council regarding any language changes or other items, and the JPA will be meeting Tuesday to review the agreement, and then it can be brought back to the City Council at the regular meeting on Wednesday.

Mayor pro tem Franco asked if the staffing responsibilities would be just for the initial hiring of the personnel or if the City would continue to provide oversight and supervision, and if that includes the pool manager position as well.

Mr. Hancock confirmed that it did include performing those tasks for the JPA as part of the operational duties.

Councilmember Wilson stated that the City will be assuming responsibility for the operations and it is set up so that it gives the JPA the opportunity to take that on in the future if it so chooses. There is no cost involved and if anything it provides an opportunity to see a cost savings on the annual contribution that the City makes to the JPA. There have been discussions regarding the fact that Jared would eventually be stepping back, and he asked if there was an idea of what that would look like.

Mr. Hancock responded that there are some key milestones that need to be met, and some kinks to work through in the beginning of the operations phase, but there would not be a requirement for him to be the Executive Officer once there is someone else on staff who can be brought up to speed. That is something that can be worked on with the Council moving forward.

Mayor Garnier noted that the amendments are structured so that it is not engraved in stone and can be changed at some point in the future.

Mr. Hancock responded that it absolutely could. There is a lot of work to put the operations in place with a personnel system, job descriptions, trainings, and getting things scheduled on the front end. This will allow the JPA additional time to see how the arrangement works by contracting with the City and maybe in the future they will elect to contract with the County, or have their own staff working for the JPA. They will have the opportunity for all of the information and documents that the City will prepare to become their possession and that will also assist in the transition.

Mayor pro tem Franco commented that it makes it difficult for those not on the Board to make those decisions without some of the insight, and he appreciates any of the information that the representatives have to share with the Council. It is important, especially if the City is taking the lead role, to have as much information as possible.

Councilmember Wilson stated that we have been very fortunate to have Jared get us to where we are now, and to finish that up but at the same time, the City has other needs and his time is valuable and once the JPA gets to a certain level we need to free him up and get him back to working on more City business.

Mayor pro tem Franco asked Mr. Hancock who would be stepping in to take the lead when he begins to back off on those responsibilities.

Mr. Hancock responded that the role up until now has been focused on contract management, all of the agenda preparation and minutes, moving through the stage of JPA creation, construction, getting the facility open, and inherently a lot of those duties will be reduced once we enter into the operational phase,

so there will be a reduction in the time commitment needed for the executive officer.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 17-5374; motion carried. Ayes: Wilson, Stafford, Franco and Garnier.

5 ADJOURNMENT:

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to adjourn; motion carried. Ayes: Wilson, Stafford, Franco and Garnier.

Meeting adjourned at 12:11 p.m.

Respectfully submitted by

Gwenna MacDonald, City Clerk

Kathie Garnier, Mayor

Approved on: _____

SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
April 19, 2017– 6:00 p.m.

Meeting was called to order at 6:00 p.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joe Franco, and Kathie Garnier.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney and Gwenna MacDonald, City Clerk.

1 APPROVAL OF AGENDA:

Mr. Hancock requested an amendment of the agenda to include a revised Item 12A, and to swear in the newly appointed councilmember, Mendy Schuster.

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to approve the agenda with the amendments requested; motion carried. Ayes: Wilson, Stafford, Franco and Garnier.

The City Clerk administered the Oath of Office to Armenda "Mendy" Schuster. Councilmember Schuster took a seat at the dais.

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: No business.

3 CLOSED SESSION: At 6:03 p.m. the Council entered into Closed Session to discuss the following:

- A CONFERENCE WITH LEGAL COUNSEL – Existing litigation pursuant to Government Code §54956.9(d)(1):
 - 1 Superior Court of Lassen County Case #59508 Rebecca Saylor vs. City of Susanville; City of Susanville Department of Public Works
- B CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code §59456.8:
 - 1 Property: Public Road and Utility Infrastructure for subdivision in Wood Duck Court
 - Agency negotiator: Jared G. Hancock
 - Negotiation parties: City of Susanville/Al Robbins
 - Under Negotiation: Price/Conditions/Terms
 - 2 Property: APN #103-340-02
 - Agency negotiator: Jared G. Hancock
 - Negotiation parties: City of Susanville/Ralph Sanders
 - Under negotiation: Price/Conditions/Terms
- C CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:
 - 1 Agency Negotiator: Jared G. Hancock
 - Bargaining Unit: All Units

4 RETURN TO OPEN SESSION:

At 7:06 p.m. the City Council reconvened in Open Session.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief; Dan Newton, Public Works Director; John King, Police Chief; Deborah Savage, Finance Manager; Craig Sanders, City Planner and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that prior to Closed Session, the City Council approved the agenda with an amendment to include swearing in of Councilmember Schuster and a revised Item 12A, which had been distributed to the City Council and made available to the public. In Closed Session, the City Council gave direction but there was no reportable action taken

Councilmember Wilson offered the Thought of the Day.

Mr. Hancock announced that the City has had a rare opportunity to fill a vacancy on the City Council. The Government Code provides that vacancies can be filled by appointment or by scheduling a special election. The remaining term of office is for fourteen months, and due to the costs of conducting a special election, the Council opted to make an appointment. A recruitment was conducted, and a special meeting held on April 17, 2017 to interview the applicants. The Council was pleased with the response and caliber of applicants, and any one of the 6 that were interviewed would have done an excellent job in representing the City. The Council voted to appoint Mendy Schuster, who brings a valuable background and qualifications to the position, and she was sworn in and seated prior to closed session on April 19th. Mr. Hancock added that he had the opportunity to spend a few hours with Ms. Schuster to bring her up to speed on various City issues, and he is pleased to welcome her to the City Council.

Mr. Hancock explained that it is a night of introductions, and he welcomed the opportunity to introduce several new City employees and recognize the great work that they are doing on behalf of the City. He introduced Dow Davis, Parks and Facilities Maintenance Supervisor. Mr. Davis has been with the City since 2016, and has accomplished a lot in a short amount of time. He has a background in the construction industry and brings a great breadth of knowledge to the position, having the skill set to complete a lot of projects in house. The storms and flood events of the past winter have created a lot of additional work and Mr. Davis has been instrumental in getting the City's park spaces and facilities back in shape.

Mr. Hancock introduced Alan Hoover, Golf Course manager. The City decided to take advantage of the frequency of winter play at the golf course, and keep a manager on throughout the winter season. This year with the storms and weather, there has been diminished winter play, however Mr. Hoover has been able to work with the maintenance crew and help get caught up on projects and maintenance issues that have been an improvement to the facility. Mr. Hoover brings over a decade of experience with managing private and municipal courses, and he looks forward to the continued good work that Mr. Hoover has accomplished at the golf course.

Mr. Hancock introduced Anthony Hanner, Building Official. Mr. Hanner is from the Redding area, and worked as the construction supervisor for the Rite Aid project. He spent a lot of time in Susanville last summer, and has an extensive background in the commercial construction field. The City has received a lot of positive feedback regarding Mr. Hanner's work. The City has retained a contract Building Official who has worked with Mr. Hanner to continue moving forward with some of the larger projects.

Mr. Hancock introduced the newest employee in the Administrative Services Department, Quincy McCourt. Mr. McCourt has been hired to the position of project manager, and he brings a background in construction and project management. His parents are well known in the community, and he has been thrown into the

middle of five to six large projects and is working very hard in his first weeks in the position to get up to speed.

5 BUSINESS FROM THE FLOOR:

Tom May stated that he has lived in the community for 20 years, and over the past several months he has become increasingly concerned with crime in the community. He knows people who have had automobiles stolen, and he cited several examples of burglaries and theft in the community. He stated that those perpetrating the crimes have guns now, and it is going to reach epidemic levels if something isn't done soon.

Daren McBroome, Lassen Crime Stoppers Board member, explained that the board recently held the first fundraiser for the Crime Stoppers program. The program has been a success, and the tip line has been working very well. He would like to request that the vendor fee of \$165.00 for a vendor booth for the next fund raiser be waived by the City.

Chief King explained that the fee was related to the Alcoholic Beverage Control application and the City does not have the authority to waive another agency's fees.

Jim Reichle spoke about issues related to blight in the City, specifically the Main Street corridor. He noted that the ordinance on the agenda for consideration related to property maintenance was a positive thing, and it can be related to crime in that the dilapidated and run-down properties increase the perception that nobody cares, and that nobody is watching which thereby increases crimes in the community. He supports the ordinance.

6 CONSENT CALENDAR: Mayor Garnier reviewed the items on the Consent Calendar:

- A Approve minutes from the City Council's March 15, 2017 meeting
- B Approve vendor warrants numbered 100034 through 100127 for a total of \$231,320.25 including \$99,857.07 in payroll warrants
- C Receive and file monthly Finance Report: March 2017

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve the Consent Calendar; motion carried unanimously. Ayes: Wilson Stafford, Franco, Schuster and Garnier.

7 PUBLIC HEARINGS: No business.

8 COUNCIL DISCUSSION/ANNOUNCEMENTS: None.
Commission/Committee Reports:

9 NEW BUSINESS:

9C Consider Ordinance No. 17-1011 adding Chapters 8.52 Property Maintenance, 15.09 Neglected Vacant Buildings and 15.10 Abatement of Dangerous Buildings to the Susanville Municipal Code: Waive the first reading and introduce Mr. Sanders explained that the ordinance for consideration before the City Council was brought a few months ago as a draft for preliminary review. The ordinance involves amendments to various sections of the Susanville Municipal Code. Some revisions are relatively minor, such as Chapter 1.12 which deals with fines that may be levied for violations to the ordinance, and that is reflective of an update in the Government Code which sets fine limitations for Cities and Counties.

The second section is Chapter 10.22, which deals with abandoned vehicles. The current definition of abandoned vehicles requires only that the vehicle have current license and registration even though it may not have turn signals, wheels or tires, and those types of things necessary for the vehicle to be operational. The definition is being expanded to require that all elements that would typically be found on an automobile to operate on the road, along with the title and registration, are required.

The new section of the ordinance, the Property Maintenance section, is proposed to address buildings that are unsafe, dangerous, dilapidated, cluttered with weeds and rubbish, vehicles, machinery, trash in the front yard, or the rear yard if the accumulation is such that it creates a health and safety issue, and those types of nuisances. In addition, the proposed ordinance also deals with the way that buildings themselves are maintained, whether it be a significant amount of peeling paint, faulty weather protection, fences that are broken or falling down, porches or other elements of the structure that are unsafe, dilapidated, and unsightly. Section 52.30 addresses litter, debris, abandoned personal property that could include boxes, paper, trash, junk, and other items that may not necessarily fall under the current section 8.32 which is weeds and household garbage. Since the City does not currently have mandatory trash collection, some residents will bag garbage and leave it in the yard, and currently the Fire Department is charged with addressing those violations.

Mr. Sanders continued to explain that the proposed ordinance goes beyond that to include items that do not fall into that category. There are several properties who fall under that classification in the City. Things like abandoned equipment, old tires, and items that people may think they will use one day, but it is allowed to accumulate to a point where it is unsightly and in some cases poses a health hazard. There is also a section addressing the parking and storage of vehicles on the property. There are instances of storing trailers, snow mobiles, wood splitters, and not just in the driveway, but in the front yard where the lawn area would be. Or, the driveways are filled with so many items that they cannot use it for parking, or access the garage. Additionally, the parking and storage of larger vehicles is addressed, and the ordinance sets the limit to a size of 25 feet in length, 8 feet high and 90 inches wide, and require that it be parked on some sort of paved or gravel surface, depending on the requirements in place at the time the residence was constructed.

Mr. Sanders explained that with the adoption of this enforcement, the City is looking at the enforcement procedures and since these issues and violations are going to be viewed as a public nuisance, is proposing to streamline the way that a public nuisance is enforced. Mr. Sanders referred to a table in the report that compared the current enforcement process with the proposed revisions. Currently, the City does not issue a formal advanced warning notification. People are provided with a courtesy notice and it has to be referred to the City Administrator and City Attorney, and they have to independently review and agree that a nuisance exists, the City Attorney issues a nuisance abatement followed by a cease and desist order if they fail to comply within the time period. This process can run between 3 and 4 months before getting to the point of conducting a hearing.

The ordinance proposes to streamline the process by authorizing any City official such as the Building Official, Fire Chief or Code Enforcement officer to issue an initial notification, and give the person in violation 10 days to address the concerns, and if they are not addressed within that time frame then a Notice of Intention to Abate would be issued. Under the current remedies, fines are the only option to deal with non-compliance. If they do not pay the fine, then the City is authorized to lien the property. Under the proposal, once the City issues a Notice of Intention to Abate, the notice includes a hearing date at which time the Hearing Board, which would be the Planning Commission, would consider the facts, and set a formal

nuisance abatement order that will be in effect for one year. The property owner may clean up the property, but if there are subsequent violations within that year, then the City would not have to go back through the process again. If they do not clean up the property, then the City has the authority by way of an administrative warrant, to go onto the property and clean it up, or hire a contractor and bill the property owner. There are three options for enforcing payment of the bill; either lien the property, force the sale of the property or have it attached to the property tax which may provide a more immediate form of payment that can ultimately be forced or collected upon within 3 years.

Mr. Sanders continued, explaining that Chapter 8.40 discusses the administrative citation procedure which is regulated by the Government Code and requires that the person be given a reasonable period of time to abatement the nuisance. The City cannot go out and issue a ticket and assess a fine within first discovery of the problem. The cost of the citation would be \$100 for the first violation, \$200 for the second, and \$500 for the third, within a one year period. People who issue the citation have to be authorized to do so, and currently the Fire Chief, Building Official or any Police Officer is authorized to issue a citation.

Mr. Sanders explained that the other sections address vacant and abandoned buildings. There are a lot of vacant structures, some are boarded over, some are unsecured, and they really do create issues of blight within the City. The ordinance requires that the buildings not just be boarded over, but that a standard is set for securing that creates a secured, locked structure, with the purpose of it not being abandoned and boarded over forever. The ordinance proposes a six month time limit and after that time, the owner has to actively maintain the building by making sure it is painted, the vegetation and landscaping is cut and it does not become overgrown and unsightly, and it remains as inconspicuous as possible.

In order to address situations where six months may not work, the ordinance proposes enrollment in a program that has been used successfully in other jurisdictions whereby the property owner enrolls in a program and pays \$250 per quarter in order to have a building that remains vacant. It provides a mechanism for the City to be able to be aware and monitor those structures and make sure they remain secure and maintained. Hopefully this will provide an incentive to building owners to decide that it is not worth leaving their buildings vacant, and will encourage them to do something with it. The last section of the ordinance deals with unsafe or dangerous buildings, and is a codification of what the Council has previously adopted.

Mayor Garnier asked if the vacant building section covers both commercial and residential structures.

Mr. Sanders confirmed that it does.

Mayor pro tem Franco stated that in the past, there has been discussion regarding sheds, asking how the ordinance would address that problem.

Mr. Sanders stated that it was added as per the discussion at the last meeting, and it is listed in Section 8.52 as accessory structures.

Mayor Garnier asked if the ordinance covers the care and keeping of animals.

Mr. Sanders responded that it does not deal with animals with the exception of not allowing animal carcasses to be on the property.

Mr. Hancock interjected that the section addressing animals is 8.52.30 which refers to an accumulation of animal waste or the presence of animal carcasses.

Councilmember Wilson mentioned that the Abandoned Vehicle JPA which is the City and County board, is basically defunct. He asked for confirmation that this was a true statement.

Mr. Hancock explained that the City and County formed a JPA for abandoned vehicles and they have not met in quite some time. There is a current balance in the fund of approximately \$100,000 and the money is generated by a \$1.00 charge as part of vehicle registration costs. The County voted several months ago to discontinue collection of the \$1.00 until such a time as the fund has been spent down. The JPA has not met in over two years.

Councilmember Wilson asked if the JPA should get together and meet in order to get the program up and running again in support of this proposed ordinance.

Mr. Hancock responded that it would be a different program, but if the City wanted to utilize it as an additional mechanism or tool in support of the property maintenance ordinance it would be worth putting out a request to the County to schedule a meeting to discuss.

Councilmember Wilson asked where they needed to be parked, noting that the majority of the people will likely be in favor of this ordinance, but he speculated that many may find themselves in violation of this section. Regarding the section addressing boarded up buildings, he stated that he does not think that a building owner should be allowed to board up their building for years and years, and just pay a \$1,000 per year fine. They will never have to address the problem and then whoever lives in the neighborhood has to live next to a boarded up building.

Mr. Hancock suggested establishing a maximum time limit to participate in the program.

Mr. Sanders responded that the time limit had not been established, and he was unsure if there were any legal limitations on what the City is able to establish.

Councilmember Wilson stated that he understands if there is a situation such as a fire, where the owner is waiting on insurance proceeds, or whatever the situation may be, but to board it up continually with no intention of doing anything with it should not continue for so little money.

Mr. Hancock proposed that the Council could consider two options, either increasing the amount of money that is charged for participation with the vacant building program, or put a time limitation of 18 or 24 months where they could actually participate.

Mr. Sanders suggested that another option is to limit the time that you can participate under certain circumstances, such as a fire. At other times, it would just be required that the property be actively maintained as it is defined in the ordinance in order to keep the property looking the way it should.

Councilmember Wilson asked if compliance with the ordinance is going to be primarily complaint driven, or is there going to be another mechanism driving it to ensure that it is enforced fairly.

Mr. Sanders responded that there would be a triage style process, where the City would look at the worst properties and address those first. With the limited staff and resources, it is not likely that it can be unilaterally enforced all at one time.

Mayor Garnier asked if someone could complain anonymously.

Mr. Sanders responded that the Department has a process in place for citizens to make a confidential or anonymous complaint. The City has a form that people can fill out and there is a link on the website and the person can indicate if they want to be contacted about the process or if they wish to remain anonymous. In addition, if staff sees something while they are out in the field, then the violation is reported; it is not restricted to a complaint-only enforcement process.

Mayor Garnier opened the floor and requested comments from the public that wanted to speak regarding the ordinance.

Helen Leve stated that she has lived in Susanville for over 40 years, and there are things that can be done by the City to improve the appearance of properties in town. While there are a lot of people of modest means in the community, that does not excuse uncleanness. Ms. Leve read from a letter, offering suggestions for methods to implement increased compliance, including letters to property owners, personal visits to the property, liens against non-compliant properties, implementation of community clean up events, free trash days, and the pursuit of block grant monies for repair and clean-up projects. Landlords, business owners and bank-owned properties should be included in these efforts as well.

Marshall Leve agreed with the comments made by Ms. Leve, and stated that events like the annual fall leaf collection program are effective, and suggested implementation of a few more similar events throughout the summer so that people could haul green waste. Events like free-tire day at the landfill are also opportunities for people to haul away items at no cost. He is pleased that the City Council is considering the ordinance to eliminate blighted neighborhoods.

John Larivee asked if the size restriction on parking trailers under 25 feet included recreational vehicles.

Mr. Sanders responded that the distinction is not made in the ordinance.

Mr. Larivee continued, and thanked the City Council for the progress made to prepare this ordinance. When the community is deteriorated and blighted due to lack of care and maintenance on properties, it sends the message to visitors that we don't care how we look. He stated that it is an important part of economic development, and he shared some of the comments that his friends and family who visit the community have made about Susanville. The remarks were not positive, but they are important to hear so that the City understands how the community is perceived by visitors.

Mayor Garnier commented that her cousin from Los Angeles visited and asked why people keep everything they own in the front yard.

Mr. Hancock requested clarification regarding Mr. Larivee's statement regarding recreational vehicles. The ordinance refers to storage of vehicles over 25 feet long, and asked if Mr. Larivee is requesting that the ordinance specifically mention RV's.

Mr. Sanders noted that currently Paragraph H lists parking of commercial vehicles.

Mr. Larivee stated that for a short period of time, there was a 40 foot RV parked in front of his neighbor's house. He understands that when loading or unloading for a trip that a certain amount of time parked in a residential neighborhood, but that it was not acceptable to leave it there for six months.

Councilmember Wilson stated that the City already has regulations about not being able to park boats and RVs on the street in front of the house, but if people have room on the property to park next to the garage they should be able to do that.

Mayor pro tem Franco agreed, stating that there are a number of people in the community who own RV's and as long as they are parked on a gravel or paved area, regardless of length, they should be able to have them on the property as long as they are stored in an orderly manner.

Mr. Hancock explained that the way the front yard is defined, is that you draw a line across the front of the house, and anything in front of that line is defined as the front yard. The side yard and rear yard are located behind that line.

Mayor pro tem Franco stated that the definition should be expanded to include longer recreational vehicles, as there are a lot of people who have room on their property to store them properly.

Mr. Hancock stated that it is a section that will have to be discussed further, and staff could work to come up with a few options regarding an RV or travel trailer whether it is 25 feet in length or longer, or if it is not in the front yard and on the proper surface it could be permissible. He referred to the same section, Item L that addresses the keeping of animals and livestock. If the zoning code in your district allows keeping certain animals, than this would address the manner that those animals are cared for and the way that the abatement process is handled for those who are out of compliance. The right to have those animals is probably a separate discussion to have, if the Council so changes and it would have to be brought back as it involves amendments to the zoning code.

Elaine Jacobs commented that it is a heavy recreational community, and as long as people are storing their RV's properly and in a way that does not disturb their neighbors, they should be able to do so. She added that she has been a resident of the community for 45 years, and she asked what department would be responsible for determining who is in violation, and what kind of training will be required to make sure those determinations are consistent. She commented that a lot of residents are elderly or disabled, and they may not have the ability or budget to make the repairs and clean up that will be required. The City should implement free dump days, use block grant money to help those people whose properties have deteriorated because they do not have the money to keep them up. She asked what budget the enforcement of this ordinance will come from.

Mr. Hancock explained that the City has four departments, Administrative Services, Fire, Police and Public Works. The majority of the enforcement will be conducted through Administrative Services by the Community Development Division which includes building and planning. Some of the enforcement will be at team effort, with some issues addressed by Public Works, and Fire and Police also have a role to play with Police dealing with abandoned vehicle abatement, and the Fire Department involved in the determination of hazards and hazardous structures. The time allotted to the enforcement would determine the budget allocation.

Ms. Jacobs asked when the City expected to see any revenue from the program.

Mr. Hancock responded that it is the City's obligation to the citizens to enforce this within the existing budget, and accumulation of revenue will take time as some of the larger abatements can take between two and three years to collect.

Mayor Garnier commented that the alternative, to let things continue to be as is, is not acceptable.

Mayor pro tem Franco remarked that the new reality is that the City has to do more with less, and it is a situation that the City cannot allow to continue.

Ms. Jacobs asked who would be fined if the property is occupied by a tenant.

Mr. Sanders responded that it would be the responsible party, depending on the violation. If it involved personal items, garbage, junk, or vehicles, then it would be the tenant. Violations having to do with the condition of the home or structures on the property would be the responsibility of the property owner to remedy.

Ms. Jacobs commented that regarding the parking of RV's on the property, most people on her street own one that is longer than 25 feet, and there are not enough storage businesses in town to accommodate everyone who would have to park their motorhome off site.

There being no further comments from the public, Mayor Garnier turned the discussion back to the City Council and invited comments.

Mayor pro tem Franco remarked that this ordinance has been a long time coming, and in the effort to clean up the community, there is a certain economic reality that has to be recognized. The economic base for the community has changed over the years, with the closure of the mills, industry moving out of the area, and many of the older residents have moved on and a lot of the old homes that were bought up have been abandoned or used as rentals, and that is prevalent throughout town. Forcing landowners to be responsible and ensure a certain level of maintenance or at least not detract from the neighborhood through this ordinance is a step in the right direction. There is a lot that can be done, as has been suggested, through community clean up days, and those types of activities that the City has a responsibility to take the lead in. He commends staff for the effort that has been dedicated to preparing the ordinance.

Mr. Hancock explained that he has drafted tentative language to address storage of recreational vehicles, if that is the direction that the Council wants to go, and read the amendments to the section as follows:

H. Storage or the parking of **non-recreational trailers and vehicles including** buses, tow trucks, dump trucks, grading equipment, tractors, commercial trailers or coaches or any other commercial vehicles over 25 feet long, 8 feet high or 90 inches wide in a residential zone. Parking of **recreational vehicles of any size or other** vehicles less than 25 feet in length shall be **in the side or rear yard area** on a paved driveway if a paved driveway has been developed on the property or on an existing gravel driveway if the property was developed prior to the requirement for a paved driveway.

Mr. Hancock added that this means anything over 25 feet is not allowed in residential areas except for a recreational vehicle, so anything under 25 feet or any recreational vehicle would have to be parked in the side or rear yard, and depending on the age and vintage of the home, it must either be on a paved or gravel area.

Mayor Garnier stated that there is an area of town she drives by every day, and the owner of a big rig truck has his tractor trailer parked in front of the house. It is parked there every day, and it takes up half the block.

Mr. Hancock responded that the City would look into that, and it is addressed in the street parking requirements which limit how long a vehicle can be parked in the street, moving for snow removal and those types of situations.

Chief King stated he would follow up on it, and it could be that it is prohibited from being parked there at all.

Jerry Askey commented that it bothers him, because it is so loud to run a diesel. As a truck driver, he knows it takes 15 minutes to warm up a big rig or you will damage the engine, and that is a long time to create a nuisance for your neighbors. He added that regarding travel trailers, very few people have a travel trailer under 25 feet. He owns one that is 37 feet long and that is what they are selling these days. If the City is going to have a provision regarding parking RV's, it should not be limited to 25 feet in length.

Mr. Hancock responded that with the proposed revised language he suggested, an RV of any length would be allowed on the property, provided it is kept on a gravel or paved surface.

Councilmember Wilson asked Mr. Sanders about the proposed language for boarded up or vacant buildings, and if the City Council waives the first reading and introduces the ordinance, will changes be allowed to the language prior to the second reading, or does the ordinance have to come back again for the first reading and introduction.

Mr. Hancock replied that it shouldn't be a problem if the changes are small. If the City Council includes the changes in the motion that staff proposed in Letter H, and give clear direction in the motion, that would be specific enough language to bring back for the second reading. It would not be considered a significant change.

There was discussion regarding the appropriate length of time for a structure that has been damaged by an emergency to remain vacant, options for extension of the period of time that the vacancy would be allowed, the proposed monitoring program fee and timeline and exceptions for catastrophic events.

Mr. Hancock proposed that the section would be amended to read "can be in boarded up state for six months, for any reason. It can become part of the program for an additional six months, for \$1,000 per quarter." If the damage was due to a catastrophic event, then a building owner could extend if for an additional 6 months without the fee for damages that occurred outside of the owner's control. This would mean that the longest a building could be boarded up and in that condition would be 12 months, then up to 18 months if a 6 month extension of time was granted through the Planning Commission's approval. This would apply to residential or commercial properties. Mr. Hancock summarized the intent of the section to mean that it is acceptable to have an unoccupied building, but it is not acceptable for it to look unoccupied or dilapidated. It must be cleaned up and maintained.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to waive the first reading and introduce Ordinance No. 17-1001, with the corrections to Letter H as proposed by staff, as well as the quarterly monitoring fee and timeline changes as proposed in section 15.09.100; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

9A Consider Resolution Number 17-5349 authorizing the Public Works Director to execute change orders for Third Street in the amounts of \$112,355 and \$105,302 and use the balance of monies remaining in the STIP Projects 15-03 (SC) and 15-04 (SC1) accounts for additional change

orders to repave Spruce Avenue north of Fifth Street and pave the Fire Hall alley in the City of Susanville to Dig It Construction Inc. Mr. Newton explained that STIP Projects 15-03 and 15-04 are essentially completed and have remaining balances of \$218,400 for Project 15-03 and \$200,500 for Project 15-04. At the time the Council awarded these projects to Dig It Construction Inc., additive work for Third Street were added for water main replacement. Once the portions of the Third Street project are completed, staff is recommending to use remaining balances for Spruce Avenue north of Fifth Street, and the City's alleyway adjacent to the Fire Hall. The areas were selected based on condition, estimated costs and ease to facilitate construction. The estimated costs for these projects are \$78,000 and \$84,000. Mr. Newton explained that Caltrans has been consulted on this addition and has deemed that expending the remaining fund balances for these projects as appropriate for STIP money allocated to the City. City Council approval to authorize change orders for the projects is required.

Councilmember Wilson commented that the Department has done a great job in taking care of a lot of paving work needed on City streets and is getting a lot of work done with the money.

Mayor pro tem Franco agreed, adding that he has heard good feedback regarding the work that the City has completed.

Mr. Newton thanked the City Council for their support of the Public Works Department.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5349; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

Elaine Jacobs commented that a large section of pavement on North Spring Street was paved last year, and it appears to be separating and sinking which has created a safety hazard. There is a large square of pavement near North Mesa that is also sinking. She asked if the contractor would be held accountable or if the City was still utilizing the contractor that did the work.

Mr. Newton responded that the City is aware of the situation, and is addressing that with the contractor. It appears that the asphalt, which is a mix suited for highways, did not meet specifications for use on city streets. The City is negotiating with the contractor to correct those deficiencies.

9B Consider Resolution Number 17-5350 authorizing the Public Works Director to execute change orders with ST Rhoades Construction Inc. for Pancera Plaza (S. Gay Street) in the amount of \$110,000 from STIP Project 16-01 (SC2) and for portions of North Lassen and Mill Streets for amounts as allowed from the balance of monies remaining in the project account from STIP Project No. 16-02 (SC3) Mr. Newton explained that this item is very similar to the previous item, however the Pancera Plaza is a very big part of this project. It was initially included at the time the project was bid, and there was a lot of discussion taking place on what would be the appropriate scope of work. The original work included a lot of the aesthetic features including the replacement of the stamped concrete with pavers. It was quite expensive so the City Council opted to go with the base bid that would repave the road and complete a minimal amount of work to the stamped concrete area.

Since that time, a lot of discussion has taken place with the Historic Uptown Susanville Association and their Pancera Plaza subcommittee. Through that process, a few design concepts have been prepared for the City Council's review and consideration and direction.

Mr. Newton explained that the original project was awarded to ST Rhodes Construction, and the consideration is complete some additional improvements to Pancera Plaza and potentially some work on North Lassen and Mill street as funding allows. The streets are included in the next programmed Federal project, but the concern is that with the number of streets and amount of work that is proposed, that the funding may fall short, so adding some of the work to be completed with the remainder of these funds would address that issue. As the discussion unfolds regarding the Pancera Plaza, the concern is that the more money that is spent there, the less there will be available to spend on those additional streets.

Mr. Newton referred to the handout which illustrated the existing configuration at Pancera Plaza and the proposed revision. He described the challenges involved with the configuration of the parking configurations and the changes needed to bring those handicapped accessible spaces into compliance with ADA requirements which includes a reduction in part of the sidewalk on the east side of the street. Mr. Newton stated that the sidewalk is still five feet wide in that location which is adequate. While there is not a legal requirement to have ADA parking at that location, because it exists now there is an expectation that it will remain, and if it is going to be kept it needs to be completed correctly.

Mr. Newton continued, stating that in the discussions with HUSA and the Pancera Plaza Committee, initially the City was looking at completing portions of the sidewalk work with an estimated cost of \$110,000. HUSA is looking at the possibility of coming up with funds and they have a contractor interested in donating the labor to complete the rest of the project. It would be a problematic process in that there is really no leverage to ensure that a volunteer would complete the work or coordinate it with the City's project. Staff has explored the possibility of completing the entire project and with the additional work, estimate that it would be approximately \$290,000 total. The City does have the money available to complete the work, however it would mean less funding available to complete additional street repairs. He requested feedback and comments from the City Council.

Mayor Garnier asked how much was left in the Pancera Trust fund.

Mr. Hancock provided a review of the proposal, stating that the work is essentially broken into two projects, with the work being proposed by HUSA evolving to a point where the cost estimates they are obtaining are becoming increasingly expensive. The City has \$18,000 remaining in the Pancera Plaza Fund, and for \$110,000 the City is able to complete the handicapped parking, crosswalks, stall areas and limited paving and curb improvements. The rest of the project to include sidewalks, is the portion that HUSA is considering. HUSA was able to make an arrangement with a contractor to do the work, HUSA would purchase materials and the City has concerns regarding the ability for them to generate the funding needed to complete the project, which would likely result in them coming to the City and requesting a contribution to make up the difference. The City has an opportunity to fund the entirety of the project by utilizing the remaining Project 16-01 STIP funds to make sure that it gets completed at the same scope and without tapping into general fund or other dollars. A lot of the work is decorative that provides for the aesthetics of the plaza, and the concern is that the federal project funding available for completion of the street funding is changing as the State adjusts their funding model for maintenance and road repair projects, so it may be increasingly difficult to reallocate those funds in the future.

Mayor Garnier asked if there was a big difference between the use of pavers versus stamped concrete.

Mr. Newton responded that there is, with the concern for use of pavers being the upheaval caused by the frost, as well as the durability for use in travel ways.

Mayor Garnier stated that she is concerned with the use of stamped concrete, that it needs to be sealed every year or else it just begins to crumble as it is doing now. She asked if colored concrete would work and be a lower maintenance product.

Mr. Newton responded that without proper maintenance, any product would be an issue over time. There have been a lot of improvements to the quality of products over the past 20 years, and with installation practices and improvements it is likely that it would perform a lot better than what was used originally.

Mayor pro tem Franco asked if the Council chooses to fully fund the Pancera Plaza project, if the remaining funds would be used on North Lassen and then Mill Street.

Mr. Hancock responded that both streets are in equally poor shape, and both are part of the upcoming Federal projects that is programmed for next year, however the concept that there may need to be adjustments to that project to address funding shortages was the motivation to add portions of Mill and Lassen to be completed with funds remaining from this project.

Mr. Newton explained that the Federal Project includes \$1.8 million in repairs to various streets including Weatherlow, Alexander, Hospital Lane and West Street. When it was initially programed, the City was not required to complete ADA ramp upgrades, and those are becoming increasingly more expensive to complete. Streets are classified by function, with the majority of the City streets being local or residential streets that qualify for Federal funding. The next level are collector streets that funnel into arterial streets, and anything in the collector or arterial classification are eligible for Federal funding. If a street is eligible for Federal funding, then it has to be completed with Federal funding, and while it is acceptable to use State money for repair work on a federally-funded project, the City cannot utilize Federal funding on a street that is not eligible for federal funding.

Mr. Hancock added that the repair and rehabilitation of roads does not rank high on the priority level for CalTrans, and the City has been successful in demonstrating the need to get projects programmed in the STIP, however with the new funding sources through gas taxes the rehab projects will likely fall even lower on the priority list because the City will receive money directly for maintenance and rehabilitation. What staff is proposing would be to complete a portion of the work proposed under a Federally funded project with remaining State funds, in order to stretch the Federal project dollars a bit further.

Mr. Newton added that staff is seeking direction from the City Council regarding moving forward with the proposed project at Pancera Plaza. In the event that there is money remaining, then staff would move forward with completing work on North Lassen and Mill Street.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 17-5350 will a full funding of the Pancera Plaza Project C-1, with the remaining funding to be spent on North Lassen or Mill Street at the discretion of staff; motion carried unanimously. Ayes: Wilson, Franco, Schuster, Stafford and Garnier.

9D Consider Resolution No. 17-5375 authorizing City Administrator to execute agreement authorizing transfer of expiring FAA Entitlement Funding to Palo Alto Airport Mr. Hancock explained that the City has some expiring funds from 2014 that were not able to be applied to current Airport projects and the District likes to keep funds local so the FAA referred us to Palo Alto. They have need of the funding and City Council authorization is required to make the money available for them to utilize on their project. Staff looked at all options, and because the money was savings from another project and the grant had to

be closed down, we were not able to keep the funding. Palo Alto has been incredibly responsive and they have completed these types of transfers before so they were able to provide documents and guidance, and developing that relationship will most likely benefit the City in the future.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 17-5375; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

9E Consider Resolution No. 17-5370 authorizing execution of an Agreement with C&S Companies for construction inspection and engineering consulting services on the Susanville Municipal Airport PAPI Project Mr. Hancock reported that at the April 5, 2017 meeting, there were three contracts discussed for the PAPI project; an agreement with Kobo Construction for installation, an agreement with the FAA to conduct the flight check, and this agreement with C & S Engineers for project management and inspection services. We have included provisions in the agreement that if there are any items that can be completed by staff in house that they will be removed from the scope of work and be counted toward the City's project match requirement.

There were no questions or comments.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5370; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12 CONTINUING BUSINESS:

12A Consider Approval of Resolution No. 17-5374 amending Agreement with the Honey Lake Valley Recreation Authority for Management, Administrative and Operational Services Mr. Hancock stated that the item is a revised agreement for services provided to the Honey Lake Valley Recreation Authority for management and operational services. The City Council approved the agreement at its April 17th meeting, and the HLVRA considered and approved the agreement at their April 18th meeting, with a few changes proposed to Section 3, to include a sentence that the reimbursement requests submitted to the HLVRA not exceed the appropriated budget for staff services; the addition of wording in Section 6 that would require a reimbursement to the City for any unemployment insurance claims, and an amendment to Appendix A to move the Pool Manager position to the operational category rather than administrative. Those changes did not affect the context of the agreement, but it requires consideration and approval by the City Council.

Mayor Garnier requested that Mr. Hancock elaborate on the discussion that occurred related to the changes that have been requested.

Mr. Hancock explained that the language related to payment of workers compensation, unemployment claims or disability claims outlines responsibilities, and the City will not be liable for those claims made by any employee hired by HLVRA. If the JPA hires employees on their own, they will be responsible for those claims. If the City receives a claim on behalf of those individuals, it will tender them to the JPA promptly upon receipt. If the City receives any of those claims by an employee of the pool that are employed by the City, the City will make those payments and submit a reimbursement request to the JPA for those operational employees. If there are any claims made by the management or administrative positions, the

City will be responsible for those claims, which is also the reasoning behind moving the Pool Manager position to the operational category, as it fits more appropriately with those responsibilities.

Regarding the sentence related to reimbursement requests being tied to the budget, the JPA is requesting the change so the City can only incur costs and submit reimbursements for amounts that have been budgeted. The advantage is that the City prepares the budget, and in completing the calculations, if it appears that the budget will be exceeded, then the request for a budget amendment would be presented to the JPA prior to incurring those costs. The language is ensuring that the City will not ask for anything above and beyond what the JPA has already considered and approved.

The other item discussed at length relates to the operational positions. Most of them include an hourly wage and an actual rate which includes the additional costs associated with employment taxes. In most cases it is a minimal increase due to the hours of those employees limited to 29 hours per week or less to meet Affordable Care Act requirements. Because the Pool Manager is a full time position, the employee will be offered coverage through ACA, and whether or not they participate in that program and the age of the employee will affect the rate that is charged through that program. There is no way to be more specific with that cost until such a time as an employee is in the position.

Mayor Garnier thanked Mr. Hancock for providing the additional information.

There were no questions or comments from the City Council.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve Resolution No. 17-5374; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

13 **CITY ADMINISTRATOR'S REPORTS:**

13A **Chamber of Commerce Relocation** Mr. Hancock reported that the Chamber of Commerce has occupied a building owned by the City of Susanville, and has informed the City that they are relocating to a Main Street location on May 1st. They are excited about moving to the more prominent location, and thanked the City for providing the existing space at no charge for the past several years.

Councilmember Wilson stated that he expects a visit at some point in the future to request that the City make a monetary contribution to the Chamber of Commerce since they will no longer be receiving the benefit of free rent.

14 **COUNCIL ITEMS:**

14A **AB1234 travel reports:**

15 **ADJOURNMENT:**

Motion by Councilmember Wilson, second by Councilmember Stafford, to adjourn; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

Meeting adjourned at 9:58 p.m.

Respectfully submitted by

Gwenna MacDonald, City Clerk

Kathie Garnier, Mayor

Approved on: _____

Reviewed by: YH City Administrator
_____ City Attorney

X Motion only
_____ Public Hearing
_____ Resolution
_____ Ordinance
_____ Information

Submitted by: Deborah Savage, Finance Manager

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Vendor and Payroll Warrants

PRESENTED BY: Deborah Savage, Finance Manager

SUMMARY: Warrants dated April 22, 2017 through May 10, 2017 numbered 100230 through 100342.

FISCAL IMPACT: Accounts Payable vendor warrants totaling \$ 228,063.29 plus \$ 102,209.41 in payroll warrants, for a total of \$ 330,272.70.

ACTION

REQUESTED: Motion to receive and file.

ATTACHMENTS: Payments by vendor and transmittal check registers.

Report Criteria:

Report type: GL detail
Check Voided = False

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100297	44	ARAMARK UNIFORM SE	CUSTODIAL SUPPLIES-PW	635253643	1	7620-430-10-44	LINEN SERVICE	50.68	50.68
Total 635253643 :											
05/17	05/04/2017	100297	44	ARAMARK UNIFORM SE	CUSTODIAL SUPPLIES-PW	635267832	1	7620-430-10-44	LINEN SERVICE	27.75	27.75
Total 635267832 :											
05/17	05/04/2017	100297	44	ARAMARK UNIFORM SE	UNIFORM SERVICE-GAS	635267833	1	7401-430-62-44	LINEN SERVICES	51.84	51.84
Total 635267833 :											
05/17	05/04/2017	100297	44	ARAMARK UNIFORM SE	UNIFORM SERVICE-WATER	635267835	1	7110-430-42-44	LINEN SERVICE	38.47	38.47
Total 635267835 :											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-GAS	382944	1	7401-430-62-46	SUPPLIES-GENERAL	2.89	2.89
Total 382944 :											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382952	1	1000-452-21-46	SUPPLIES-GENERAL	2.96	2.96
Total 382952 :											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382964	1	1000-452-21-46	SUPPLIES-GENERAL	30.88	30.88
Total 382964 :											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES- FD	382990	1	1000-422-10-44	VEHICLE - REPAIR & MAINTEN	1.39	1.39
Total 382990 :											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-STREETS	383001	1	2007-431-20-44	REPAIR AND MAINTENANCE-V	9.16	9.16

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 383001:											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES- FD	383162	1	1000-422-10-46	SUPPLIES-GENERAL	9.16	9.16
Total 383162:											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-STREETS	383191	1	2007-431-20-46	SUPPLIES-GENERAL	8.20	8.20
Total 383191:											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-STREETS	383262	1	2007-431-20-46	SUPPLIES-GENERAL	15.02	15.02
Total 383262:											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-PW	383313	1	7620-430-10-46	SUPPLIES-GENERAL	34.71	34.71
Total 383313:											
05/17	05/04/2017	100298	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	383576	1	1000-452-21-46	SUPPLIES-GENERAL	28.95	28.95
Total 383576:											
05/17	05/04/2017	100299	8919		WOODSTOVE REBATE	042817	1	8404-430-12-48	GRANTS	1,500.00	1,500.00
Total 042817:											
05/17	05/04/2017	100300	1354	CENTRAL JANITOR'S SU	JANITORIAL SUPPLIES-FD	760441	1	1000-422-10-46	SUPPLIES-JANITORIAL	10.80	10.80
Total 760441:											
05/17	05/04/2017	100301	148	COMPUTER LOGISTICS	MONTHLY SER 2HRS	69807	1	1000-417-10-43	TECHNICAL SVCS	220.00	220.00
Total 69807:											
05/17	05/04/2017	100301	148	COMPUTER LOGISTICS	ANTI VIRUS-BARRACUDA 200G	69816	1	1000-421-10-43	PROFESSIONAL SVCS	50.00	50.00
Total 69816:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100302	6546	CRAZY J'S CONCRETE	RETURN DEPOSIT 139 S SPRIN	042817	1	1001-2228-001	DEPOSITS-CURB, GUTTER, SID	1,078.00	1,078.00
05/17	05/04/2017	100302	6546	CRAZY J'S CONCRETE	RETURN DEPOSIT 139 S SPRIN	042817	2	1001-2228-001	DEPOSITS-CURB, GUTTER, SID	760.00	760.00
Total 042817:											
05/17	05/04/2017	100303	156	CREATIVE FORMS & CO	ENVELOPES-GAS	115469	1	7401-430-62-46	SUPPLIES-GENERAL	349.53	349.53
05/17	05/04/2017	100303	156	CREATIVE FORMS & CO	ENVELOPES-WATER	115469	2	7110-430-42-46	SUPPLIES-GENERAL	349.53	349.53
Total 115469:											
05/17	05/04/2017	100304	198	DITCH WITCH EQUIPMEN	SUPPLIES- GAS	227652	1	7401-430-62-46	SUPPLIES-GENERAL	87.60	87.60
Total 227652:											
05/17	05/04/2017	100304	198	DITCH WITCH EQUIPMEN	CORRECTED BILLING FOR BO	227686	1	7401-430-62-46	SUPPLIES-GENERAL	2,435.07	2,435.07
Total 227686:											
05/17	05/04/2017	100305	1014	DUTRA CONSTRUCTION	EVIDENCE ROOM ADDITION-P	11504	1	1006-421-10-44	CONSTRUCTION SERVICES	13,492.93	13,492.93
Total 11504:											
05/17	05/04/2017	100306	8915	EASTERN CALIFORNIA	PROPOSAL COORDINATION SE	100	1	8406-413-20-43	PROFESSIONAL SERVICES	4,000.00	4,000.00
Total 100:											
05/17	05/04/2017	100307	238	FASTENAL COMPANY	SUPPLIES-PARKS	74899	1	1000-452-21-46	SUPPLIES-GENERAL	39.79	39.79
Total 74899:											
05/17	05/04/2017	100308	241	FEATHER PUBLISHING C	EMPLOYMENT AD- CITY COUN	1310286	1	1000-411-40-45	ADVERTISING	154.35	154.35
Total 1310286:											
05/17	05/04/2017	100308	241	FEATHER PUBLISHING C	ADVERTISEMENT-GC	1312479	1	7530-451-52-45	ADVERTISING	164.70	164.70
Total 1312479:											
05/17	05/04/2017	100308	241	FEATHER PUBLISHING C	EMPLOYMENT AD- CITY COUN	1314280	1	1000-411-40-45	ADVERTISING	235.20	235.20

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 1314280:											
05/17	05/04/2017	100308	241	FEATHER PUBLISHING C	EMPLOYMENT AD-POOL	1316214	1	1000-452-22-45	ADVERTISING	235.20	235.20
Total 1316214:											
05/17	05/04/2017	100308	241	FEATHER PUBLISHING C	PUBLIC HEARING NOTICE RAT	7788	1	1000-417-10-45	ADVERTISING	126.90	126.90
Total 7788:											
05/17	05/04/2017	100309	257	FOREST OFFICE EQUIP	COPY PAPER	11293	1	1000-417-10-46	SUPPLIES-CAL SIERRA RECYC	9.38	9.38
Total 11293:											
05/17	05/04/2017	100310	265	FRONTIER	257-1045 P/W ENGINEERING	1045 041517	1	7620-430-10-45	COMMUNICATIONS	35.03	35.03
Total 1045 041517:											
05/17	05/04/2017	100310	265	FRONTIER	257-1056 P/W SHOP	1056 042017	1	7620-430-10-45	COMMUNICATIONS	47.34	47.34
Total 1056 042017:											
05/17	05/04/2017	100310	265	FRONTIER	257-1057 FAX-PW	1057 042017	1	7620-430-10-45	COMMUNICATIONS	193.45	193.45
Total 1057 042017:											
05/17	05/04/2017	100310	265	FRONTIER	257-2845 U/B ROLL OVER	2845 041517	1	7620-430-10-45	COMMUNICATIONS	64.35	64.35
Total 2845 041517:											
05/17	05/04/2017	100310	265	FRONTIER	257-7236 NAT GAS	7236 042017	1	7620-430-10-45	COMMUNICATIONS	199.33	199.33
Total 7236 042017:											
05/17	05/04/2017	100310	265	FRONTIER	257-7237 NAT GAS	7237 042017	1	7620-430-10-45	COMMUNICATIONS	67.27	67.27
Total 7237 042017:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100311	8917		REFUND WATER DEPOSIT	10122600003	1	7110-2228-000	DEPOSITS-CUSTOMER	20.82	20.82
Total 10122600003:											
05/17	05/04/2017	100312	1494		REIMBURSEMENT TUITION OP	042617	1	1000-422-10-45	TRAVEL	350.00	350.00
Total 042617:											
05/17	05/04/2017	100313	338	JACKSON'S SERVICE CE	DIESEL-GC	11968	1	7530-451-52-46	GASOLINE	72.58	72.58
Total 11968:											
05/17	05/04/2017	100313	338	JACKSON'S SERVICE CE	4 TIRES MOUNT	39584	1	1000-417-10-44	MISC - REPAIR & MAINTENANC	60.00	60.00
Total 39584:											
05/17	05/04/2017	100314	362	KAUFFMAN, BILL	CUSTODIAL SVCS-PW	753102	1	7620-430-10-44	CUSTODIAL	250.00	250.00
Total 753102:											
05/17	05/04/2017	100314	362	KAUFFMAN, BILL	CUSTODIAL SVCS	753103	1	1000-417-10-44	CUSTODIAL	650.00	650.00
Total 753103:											
05/17	05/04/2017	100315	374	L N CURTIS & SONS	EQUIPMENT-FD	94638	1	1000-422-10-46	SUPPLIES-SAFETY ITEMS	650.00	650.00
Total 94638:											
05/17	05/04/2017	100316	383	LASCO	PLAQUE	2352	1	1000-411-40-46	SUPPLIES-GENERAL	518.02	518.02
Total 2352:											
05/17	05/04/2017	100316	383	LASCO	SIGNS-PW	2411	1	2007-431-20-44	REPAIR AND MAINTENANCE-MI	154.80	154.80
Total 2411:											
05/17	05/04/2017	100316	383	LASCO	CITY LOGO SIGN	2427	1	1000-452-20-46	SUPPLIES-GENERAL	306.38	306.38
Total 2427:											
										37.63	37.63

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 2427:											
05/17	05/04/2017	100316	383	LASCO	PLATE-PD	2480	1	1000-421-10-43	PROFESSIONAL SVCS	37.63	37.63
Total 2480:											
05/17	05/04/2017	100316	383	LASCO	PLAQUE	2546	1	1000-411-40-46	SUPPLIES-GENERAL	45.15	45.15
Total 2546:											
05/17	05/04/2017	100317	397	LASSEN CO FIRE OFFIC	2017 MEMBERSHIPS	050317	1	1000-422-10-48	DUES AND MEMBERSHIPS	50.00	50.00
Total 050317:											
05/17	05/04/2017	100318	411	LASSEN MOTOR PARTS	SUPPLIES- BUILDING	276625	1	1000-424-20-44	VEHICLE - REPAIR & MAINTEN	138.30	138.30
Total 276625:											
05/17	05/04/2017	100318	411	LASSEN MOTOR PARTS	CREDIT-BUILDING	276682	1	1000-424-20-44	VEHICLE - REPAIR & MAINTEN	19.31-	19.31-
Total 276682:											
05/17	05/04/2017	100318	411	LASSEN MOTOR PARTS	SUPPLIES-FD	277773	1	1000-422-10-44	VEHICLE - REPAIR & MAINTEN	7.74	7.74
Total 277773:											
05/17	05/04/2017	100318	411	LASSEN MOTOR PARTS	SUPPLIES- STREETS	278129	1	2007-431-20-44	REPAIR AND MAINTENANCE-V	5.14	5.14
Total 278129:											
05/17	05/04/2017	100319	1102	LASSEN PC	BACKUP LICENSE-FIRE	20668	1	1000-422-10-43	TECHNICAL SVCS	51.49	51.49
Total 20668:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28633	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28633:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28644	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28644:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28667	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28667:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28675	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28675:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28682	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28682:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28691	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28691:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28693	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28693:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28701	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28701:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28809	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28809:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28818	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28818:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28830	1	2007-431-20-44	DISPOSAL	40.00	40.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 28830:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28841	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28841:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28852	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28852:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28872	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28872:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28878	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28878:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28882	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28882:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28888	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28888:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28890	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28890:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	28896	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 28896:											
05/17	05/04/2017	100320	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	98683	1	2007-431-20-44	DISPOSAL	40.00	40.00
Total 98683:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100321	437	LMUD	AIRPORT VASI LIGHTS	10108 042417	1	7201-430-81-46	ELECTRICITY	20.00	20.00
Total 10108 042417:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE IRR WELL30 HP	122907 042417	1	7530-451-52-46	ELECTRICITY	33.95	33.95
Total 122907 042417:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE IRR PUMP#8TH	122929	1	7530-451-52-46	ELECTRICITY	34.24	34.24
Total 122929:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE CLUB HOUSE	132052 042417	1	7530-451-52-46	ELECTRICITY	182.43	182.43
Total 132052 042417:											
05/17	05/04/2017	100321	437	LMUD	470-995 CIRCLE DR-CLUB HOU	144281 042417	1	7530-451-52-46	ELECTRICITY	290.24	290.24
Total 144281 042417:											
05/17	05/04/2017	100321	437	LMUD	SOUTH ST ROOSEVELT AREA	1744 042817	1	1000-452-20-46	ELECTRICITY	8.44	8.44
Total 1744 042817:											
05/17	05/04/2017	100321	437	LMUD	RIVERSIDE PARK	1999 042817	1	1000-452-20-46	ELECTRICITY	35.85	35.85
Total 1999 042817:											
05/17	05/04/2017	100321	437	LMUD	1505 MAIN ST	2876 042417	1	1000-422-10-46	ELECTRICITY	845.25	845.25
Total 2876 042417:											
05/17	05/04/2017	100321	437	LMUD	472-105 JOHNSTONVILLE WAT	350161 041817	1	7112-430-42-46	ELECTRICITY	145.82	145.82
Total 350161 041817:											
05/17	05/04/2017	100321	437	LMUD	LITTLE LEAGUE PARK AREA LI	3522 042417	1	1000-452-20-46	ELECTRICITY	33.77	33.77

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 3522 042417:											
05/17	05/04/2017	100321	437	LMUD	WELL #3-WATER	4599 041817	1	7110-430-42-46	ELECTRICITY	62.59	62.59
Total 4599 041817:											
05/17	05/04/2017	100321	437	LMUD	AIRPORT LOT 5	51908 042417	1	7201-430-81-46	ELECTRICITY	21.02	21.02
Total 51908 042417:											
05/17	05/04/2017	100321	437	LMUD	AIRPORT HANGER 6	54333 042417	1	7201-430-81-46	ELECTRICITY	20.00	20.00
Total 54333 042417:											
05/17	05/04/2017	100321	437	LMUD	925 SIERRA RD SPORTS CTR	60453 042417	1	1000-452-20-46	ELECTRICITY	20.00	20.00
Total 60453 042417:											
05/17	05/04/2017	100321	437	LMUD	AIRPORT OFFICE	7146 042417	1	7201-430-81-46	ELECTRICITY	365.65	365.65
Total 7146 042417:											
05/17	05/04/2017	100321	437	LMUD	AIRPORT GAS PUMP	7154 042417	1	7201-430-81-46	ELECTRICITY	28.73	28.73
Total 7154 042417:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE CLUB HOUSE	7394 042417	1	7530-451-52-46	ELECTRICITY	53.61	53.61
Total 7394 042417:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE CART BARN 2	7400 042417	1	7530-451-52-46	ELECTRICITY	36.13	36.13
Total 7400 042417:											
05/17	05/04/2017	100321	437	LMUD	GOLF COURSE BARN 1 & 3	9312 042417	1	7530-451-52-46	ELECTRICITY	21.02	21.02
Total 9312 042417:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100321	437	LMUD	RIVERSIDE PARK LIGHT	9501 042817	1	1000-452-20-46	ELECTRICITY	46.44	46.44
Total 9501 042817:											
05/17	05/04/2017	100322	8500		REFUND COMMUNITY CENTER	042417	1	1000-452-20-36	RENT-COMMUNITY CENTER	50.00	50.00
Total 042417:											
05/17	05/04/2017	100323	452	MARTIN SECURITY SYST	470-895 CIRCLE DR PROSHOP	033658	1	7530-451-52-43	TECHNICAL SERVICES	40.00	40.00
Total 033658:											
05/17	05/04/2017	100323	452	MARTIN SECURITY SYST	115 WEATHERLOW SECURITY	033723	1	1000-451-80-43	TECHNICAL SVCS	84.00	84.00
Total 033723:											
05/17	05/04/2017	100323	452	MARTIN SECURITY SYST	60 N LASSEN SECURITY	033797	1	1000-417-10-43	TECHNICAL SVCS	43.00	43.00
Total 033797:											
05/17	05/04/2017	100324	8922		COMMUNITY CENTER DEPOSIT	050317	1	1000-2228-009	DEPOSITS-COMM CENTER RE	50.00	50.00
Total 050317:											
05/17	05/04/2017	100325	1416		24 HR SLEEPOVER	042617	1	1000-422-10-43	VOLUNTEERS	50.00	50.00
Total 042617:											
05/17	05/04/2017	100326	8921		REFUND GAS DEPOSIT	10311050128	1	7401-2228-000	DEPOSITS-CUSTOMER	195.53	195.53
Total 10311050128:											
05/17	05/04/2017	100327	546	PAYLESS BUILDING SUP	SUPPLIES- L.I FLOOD	2487296	1	1003-452-20-46	SUPPLIES GENERAL	667.10	667.10
Total 2487296:											
05/17	05/04/2017	100328	572	QUILL CORPORATION	OFFICE SUPPLIES-PW	6009946	1	7620-430-10-46	SUPPLIES-GENERAL	93.79	93.79

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 6009946:											
05/17	05/04/2017	100328	572	QUILL CORPORATION	OFFICE SUPPLIES-PW	6103398	1	7620-430-10-46	SUPPLIES-GENERAL	93.79	93.79
Total 6103396:											
05/17	05/04/2017	100328	572	QUILL CORPORATION	OFFICE SUPPLIES-PW	6147987	1	7620-430-10-46	SUPPLIES-GENERAL	195.87	195.87
Total 6147987:											
05/17	05/04/2017	100328	572	QUILL CORPORATION	OFFICE SUPPLIES	6250983	1	1000-417-10-46	SUPPLIES-GENERAL	45.01	45.01
Total 6250983:											
05/17	05/04/2017	100329	576	R.S.S.E. INC	SUPPLIES-PW	20283	1	7620-430-10-46	SUPPLIES-GENERAL	255.20	255.20
Total 20283:											
05/17	05/04/2017	100330	582	RAY MORGAN CO INC	FIRE COPIER 5/26/17-6/25/17	1577735	1	1000-422-10-44	RENT & LEASES EQUIP & VEHI	158.95	158.95
Total 1577735:											
05/17	05/04/2017	100331	1296	RENTAL GUYS	EQUIPMENT RENTAL- L.L. FLO	615517-5	1	1003-452-20-44	REPAIR AND MAINTENANCE MI	1,568.69	1,568.69
05/17	05/04/2017	100331	1296	RENTAL GUYS	EQUIPMENT RENTAL- GC FLO	615517-5	2	1003-451-52-44	REPAIR AND MAINTENANCE MI	1,568.69	1,568.69
Total 615517-5:											
05/17	05/04/2017	100332	641	SIERRA FILTRATION PR	PLEATED FILTERS-FIRE	74250	1	1007-422-10-44	REPAIR AND MAINTENANCE FA	145.57	145.57
Total 74250:											
05/17	05/04/2017	100333	8920		WOODSTOVE REBATE	042817	1	8404-430-12-48	GRANTS	1,500.00	1,500.00
Total 042817:											
05/17	05/04/2017	100334	1436	STANISLAUS FARM SUP	SUPPLIES-STREETS	301502626	1	2007-431-20-46	SUPPLIES-GENERAL	90.63	90.63

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 301502626:											
05/17	05/04/2017	100335	8891	STATEWIDE TRAFFIC SA	SCHOOL ZONE BLINKER BEAC	08005020	1	2030-421-10-47	MACHINERY & EQUIPMENT	5,567.13	5,567.13
Total 08005020:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	606 NEVADA	1274 050117	1	1000-417-10-44	SEWER	47.00	47.00
Total 1274 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	66 N LASSEN	1276 050117	1	1000-417-10-44	SEWER	104.00	104.00
Total 1276 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	115 N WEATHERLOW	1448 050117	1	1000-451-80-44	SEWER	52.00	52.00
Total 1448 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	65 N WEATHERLOW ST	1449 050117	1	1000-452-20-44	SEWER	104.00	104.00
Total 1449 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	1850 RIVER ST	3667 050117	1	1000-452-20-44	SEWER	52.00	52.00
Total 3667 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	1600 RIVERSIDE DR	3668 050117	1	1000-452-20-44	SEWER	52.00	52.00
Total 3668 050117:											
05/17	05/04/2017	100336	677	SUSANVILLE SANITARY	1200 NORTH ST	3669 050117	1	1000-452-20-44	SEWER	52.00	52.00
Total 3669 050117:											
05/17	05/04/2017	100337	696	TECH SERVICES	MONTHLY MAINT. FEE TO ASS	1694	1	7201-430-81-43	TECHNICAL SVCS	575.00	575.00
Total 1694:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/04/2017	100338	1263	THE HARTFORD	MUSEUM ARTIFACTS 5/15/16-4/	13326281	1	7630-411-40-45	INSURANCE MUSEUM	183.32	183.32
05/17	05/04/2017	100338	1263	THE HARTFORD	MUSEUM ARTIFACTS 5/15/16-4/	13326281	2	7630-1430-102	PREPAID INSURANCE PREMIU	366.68	366.68
Total 13326281:											
05/17	05/04/2017	100339	1141	THOMPSON GARAGE DO	SERVICE DOORS-FD	92896	1	1007-422-10-44	REPAIR AND MAINTENANCE FA	244.72	244.72
Total 92896:											
05/17	05/04/2017	100340	8697		REFUND GAS DEPOSIT	10203131104	1	7401-2228-000	DEPOSITS-CUSTOMER	18.31	18.31
Total 10203131104:											
05/17	05/04/2017	100341	8918		REFUND GAS DEPOSIT	10203173102	1	7401-2228-000	DEPOSITS-CUSTOMER	63.03	63.03
Total 10203173102:											
05/17	05/04/2017	100342	770	WESTERN NEVADA SUP	SUPPLIES- GAS	66961450	1	7401-430-62-46	SUPPLIES-GENERAL	252.84	252.84
Total 66961450:											
05/17	05/04/2017	100342	770	WESTERN NEVADA SUP	SUPPLIES- WATER	66977237	1	7110-430-42-46	SUPPLIES-GENERAL	794.83	794.83
Total 66977237:											
05/17	05/04/2017	100342	770	WESTERN NEVADA SUP	SUPPLIES- WATER	66979896	1	7110-430-42-46	SUPPLIES-GENERAL	33.94	33.94
Total 66979896:											
Grand Totals:										47,677.43	47,677.43

Report Criteria:

Report type: GL detail
Check Voided = False

Report Criteria:

Report type: GL detail
Check Voided = False

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
04/17	04/27/2017	100231	2	A-1 CHEMICAL INC	SUPPLIES-PARK	5841513	1	1000-452-20-46	SUPPLIES-JANITORIAL	797.82	797.82
Total 5841513:											
04/17	04/27/2017	100232	31	ALPINE FIRE SERVICES I	FIRE EXTINGUISHER SER-PAR	04-183	1	1000-452-21-43	TECHNICAL SVCS	212.81	212.81
Total 04-183:											
04/17	04/27/2017	100233	44	ARAMARK UNIFORM SE	UNIFORM SERVICE-GAS	635253641	1	7401-430-62-44	LINEN SERVICES	61.83	61.83
Total 635253641:											
04/17	04/27/2017	100233	44	ARAMARK UNIFORM SE	UNIFORM SERVICE-STREETS	635253642	1	2007-431-20-44	LINEN SERVICE	52.84	52.84
Total 635253642:											
04/17	04/27/2017	100233	44	ARAMARK UNIFORM SE	UNIFORM SERVICE-WATER	635253643	1	7110-430-42-44	LINEN SERVICE	27.75	27.75
Total 635253643:											
04/17	04/27/2017	100234	66	BEAMS MD INC, JAY M	DMV PHYSICAL-STREETS	1773A8595	1	2007-431-20-43	PROFESSIONAL SVCS	150.00	150.00
Total 1773A8595:											
04/17	04/27/2017	100234	66	BEAMS MD INC, JAY M	DMV PHYSICAL-STREETS	1774A8595	1	2007-431-20-43	PROFESSIONAL SVCS	150.00	150.00
Total 1774A8595:											
04/17	04/27/2017	100234	66	BEAMS MD INC, JAY M	DMV PHYSICAL-STREETS	1775A8595	1	2007-431-20-43	PROFESSIONAL SVCS	150.00	150.00
Total 1775A8595:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-STREETS	381922	1	2007-431-20-46	SUPPLIES-GENERAL	5.36	5.36

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 381922:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES- FD	381964	1	1000-422-10-44	MISC - REPAIR & MAINTENANC	12.54	12.54
Total 381964:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-FD	381988	1	1000-422-10-44	MISC - REPAIR & MAINTENANC	13.50	13.50
Total 381988:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES- FD	382028	1	1000-422-10-46	SUPPLIES-GENERAL	2.21	2.21
Total 382028:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382098	1	1000-452-20-46	SUPPLIES-GENERAL	32.81	32.81
Total 382098:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382247	1	1000-452-20-46	SUPPLIES-GENERAL	38.19	38.19
Total 382247:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382258	1	1000-452-20-46	SUPPLIES-GENERAL	53.08	53.08
Total 382258:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES- GAS	382437	1	7401-430-62-46	SUPPLIES-GENERAL	13.50	13.50
Total 382437:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382515	1	1000-452-20-46	SUPPLIES-GENERAL	29.89	29.89
Total 382515:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-PARKS	382536	1	1000-452-20-46	SUPPLIES-JANITORIAL	18.33	18.33
Total 382536:											

Check Issue Dates: 4/27/2017 - 4/27/2017

May 09, 2017 11:49AM

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-GAS	382609	1	7401-430-62-46	SUPPLIES-GENERAL	57.80	57.80
Total 382609:											
04/17	04/27/2017	100235	76	BILLINGTON ACE HARD	SUPPLIES-STREETS	382642	1	2007-431-20-46	SUPPLIES-SMALL TOOLS	21.22	21.22
Total 382642:											
04/17	04/27/2017	100278	147		TR EX FOLSOM 4/2-4/5	042717	1	1000-421-10-45	TRAINING	21.22	21.22
Total 042717:											
04/17	04/27/2017	100236	174	DATEMA, STEVEN K.	AIRPORT MANAGER 4/17	042617	1	7201-430-81-43	TECHNICAL SVCS	1,896.86	1,896.86
04/17	04/27/2017	100236	174	DATEMA, STEVEN K.	UNDERPAYMENT HEALTH INS	042617	2	7201-430-81-42	HEALTH INSURANCE AND ADM	62.00	62.00
Total 042617:											
04/17	04/27/2017	100237	194	DIAMOND SAW SHOP IN	OIL-PARKS	822051	1	1000-452-21-46	SUPPLIES-GENERAL	42.57	42.57
Total 822051:											
04/17	04/27/2017	100238	1260	DIRECTV INC	CABLE-GC	31191124573	1	7530-451-52-45	COMMUNICATIONS	65.60	65.60
Total 31191124573:											
04/17	04/27/2017	100239	219	ED STAUB & SONS PETR	174.16 GAL PROPANE-AIRPOR	0303057	1	7201-430-81-46	PROPANE	276.46	276.46
Total 0303057:											
04/17	04/27/2017	100240	1484	EDGES ELECTRICAL GR	ELECTRICAL WORK-POOL	S4028706.001	1	1000-452-22-46	SUPPLIES GENERAL	371.86	371.86
Total S4028706.001:											
04/17	04/27/2017	100240	1484	EDGES ELECTRICAL GR	REPAIR LAMPHOLDER	S4039368.001	1	1000-452-20-44	FACILITY - REPAIR & MAINTEN	5.69	5.69
Total S4039368.001:											
04/17	04/27/2017	100241	265	FRONTIER	257-0315 AWOS AIRPORT	0315 041517	1	7201-430-81-45	COMMUNICATIONS	43.05	43.05

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 0315 041517:											
04/17	04/27/2017	100241	265	FRONTIER	257-4725 CITY HALL FAX	4725 041517	1	1000-417-10-45	COMMUNICATIONS	37.01	37.01
04/17	04/27/2017	100241	265	FRONTIER	257-4725 CITY HALL FAX	4725 041517	2	1000-419-10-45	COMMUNICATIONS	37.02	37.02
Total 4725 041517:											
04/17	04/27/2017	100241	265	FRONTIER	257-5152 FIRE	5152 041017	1	1000-422-10-45	COMMUNICATIONS	499.54	499.54
Total 5152 041017:											
04/17	04/27/2017	100241	265	FRONTIER	257-5603 POLICE	5603 041017	1	1000-421-10-45	COMMUNICATIONS	902.94	902.94
Total 5603 041017:											
04/17	04/27/2017	100242	338	JACKSON'S SERVICE CE	FUEL-PARKS	6906	1	1000-452-20-46	GASOLINE	93.81	93.81
Total 6906:											
04/17	04/27/2017	100242	338	JACKSON'S SERVICE CE	FUEL-PARKS	7196	1	1000-452-20-46	GASOLINE	69.00	69.00
Total 7196:											
04/17	04/27/2017	100243	1504	JESSICA RYAN	PROFESSIONAL SERVICES 4/1-	041517	1	1000-412-10-43	PROFESSIONAL SVCS	1,912.50	1,912.50
Total 041517:											
04/17	04/27/2017	100243	1504		FEE	042617	1	1000-417-10-48	TAXES, FEES, PERMITS & CHA	12.00	12.00
Total 042617:											
04/17	04/27/2017	100244	1504		TR EX SAN FRANCISCO 5/3-5/5	041917	1	1000-412-10-45	TRAVEL	500.15	500.15
Total 041917:											
04/17	04/27/2017	100245	237	JOHN DEERE FINANCIAL	CARBURETOR, GASKET-GC	347137	1	7530-451-52-44	REPAIR & MAINTENANCE - MIS	398.81	398.81

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 347137:											
04/17	04/27/2017	100246	1346	KENNETH KORVER M.D	EMPLOYEE PHYSICAL-PD	011617	1	1000-421-10-43	PROFESSIONAL SVCS	170.00	170.00
Total 011617:											
04/17	04/27/2017	100247	8874		TR EX FOLSOM 4/30-5/5	041117	1	1000-421-10-45	TRAINING	352.00	352.00
Total 041117:											
04/17	04/27/2017	100248	374	L N CURTIS & SONS	SERVICE KITS-FD	93942	1	1000-422-10-44	VEHICLE - REPAIR & MAINTEN	383.96	383.96
Total 93942:											
04/17	04/27/2017	100249	392	LASSEN CO CLERK'S OF	SUBSTITUTION OF TRUSTEE A	042517	1	2016-463-70-48	TAXES, FEES PERMITS & CHAR	64.00	64.00
Total 042517:											
04/17	04/27/2017	100250	8091	LASSEN FAMILY SERVIC	ELECTRICAL DEPOSIT REFUN	041917	1	1000-2228-009	DEPOSITS-COMM CENTER RE	100.00	100.00
Total 041917:											
04/17	04/27/2017	100251	411	LASSEN MOTOR PARTS	SUPPLIES-PARKS	277111	1	1000-452-20-44	MISC - REPAIR & MAINTENANC	10.10	10.10
Total 277111:											
04/17	04/27/2017	100251	411	LASSEN MOTOR PARTS	SUPPLIES-FD	277242	1	1000-422-10-44	VEHICLE - REPAIR & MAINTEN	21.17	21.17
Total 277242:											
04/17	04/27/2017	100251	411	LASSEN MOTOR PARTS	SUPPLIES- GAS	277280	1	7401-430-62-46	SUPPLIES-GENERAL	41.18	41.18
Total 277280:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETS	27406	1	2007-431-20-44	DISPOSAL	15.72	15.72
Total 27406:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27418	1	2007-431-20-44	DISPOSAL	14.14	14.14
Total 27418:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27432	1	2007-431-20-44	DISPOSAL	13.82	13.82
Total 27432:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27443	1	2007-431-20-44	DISPOSAL	13.54	13.54
Total 27443:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27469	1	2007-431-20-44	DISPOSAL	13.14	13.14
Total 27469:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27482	1	2007-431-20-44	DISPOSAL	13.90	13.90
Total 27482:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27509	1	2007-431-20-44	DISPOSAL	11.46	11.46
Total 27509:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27518	1	2007-431-20-44	DISPOSAL	13.08	13.08
Total 27518:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27531	1	2007-431-20-44	DISPOSAL	10.38	10.38
Total 27531:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27571	1	2007-431-20-44	DISPOSAL	11.96	11.96
Total 27571:											
04/17	04/27/2017	100252	412	LASSEN REGIONAL SOLI	DUMP FEES-STREETTS	27579	1	2007-431-20-44	DISPOSAL	11.22	11.22

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 27579:											
04/17	04/27/2017	100253	413	LASSEN TIRE	TIRE REPAIRS #51-STREETS	4695	1	2007-431-20-44	LINEN SERVICE	806.90	806.90
Total 4695:											
04/17	04/27/2017	100253	413	LASSEN TIRE	4 TIRES MOUNT #85-PD	48273	1	1000-421-10-44	FIREARM - REPAIR & MAINTEN	80.00	80.00
Total 48273:											
04/17	04/27/2017	100253	413	LASSEN TIRE	4 TIRES MOUNT #31-STREETS	48275	1	2007-431-20-44	LINEN SERVICE	80.00	80.00
Total 48275:											
04/17	04/27/2017	100254	437	LMUD	JOHNSTONVILLE RD SPRINKLE	10262 041817	1	1000-452-30-46	ELECTRICITY	38.31	38.31
Total 10262 041817:											
04/17	04/27/2017	100255	445		RETIRE INCENTIVE 5/17	042617	1	7610-2239-007	EARLY RETIREMENT INCENTIV	930.00	930.00
Total 042617:											
04/17	04/27/2017	100256	1508	MAIN STREET LUBE	OIL & FILTER #88-PD	10417	1	1000-421-10-44	VEHICLE - REPAIR & MAINTEN	52.21	52.21
Total 10417:											
04/17	04/27/2017	100257	532	OLD DOMINION BRUSH	SWEEPER BROOM-STREETS	0103131	1	2007-431-20-44	REPAIR AND MAINTENANCE-V	918.28	918.28
Total 0103131:											
04/17	04/27/2017	100258	546	PAYLESS BUILDING SUP	SUPPLIES-PARKS	2486968	1	1000-452-20-46	SUPPLIES-GENERAL	34.48	34.48
Total 2486968:											
04/17	04/27/2017	100259	8916		REFUND WATER DEPOSIT	10434900003	1	7110-2228-000	DEPOSITS-CUSTOMER	43.55	43.55
Total 10434900003:											

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	5856672	1	1000-417-10-46	SUPPLIES-GENERAL	123.24	123.24
Total 5856672:											
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	5895240	1	1000-417-10-46	SUPPLIES-GENERAL	84.72	84.72
Total 5895240:											
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	5934573	1	1000-417-10-46	SUPPLIES-GENERAL	41.78	41.78
Total 5934573:											
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	5971736	1	1000-417-10-46	SUPPLIES-GENERAL	29.99	29.99
Total 5971736:											
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	6013366	1	1000-417-10-46	SUPPLIES-GENERAL	15.00	15.00
Total 6013366:											
04/17	04/27/2017	100260	572	QUILL CORPORATION	OFFICE SUPPLIES	6066598	1	1000-417-10-46	SUPPLIES-GENERAL	53.91	53.91
Total 6066598:											
04/17	04/27/2017	100261	582	RAY MORGAN CO INC	DOWN & UPSTAIRS COPIER-5/1	1567648	1	1000-417-10-44	RENT & LEASES EQUIP & VEHI	1,529.25	1,529.25
04/17	04/27/2017	100261	582	RAY MORGAN CO INC	COPIER 5/17-PD	1567648	2	1000-421-10-44	RENT & LEASES EQUIP & VEHI	369.53	369.53
Total 1567648:											
04/17	04/27/2017	100262	1076	SIERRA COFFEE AND BE	BOTTLED WATER-PW	47547	1	7620-430-10-46	SUPPLIES-GENERAL	7.25	7.25
Total 47547:											
04/17	04/27/2017	100263	654	SST OIL	4000 GAL UNLEADED	0199279	1	1000-1410-001	INVENTORIES-GASOLINE	9,600.00	9,600.00
Total 0199279:											
04/17	04/27/2017	100263	654	SST OIL	4000 GAL UNLEADED	0199279-IN	1	1000-1410-001	INVENTORIES-GASOLINE	10.18	10.18

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
Total 0199279-IN:											
04/17	04/27/2017	100264	1436	STANISLAUS FARM SUP	SUPPLIES-WATER	301502243	1	7110-430-42-46	SUPPLIES-GENERAL	10.18	10.18
Total 301502243:											
04/17	04/27/2017	100265	1141	THOMPSON GARAGE DO	SERVICED DOOR-PARKS	92898	1	1000-452-20-44	FACILITY - REPAIR & MAINTEN	94.00	94.00
Total 92898:											
04/17	04/27/2017	100265	1141	THOMPSON GARAGE DO	SERVICED DOORS-PD	92899	1	1000-421-10-44	FACILITY - REPAIR & MAINTEN	94.00	94.00
Total 92899:											
04/17	04/27/2017	100266	713		RETIRE INCENTIVE 5/17	042617	1	7610-2239-007	EARLY RETIREMENT INCENTIV	930.00	930.00
Total 042617:											
04/17	04/27/2017	100267	749	VERIZON WIRELESS	CELLULAR PHONES - FIRE	9783049873	1	1000-422-10-45	COMMUNICATIONS	76.02	76.02
Total 9783049873:											
04/17	04/27/2017	100268	8878	WOOD RODGERS, INC.	ENGINEERING SERVICES SC4	107749	1	2007-431-36-43	TECHNICAL SERVICES	3,300.78	3,300.78
Total 107749:											
04/17	04/27/2017	100269	8878	WOOD RODGERS, INC.	ENGINEERING SERVICES FOR	107748	1	2007-431-37-43	TECHNICAL SERVICES	3,301.47	3,301.47
Total 107748:											
Grand Totals:										33,536.19	33,536.19

Report Criteria:

Report type: GL detail
Check Voided = False

Report Criteria:

Report type: GL detail
 Check Voided = False

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Description	Invoice Number	Inv Seq	GL Account No	GL Account Title	Seq Amount	Check Amount
05/17	05/01/2017	100296	728	U S POSTMASTER	UB BILLING GAS	042817	1	7401-430-62-46	POSTAGE	297.30	297.30
05/17	05/01/2017	100296	728	U S POSTMASTER	UB BILLING WATER	042817	2	7110-430-42-46	POSTAGE	577.12	577.12
Total 042817:										874.42	874.42
Grand Totals:										874.42	874.42

Report Criteria:

Transmittal checks included

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Payee ID	GL Account	Amount
04/07/2017	CDPT	04/28/2017	625	AFLAC	14	8403-2239-0	411.60-
04/07/2017	CDPT	04/28/2017	625	AFLAC	14	7650-2203-0	132.05-
04/21/2017	CDPT	04/28/2017	625	AFLAC	14	7650-2203-0	.05
04/21/2017	CDPT	04/28/2017	625	AFLAC	14	8403-2239-0	411.60-
04/21/2017	CDPT	04/28/2017	625	AFLAC	14	7650-2203-0	132.05-
04/07/2017	CDPT	04/28/2017	626	BLUE SHIELD OF CALIFO	38	7650-2203-1	85.27-
04/21/2017	CDPT	04/28/2017	626	BLUE SHIELD OF CALIFO	38	7650-2203-1	85.27-
04/21/2017	CDPT	04/28/2017	626	BLUE SHIELD OF CALIFO	38	7650-2203-1	458.16-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	2.48
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	3,090.92-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	3,038.85-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	2,189.41-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	2,563.06-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	637.54-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	1,424.35-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	132.62-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	87.57-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	84.89-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	1,335.88-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	1,401.07-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	1,536.93-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	1,614.73-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	868.18-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	912.12-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	15.00-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	3,752.78-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	927.93-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	2,189.41-
04/21/2017	CDPT	04/28/2017	627	P.E.R.S.	8	7650-2203-1	16.00-
04/21/2017	CDPT	04/28/2017	628	CITY OF SUSANVILLE PA	1	7650-2203-1	6,578.56-
04/21/2017	CDPT	04/28/2017	628	CITY OF SUSANVILLE PA	1	7650-2203-1	6,578.56-
04/21/2017	CDPT	04/28/2017	628	CITY OF SUSANVILLE PA	1	7650-2203-1	2,104.90-
04/21/2017	CDPT	04/28/2017	628	CITY OF SUSANVILLE PA	1	7650-2203-1	2,104.90-
04/21/2017	CDPT	04/28/2017	628	CITY OF SUSANVILLE PA	1	7650-2203-1	14,563.65-
04/07/2017	CDPT	04/28/2017	629	LABORERS TRUST FUND	9	7650-2203-1	925.00-
04/21/2017	CDPT	04/28/2017	629	LABORERS TRUST FUND	9	7650-2203-1	23.00-
04/21/2017	CDPT	04/28/2017	629	LABORERS TRUST FUND	9	7650-2203-1	1,048.00-
04/21/2017	CDPT	04/28/2017	629	LABORERS TRUST FUND	9	7650-2203-1	68,808.00-
04/21/2017	CDPT	04/28/2017	630	LINCOLN FINANCIAL LIF	22	7650-2203-1	141.45-
04/21/2017	CDPT	04/28/2017	630	LINCOLN FINANCIAL LIF	22	7650-2203-1	174.25-
04/21/2017	CDPT	04/28/2017	631	EMPLOYMENT DEV. DEP	6	7650-2203-1	3,940.95-
04/21/2017	CDPT	04/28/2017	632	EMPLOYMENT DEV DEP	7	7650-2203-1	1,171.58-
04/21/2017	CDPT	04/28/2017	100286	CA STATE DISBURSEME	37	7650-2203-0	69.23-
04/07/2017	CDPT	04/28/2017	100287	GOLDEN ONE CREDIT U	12	7650-2203-0	553.00-
04/21/2017	CDPT	04/28/2017	100287	GOLDEN ONE CREDIT U	12	7650-2203-0	553.00-
04/21/2017	CDPT	04/28/2017	100288	NATIONWIDE RETIREME	5	7650-2203-0	915.00-
04/07/2017	CDPT	04/28/2017	100289	NEW IMAGE RACQUETB	30	7650-2203-0	115.00-
04/21/2017	CDPT	04/28/2017	100289	NEW IMAGE RACQUETB	30	7650-2203-0	115.00-
04/07/2017	CDPT	04/28/2017	100290	OPERATING ENGINEERS	11	7650-2203-0	684.00-
04/21/2017	CDPT	04/28/2017	100290	OPERATING ENGINEERS	11	7650-2203-1	59.00-
04/21/2017	CDPT	04/28/2017	100290	OPERATING ENGINEERS	11	7650-2203-0	684.00-
04/07/2017	CDPT	04/28/2017	100291	PRE-PAID LEGAL SERVI	13	7650-2203-0	288.65-
04/21/2017	CDPT	04/28/2017	100291	PRE-PAID LEGAL SERVI	13	7650-2203-0	288.65-
04/21/2017	CDPT	04/28/2017	100292	STATE FRANCHISE TAX	26	7650-2203-0	80.13-

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Payee ID	GL Account	Amount
04/21/2017	CDPT	04/28/2017	100293	UPEC, LOCAL 792	10	1000-415-10-	25.00-
04/21/2017	CDPT	04/28/2017	100293	UPEC, LOCAL 792	10	7650-2203-1	2,093.00-
04/21/2017	CDPT	04/28/2017	100294	VALIC	4	7650-2203-0	1,813.08-
04/21/2017	CDPT	04/28/2017	100295	VANTAGEPOINT TRANS.	3	7650-2203-0	62.00-
Grand Totals:			<u>58</u>				<u>145,975.25-</u>

Report Criteria:

Transmittal checks included

Reviewed by: City Administrator
 City Attorney

Motion only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted By: Deborah Savage, Finance Manager

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Monthly Finance Reports

PRESENTED BY: Deborah Savage, Finance Manager

SUMMARY: Attached for the Council's review is the cash and investment report and the summary report of revenues, expenditures and projected fund balances for the month of April 2017.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to receive and file monthly finance report.

ATTACHMENTS: Pooled cash and investments report
Cash and Investment report
Receipts and disbursements report
Revenues, expenses and fund balances report

POOLED CASH & INVESTMENTS

April 30, 2017

POOLED CASH FUND	
Bank of America - Checking	314,618
LAIF	13,734,256
Total Cash & Investments	<u>14,048,874</u>

Pooled Cash Allocation:

General	1,400,092
General Restricted	1,237,639
Special Revenue	1,418,094
Capital Projects	13,848
Debt Service	463,070
Enterprise	
Airport	(59,651)
Geothermal	262,973
Golf Course	(33,331)
Natural Gas	5,165,308
Water	3,719,760
Internal Service	570,605
Trust & Agency	443,436
Total Cash & Inv. Allocations	<u>14,601,841</u>

CASH WITH FISCAL AGENTS

April 30, 2017

General	
Special Revenue	
Capital Projects	
Debt Service	150,803
Enterprise	2,446,967
Internal Service	
Trust & Agency	
Total Cash with Fiscal Agents	<u>2,597,770</u>
GRAND TOTAL	<u>17,199,611</u>

CITY OF SUSANVILLE
 COMBINED CASH AND INVESTMENTS
 APRIL 30, 2017

COMBINED ACCOUNTS

9999-1011-001	B OF A # 08038-80200	314,617.75
9999-1030-001	LAIF	13,734,256.20
		14,048,873.95
	TOTAL COMBINED CASH AND INVESTMENTS	14,048,873.95
9999-1000-000	CLAIM ON CASH	(14,048,873.95)
		.00
		.00

CASH ALLOCATION RECONCILIATION

RESTRICTED FUNDS

1001	ALLOCATION TO GF-DEPOSITS PAYABLE	63,489.34
1002	ALLOCATION TO GF-ECONOMIC DEVELOPMENT	3,452.53
1003	ALLOCATION TO FLOOD/EMERGENCY DECLARATIONS	(25,766.31)
1004	ALLOCATION TO GF-PANCERA	18,321.66
1005	ALLOCATION TO GF-RESERVE ACCOUNT	1,074,991.63
1006	ALLOCATION TO POLICE FACILITIES & EQUIP FUND	15,805.98
1007	ALLOCATION TO FIRE FACILITIES & EQUIP FUND	53,898.35
1008	ALLOCATION TO ADMIN SVCS FACILITIES & EQUIP	33,445.99
2002	ALLOCATION TO STATE COPS	5,289.39
2006	ALLOCATION TO SNOW REMOVAL	(345.52)
2007	ALLOCATION TO STREETS & HIGHWAYS	(111,269.99)
2010	ALLOCATION TO STREET MITIGATION	24,075.83
2011	ALLOCATION TO POLICE MITIGATION	5,207.95
2012	ALLOCATION TO FIRE MITIGATION	114,049.99
2013	ALLOCATION TO PARK DEDICATION FUND	162,674.74
2014	ALLOCATION TO STATE OF CA - PROP 30/AB 109	27,780.00
2016	ALLOCATION TO CDBG REVOLVING LOAN FUND	101,594.59
2018	ALLOCATION TO HOME REVOLVING FUND	369,079.90
2030	ALLOCATION TO TRAFFIC SAFETY	61,949.59
2035	ALLOCATION TO TRAFFIC SIGNALS FUND	97,072.81
2037	ALLOCATION TO SKYLINE BICYCLE LANE	7,553.81
4001	ALLOCATION TO MARK ROOS SERIES B/92	23,465.31
4003	ALLOCATION TO CITY HALL	29,736.25
4004	ALLOCATION TO 2013 CALPERS REFUNDING LOAN	420,245.65
4005	ALLOCATION TO COMMUNITY POOL DEBT SERVICE	(10,377.08)
7111	ALLOCATION TO WATER RATE STABILIZATION FUND	3,000,000.00
7114	ALLOCATION TO WATER CAPITAL IMPROVEMENTS	355,105.20
7402	ALLOCATION TO NATURAL GAS STABILIZATION FUND	1,807,075.00
7610	ALLOCATION TO OPEB	35,382.83
7630	ALLOCATION TO RISK MANAGEMENT FUND	307,074.24
7650	ALLOCATION TO PAYROLL	(534.80)
8401	ALLOCATION TO HUSA BUSINESS IMPROVE DIST	7,424.29
8402	ALLOCATION TO LAFCO	22,319.55
8403	ALLOCATION TO SEC 125 & AFLAC	1,966.48
8404	ALLOCATION TO AIR POLLUTION	200,513.74
8405	ALLOCATION TO AIR POLLUTION-CARL MOYER	231,623.28
8406	ALLOCATION TO REGIONAL WATER MANAGEMENT GROU	(20,411.53)
		8,512,960.67
		8,512,960.67

CITY OF SUSANVILLE
COMBINED CASH AND INVESTMENTS
APRIL 30, 2017

UNRESTRICTED FUNDS

1000	ALLOCATION TO GENERAL FUND	1,400,091.63
3015	ALLOCATION TO CITY HALL PARKING LOT PROJECT	13,847.97
7110	ALLOCATION TO WATER SYSTEM	353,230.15
7112	ALLOCATION TO JOHNSTONVILLE WATER SYSTEM	11,424.42
7201	ALLOCATION TO AIRPORT	(59,650.92)
7301	ALLOCATION TO GEOTHERMAL UTILITY	262,972.65
7401	ALLOCATION TO NATURAL GAS	3,356,232.89
7530	ALLOCATION TO GOLF COURSE	(33,331.46)
7620	ALLOCATION TO PW ADMIN & ENGINEERING FUND	229,095.95
		<hr/>
	ALLOCATIONS TO UNRESTRICTED FUNDS	5,535,913.28
		<hr/>
	TOTAL ALLOCATIONS TO OTHER FUNDS	14,048,873.95
	ALLOCATION FROM COMBINED CASH FUND - 9999-1000-000	(14,048,873.95)
		<hr/>
	ZERO PROOF IF ALLOCATIONS BALANCE	.00
		<hr/> <hr/>

Fund #	Fund Title	Audited			Unaudited
		6/30/16 Fund Balance	YTD Revenue	YTD Expenditures	APRIL Fund Balance 4/30/17
100X	General Fund	2,704,355	4,010,497	4,266,588	2,448,264
2002	State COPS	54,963	50,055	99,731	5,287
2006	Snow Removal	58,003	16,928	75,276	(345)
2007	Streets	123,356	2,216,361	2,552,276	(212,560)
2010	Street Mitigation	21,329	2,748	0	24,077
2011	Police Mitigation	24,056	3,534	22,382	5,208
2012	Fire Mitigation	108,456	5,595	0	114,051
2013	Park Dedication	164,276	490	2,079	162,686
2014	State of CA - Prop 30/AB 109	34,615	13,725	20,560	27,780
2016	State Comm. Dev. Rev.FD	1,313,557	(17)	223,866	1,089,674
2017	State Economic Rev. FD	Combined 2017 with 2016 for First Time Homebuyers			
2018	Home Revolving Fund	706,318	13,441	259	719,500
2030	Traffic Safety	76,442	5,228	19,717	61,953
2035	Traffic Signals Fund	96,717	354	0	97,072
2037	Skyline Bicycle Lane	7,535	19	0	7,554
3015	City Hall Parking Lot	13,848	0	0	13,848
4001	Miller Fletcher	592,779	(129,033)	148,827	314,919
4003	City Hall Debt Service	52,245	112,520	135,028	29,737
4004	2013 CalPERS Refunding Loan	359,218	279,670	218,640	420,248
4005	Community Pool Debt Service	35,959	55,040	101,376	(10,377)
711X	Water Funds	2,607,824	2,024,620	1,844,656	2,787,788
7201	Airport	2,283,374	95,199	233,602	2,144,971
7301	Geothermal	572,623	57,056	115,030	514,650
740X	Natural Gas	(570,739)	4,005,283	3,453,573	(19,029)
7530	Golf Course	2,428,874	204,999	220,121	2,413,752
7620	PW Admin/Engineering	87,848	197,439	87,149	198,137
7630	Risk Management	381,562	668,048	742,390	307,220
8402	LAFCO	34,817	51,991	38,531	48,276
8404	Air Pollution	270,773	199,517	230,835	239,456
8405	Air Pollution - Carl Moyer	263,958	207,746	240,000	231,704
8406	IRWM - Management Group	0	37,334	57,746	(20,412)
TOTALS		14,908,939	14,406,388	15,150,238	14,185,500

RECEIPTS AND DISBURSEMENTS REPORT

Date	Dep Date	A/P Disbursements	Receipts	Balance
				\$275,009.37
4/3/2017			\$85,230.24	\$360,239.61
4/3/2017			\$15,610.30	\$375,849.91
4/3/2017			\$1,698.28	\$377,548.19
4/3/2017		-\$3,637.46		\$373,910.73
4/3/2017		-\$107.41		\$373,803.32
4/4/2017			\$32,678.99	\$406,482.31
4/4/2017			\$8,857.51	\$415,339.82
4/4/2017			\$1,897.01	\$417,236.83
4/4/2017			\$3,126.32	\$420,363.15
4/4/2017				\$420,363.15
4/4/2017		-\$200.00		\$420,163.15
4/4/2017			\$930.91	\$421,094.06
4/5/2017		-\$16.06		\$421,078.00
4/5/2017			\$24,506.44	\$445,584.44
4/5/2017			\$0.24	\$445,584.68
4/5/2017			\$4,533.07	\$450,117.51
4/5/2017			\$2,861.33	\$452,978.84
4/5/2017			\$1,866.91	\$454,845.75
4/6/2017			\$57,455.26	\$512,301.01
4/6/2017			\$6,429.33	\$518,730.34
4/6/2017			\$873.67	\$519,604.01
4/6/2017		-\$50,391.38		\$469,212.63
4/6/2017			\$185.90	\$469,398.53
4/6/2017			\$304.00	\$469,702.53
4/6/2017			\$1,219.05	\$470,921.58
4/7/2017			\$53,645.10	\$524,566.68
4/7/2017			\$7,713.49	\$532,280.17
4/7/2017			\$1,120.95	\$533,401.12
4/7/2017		-\$56.35		\$533,344.77
4/10/2017			\$5.00	\$533,349.77
4/10/2017			\$63,266.24	\$596,616.01
4/10/2017			\$6,953.33	\$603,569.34
4/10/2017			\$484.87	\$604,054.21
4/10/2017			\$30.56	\$604,084.77
4/10/2017			\$1,765.57	\$605,850.34
4/11/2017		-\$38.26		\$605,812.08
4/11/2017		-\$237.36	\$45,965.28	\$651,540.00
4/11/2017			\$46.93	\$651,586.93
4/11/2017			\$112.00	\$651,698.93
4/11/2017			\$5,830.94	\$657,529.87
4/11/2017			\$263.77	\$657,793.64
4/12/2017		-\$389.94		\$657,403.70
4/12/2017			\$18,791.41	\$676,195.11
4/12/2017			\$4,004.49	\$680,199.60
4/12/2017			\$117.00	\$680,316.60
4/12/2017			\$563.91	\$680,880.51
4/12/2017			\$349.80	\$681,230.31
4/12/2017		-\$156.23		\$681,074.08
4/12/2017		-\$8,288.48		\$672,785.60
4/12/2017			\$82.00	\$672,867.60
4/13/2017			\$8.00	\$672,875.60
4/13/2017			\$12,736.20	\$685,611.80
4/13/2017			\$3,169.62	\$688,781.42
4/13/2017			\$38.65	\$688,820.07
4/13/2017		-\$629.98		\$688,190.09
4/13/2017		-\$289.16		\$687,900.93

RECEIPTS AND DISBURSEMENTS REPORT

Date	Dep Date	A/P Disbursements	Receipts	Balance
4/14/2017		-\$58.94		\$687,841.99
4/14/2017		-\$99,771.68		\$588,070.31
4/14/2017		-\$318.88		\$587,751.43
4/14/2017		-\$3,089.44		\$584,661.99
4/14/2017		-\$30,953.91		\$553,708.08
4/14/2017		-\$3,918.19		\$549,789.89
4/14/2017		-\$1,166.70		\$548,623.19
4/14/2017		-\$27,262.51		\$521,360.68
4/14/2017		-\$2,939.44		\$518,421.24
4/14/2017		-\$10.42		\$518,410.82
4/14/2017		-\$102.55		\$518,308.27
4/14/2017		-\$2.94		\$518,305.33
4/14/2017		-\$286,994.55		\$231,310.78
4/14/2017			\$1,586.23	\$232,897.01
4/14/2017			\$16,223.65	\$249,120.66
4/14/2017			\$4,469.83	\$253,590.49
4/14/2017			\$358.21	\$253,948.70
4/14/2017			\$2,014.50	\$255,963.20
4/17/2017			\$95,115.47	\$351,078.67
4/17/2017			\$7,830.84	\$358,909.51
4/17/2017			\$332.46	\$359,241.97
4/17/2017			\$853.72	\$360,095.69
4/17/2017			\$1,699.61	\$361,795.30
4/17/2017			\$313.85	\$362,109.15
4/17/2017		-\$340.55		\$361,768.60
4/17/2017		-\$1,458.88		\$360,309.72
4/18/2017			\$26,112.15	\$386,421.87
4/18/2017			\$4,501.76	\$390,923.63
4/18/2017			\$135.74	\$391,059.37
4/18/2017		-\$57.05		\$391,002.32
4/18/2017			\$84.00	\$391,086.32
4/19/2017			\$447.70	\$391,534.02
4/19/2017		-\$1,183.56		\$390,350.46
4/19/2017		-\$210.00		\$390,140.46
4/19/2017			\$100,500.00	\$490,640.46
4/19/2017		-\$98,752.10		\$391,888.36
4/19/2017			\$13,014.56	\$404,902.92
4/19/2017			\$4,217.87	\$409,120.79
4/19/2017			\$62.08	\$409,182.87
4/20/2017		-\$42,855.43		\$366,327.44
4/20/2017			\$16,902.76	\$383,230.20
4/20/2017			\$3,626.58	\$386,856.78
4/20/2017			\$370.66	\$387,227.44
4/20/2017			\$380.96	\$387,608.40
4/21/2017			\$18,619.85	\$406,228.25
4/21/2017			\$6,506.91	\$412,735.16
4/21/2017			\$0.00	\$412,735.16
4/24/2017			\$27,249.96	\$439,985.12
4/24/2017			\$5,584.98	\$445,570.10
4/24/2017			\$1,312.98	\$446,883.08
4/24/2017			\$400.00	\$447,283.08
4/25/2017			\$9,209.16	\$456,492.24
4/25/2017			\$20,748.56	\$477,240.80
4/25/2017			\$4,380.92	\$481,621.72
4/25/2017			\$1,034.95	\$482,656.67
4/25/2017		-\$212.57		\$482,444.10
4/26/2017			\$1,912.50	\$484,356.60

RECEIPTS AND DISBURSEMENTS REPORT

Date	Dep Date	A/P Disbursements	Receipts	Balance
4/26/2017			\$16,037.64	\$500,394.24
4/26/2017			\$5,945.95	\$506,340.19
4/26/2017			\$718.09	\$507,058.28
4/26/2017		-\$546.74		\$506,511.54
4/27/2017		-\$32,960.77		\$473,550.77
4/27/2016			\$156.96	\$473,707.73
4/27/2017			\$14,278.89	\$487,986.62
4/27/2017			\$4,468.19	\$492,454.81
4/27/2017			\$475.94	\$492,930.75
4/27/2017		-\$575.42		\$492,355.33
4/28/2017		-\$98,617.82		\$393,737.51
4/28/2017		-\$3,591.59		\$390,145.92
4/28/2017		-\$31,930.57		\$358,215.35
4/28/2017		-\$3,940.95		\$354,274.40
4/28/2017		-\$1,171.58		\$353,102.82
4/28/2017		-\$27,816.76		\$325,286.06
4/28/2017		-\$71,946.00		\$253,340.06
4/28/2017		-\$1,087.25		\$252,252.81
4/28/2017		-\$628.70		\$251,624.11
4/28/2017		-\$315.70		\$251,308.41
4/28/2017		-\$7,137.74		\$244,170.67
4/28/2017		-\$930.00		\$243,240.67
4/28/2017			\$9.14	\$243,249.81
4/28/2017			\$265.51	\$243,515.32
4/28/2017			\$542.00	\$244,057.32
4/28/2017			\$698.22	\$244,755.54
4/28/2017			\$571.96	\$245,327.50
4/28/2017			\$1,167.76	\$246,495.26
4/28/2017		-\$26.00		\$246,469.26
4/28/2017		-\$68.26	\$41,341.24	\$287,742.24
4/28/2017			\$24,857.38	\$312,599.62
4/28/2017			\$1,184.35	\$313,783.97
4/28/2017			\$88.60	\$313,872.57
4/28/2017			\$745.43	\$314,618.00

Reviewed by: City Administrator
 City Attorney

 Motion only
 X Public Hearing
 X Resolution
 Ordinance
 Information

Submitted by: Deborah Savage, Finance Manager

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution No. 17-5368 Establishing and Adopting Schedules of Fees for Services Previously Resolution No. 16-5281

PRESENTED BY: Deborah Savage, Finance Manager

SUMMARY: The City has adopted resolutions establishing various fees for services. A fee is a charge imposed on an individual or business for a service or facility provided directly to an individual or business. Local governments charge fees for a wide range of purposes, from park use fees to building plan check fees. The amount of the fee may not exceed the cost of government to provide the service. These fees are reviewed annually to determine that costs are being recovered and adjusted when necessary.

Staff is submitting the Fee Schedule for Fiscal Year 2017-18 with the following changes:

Increases (Red Font)—Currently charged fees that are proposed to be increased based on an annual Consumer Price Index (CPI) increase for the year ending December 2016.

- Police Mitigation Fees
- Streets Mitigation Fees
- Fire Mitigation Fees

FISCAL IMPACT: All proposed fees for services have been calculated to recover the estimated cost of providing the service. For fiscal year 2017-18, the amount estimated to be collected for all fees under the current fee structure is approximately \$192,705. (Approximately \$112,305 for General Fund, \$10,100 for Special Revenue Funds, and \$70,300 for Proprietary Funds (not including utilities).

ACTION REQUESTED: Motion to approve Resolution No. 17-5368 Establishing and Adopting Schedules of Fees for Services Previously Resolution No. 16-5281

ATTACHMENTS: Resolution No. 17-5368
Exhibit A- Fees for Services for FY 2017-18

RESOLUTION NO. 17-5368
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SUSANVILLE
ESTABLISHING AND ADOPTING SCHEDULES OF RATES, FEES AND
CHARGES PREVIOUSLY RESOLUTION NO. 16-5281

WHEREAS, the City Council of the City of Susanville has heretofore established various schedules of rates, fees and charges for various services , including but not limited to, development fees, encroachment permit fees, public works fees, city care fees, duplication fees, building permit fees, police services fees, fire services fees, etc; and

WHEREAS, California Government Code Section 66013 or 66014 requires that no local agency shall levy a service charge or fee to an amount which exceeds the estimated amount of providing the services; and

WHEREAS, California Government Code Section 66016 requires that prior to levying a new fee or service charge, a local agency shall hold at least one public meeting at which oral or written presentations can be made and data can be made available to the public; and

WHEREAS, California Government Code Section 66018 requires that prior to adopting an ordinance or resolution adopting a new fee or charge, or increasing an existing fee or charge, a local agency shall hold a public hearing, at which oral or written presentations can be made, as part of a regularly scheduled meeting; and

WHEREAS, pursuant to California Government Code Section 66018, this City Council has conducted and concluded a public hearing with respect to the rates, fees and charges prior to adoption of this Resolution; and

WHEREAS, the City Council desires to adjust the rates, fees and charges and implement new rates, fees and charges for various government services provided by the City of Susanville, as set forth herein; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville as follows:

1 The City Council hereby finds and determines that based upon the data, information, analyses, oral and written documentation received concerning the rates, fees and charges described in Exhibit "A" incorporated herein, the rates, fees and charges do not exceed the established reasonable cost of providing the service for which they are levied.

2 The rates, fees and charges set forth in Exhibit "A" are hereby

adopted and approved.

3 The rates, fees and charges set forth in Exhibit "A" attached hereto shall be effective and shall be implemented commencing July 1, 2017, except for Planning and Building Fees, which shall take effect sixty (60) days after City Council adoption of this Resolution .

4 Immediately upon the effective date, any previously established rates, fees and charges shall be superseded by the rates, fees and charges established in said Exhibit "A".

5 If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Resolution.

6 The City Clerk shall certify to the adoption of this Resolution.

Dated: May 17, 2017

APPROVED:

Kathie Garnier, Mayor

ATTEST:

Gwenna MacDonald, City Clerk

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Susanville held on the 17th day of May, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM:

Jessica Ryan, City Attorney

	A	B	L	M	R
	Sr/2014-15 Budget/2014-15 Fees for Services - Exhibit A		2016-2017	2017-2018	
	Department	Service	ADOPTED FEES	PROPOSED FEE	Comments/calculations
1	City Clerk	Filing fee for Notice of	\$200.00	\$200.00	Elections Code 9202
2		Intent to circulate petition	\$10.00	\$10.00	Government Code 8211
3		Notary Fees per signature	\$0.10	\$0.10	Cost of Paper & Cost per copy for lease agrmt (Cost/copy lease=.08 and paper .02/sheet)
4		Duplication Fees per copy			
5	Finance Dept				
6		NSF Returned Check (First check passed)	\$25.00	\$25.00	California Civil Code Section 1719
7		NSF Returned Check (Subsequent checks passed)	\$35.00	\$35.00	California Civil Code Section 1719
8		Business License/HUSA Log	\$7.00	\$7.00	
9		Credit Card Fee (for payments on line or over the telephone)	\$3.00	\$3.00	To recover part of the fees the Bank charges the City for accepting Credit Cards (over the phone)
10		Water/Natural Gas Utility Late Fee	10%	10%	Of delinquent balance at time of non-pay disconnection of service
11	Comm. Devel.				
12	Building	Minimum permit fee	\$56.00	\$56.00	1=(Building Official @\$61.30/hr) 2=(Building Dept Permit-Tech @\$48.01/hr) 3=Planner@61.25/hr
13		Electrical permit application fee	\$46.00	\$46.00	1 hr (1) plus .7hrs(2)
14		Mechanical permit application fee	\$46.00	\$46.00	1 hr (1) plus .9hrs(2)
15		Plumbing permit application fee	\$46.00	\$46.00	1 hr (1) plus .9hrs(2)
16		Building Permit application fee	\$46.00	\$46.00	1 hr (1) plus .9hrs(2)
17		Permit fee - Electrical	\$103.00	\$103.00	1.34 hrs (1) plus .73hrs (2)
18		Permit fee - Mechanical	\$103.00	\$103.00	1.34 hrs (1) plus .73hrs (2)
19		Permit fee - Plumbing	\$103.00	\$103.00	1.34 hrs (1) plus .73hrs (2)
20		Demolition Permit	\$153.00	\$153.00	1.34 hrs (1) plus .73hrs (2) plus .3 (3)
21		Plan Review Revisions	\$40.00	\$40.00	77 hrs (1) plus \$79 per hour after the first half hour
22		Temp certificate of occupancy	\$106.00	\$106.00	per first 30 day period 1.25hrs (1) plus .5hrs (2)
23		Re-inspection fees	\$71.00	\$71.00	9hrs (1) plus .5hrs (2) [Fee allowed by Ord 02-886]
24		Sign permit-Copy Change Only	\$52.00	\$52.00	.25hrs (1) plus .8hrs (2)
25		Sign permit-new permit (flat rate vs. valuation) Electrical	\$163.00	\$163.00	1.9 hrs (1) plus 1.4hr (2) = ***Est. minimum. Charge will vary if permit includes electrical
26		Expired Permit	\$123.00	\$123.00	1.5 hrs (1) plus 1hr (2) Fee varies per time & prior work performed
27		Architectural Design & Site Plan	\$104.00	\$104.00	1.5hr (3)
28		Review-less than 1000 sq ft	\$1,144.00	\$1,144.00	18.6 hrs (3)+.7hrs(2)
29		Review-more than 1000 sq ft	\$600.00	\$600.00	9.5 hrs (3) + .7hrs (2)
30		Lot Line Adjustment	\$600.00	\$600.00	9.5 hrs (3) +.7hrs (2)
31		Lot Merger	\$381.00	\$381.00	5.4 hrs (3) +.5hrs (2)
32		Certificate of Compliance	\$209.00	\$209.00	2.9 hrs (3) + .25hrs (2)
33		Administrative Permit	\$100.00	\$100.00	3 day parking lot event (plus \$25.00 BL)
34		Temporary Use Permit	\$90.00	\$90.00	1.3 hrs (3) +.25hr (2)
35		Home Occupation Permit	\$612.00	\$612.00	10.2 hrs (3) plus \$80 Public Notice/2 + 5hr (2)
36		Variance (proposed development)	\$1,224.00	\$1,224.00	18 hrs (3) +1 (2) plus \$80 Public Notice +.7hr (2)
37		Variance (existing development)	\$190.00	\$190.00	3hrs (3) +.5hrs (2)
38		Floodplain Permit	\$421.00	\$421.00	6.7hrs (3). 25hrs (2) plus \$80 Public Notice/2
39		Conditional Use Permit Res - proposed (fences signs)	\$1,033.00	\$1,033.00	16 hrs (3) + .25 (2) plus \$80 Public Notice
40		Conditional Use Permit Res - existing (fences, signs)	\$842.00	\$842.00	13 hrs (3) +.25 (2) plus \$80 Public Notice
41		Conditional Use Permit minor			

City of Susanville
 Fees for Services
 Fiscal Year 2017-2018

Exhibit "A"

	A	B	L	M	R
2			2016-2017	2017-2018	
3	Department		ADOPTED FEES	PROPOSED FEE	Comments/calculations:
49		Service			
		Conditional Use Permit moderate	\$1,414.00	\$1,414.00	20 hrs (3) plus \$80 Public Notice
50		Conditional Use Permit major	\$2,061.00	\$2,061.00	30 (3) \$80 Public Notice, plus \$75 Records Search + 1hr (2)
51		Conditional Use Permit PD	\$2,443.00	\$2,443.00	38 hrs (3) plus \$80 Public Notice plus \$75 Records Search + 1hr (2)

	A	B	L	M	R
			2016-2017	2017-2018	
	Service		ADOPTED FEES	PROPOSED FEE	Comments/calculations
2	Department				
52	Service				
53	Tentative Parcel Map		\$1,414.00	\$1,414.00	20hrs (3) + .5hrs (7) plus \$90 Public Notice
54	Tentative Subdivision Map		\$2,443.00	\$2,443.00	37hrs (3) + .5hr (2) plus \$80 Pub Notice + \$75 Record Search + \$20 per lot
55	Zone Change		\$2,066.00	\$2,066.00	31hrs (3) + 1hr (2) plus \$160 Public Notice
56	Zone Change PD		\$2,257.00	\$2,257.00	35hrs (3) + 1hr (2) plus \$160 Public Notice
57	General Plan Amendment		\$2,526.00	\$2,526.00	40 hrs (3) + 1hr (2) plus \$160 Public Notice plus \$75 Records Search
58	General Plan Amendment with Annexation		\$4,048.00	\$4,048.00	65hrs (3) + 1hr (2) plus \$160 Pub Notice plus \$75 Record Search
59	Specific Plan		Actual cost plus 15%	Actual cost plus 15%	
60	Environmental Impact Report		Actual cost plus 15%	Actual cost plus 15%	
61	Special Study for Environmental		Actual cost plus 15%	Actual cost plus 15%	
62	Review by outside professionals		Actual cost plus 15%	Actual cost plus 15%	
63	Telecommunications Registration Fee		\$1,500.00	\$1,500.00	
64	Telecommunications Encroachment Review Fee		\$350.00	\$350.00	
65	Site Improvement Plan Review (PW Engineering)		Actual cost plus 15%	Actual cost plus 15%	For reviewing civil plans for projects on public and private property.
66	Engineering Review		Actual cost plus 15%	Actual cost plus 15%	
67	Outside Plan Review (Including Revisions)		Actual cost plus 15%	Actual cost plus 15%	
68	Negative Declaration		\$3,080.00	\$3,080.00	
69	Notice of Exemption		\$100.00	\$100.00	
70	Notice of Determination		Varies ***\$2,044-	Varies ***\$2,044-	
71	Final Subdivision Map		\$2,839.25 State	\$2,839.25 State	
72	Final Parcel Map		\$1,144.00	\$1,144.00	
73	Appealed Conditions		\$762.00	\$762.00	
74	Appeals to Planning Commission		\$652.00	\$652.00	
75	Appeals to City Council		\$381.00	\$381.00	
76		Mitigation Fees - Streets (per Sq.Ft)	\$0.96	\$0.98	per square foot based on Abbey Study dated July 1990, with 1.8% CPI increase (Consumer Price Indexes and U.S City Average-West B/C-Urban Wage Earners for the year ending December 2016)
77		Mitigation Fees - Police (per Sq.Ft)	\$1.24	\$1.26	per square foot based on Abbey Study dated July 1990, with 1.8% CPI increase (Consumer Price Indexes and U.S City Average-West B/C-Urban Wage Earners for the year ending December 2016)
78		Mitigation Fees - Fire/residential (per Sq. Ft.)	\$0.91	\$0.93	per square foot based on Abbey Study dated July 1990, with 1.8% CPI increase (Consumer Price Indexes and U.S City Average-West B/C-Urban Wage Earners for the year ending December 2016)
79		Mitigation Fees - Fire/commercial (per Sq.Ft.)	\$1.13	\$1.15	per square foot based on Abbey Study dated July 1990, with 1.8% CPI increase (Consumer Price Indexes and U.S City Average-West B/C-Urban Wage Earners for the year ending December 2016)
80	Commun. Deve	Historic Building Site Registry	\$126.00	\$126.00	Same as Lassen County
81	Planning	Plan Check Fee (per hour)	\$82.00	\$82.00	per hour for City Engineer
82		Final Map Check Fee (per hour)	\$82.00	\$82.00	per hour for City Engineer
83		Development Improvement Inspection	1%-2%	1%-2%	est. cost(\$500,000 or less=2%)((\$500,001-\$1,000,000=1.5%)(over \$1,000,000=1%) plus 10%
84					

A	B	L	M	R
2	Department	2016-2017	2017-2018	
3	Service	ADOPTED FEES	PROPOSED FEE	Comments/calculations
85	Commun. Svc.			**6=(Acct Tech\$34.44/hr) 7=(Parks Supervisor\$42.40/hr)
86				8=(Part-Time Staff \$16.92/hr)(Deposit Refundable)9=(Average Hourly of 7 & 8=\$29.66)
87	Community Center rental (per day-less than 4 hrs)	\$70.00	\$70.00	per day/less than 4 hours (.35 hrs (6)))(1 hr prep/clean-up(7) + 1 hr prep/clean up (8)) +\$50 Dep
88	Community Center rental (per day-more than 4 hrs)	\$101.00	\$101.00	per day/more than 4 hours(.25 hrs (6)))(1.5hrs clean-up(7))+\$50 Dep
89	CC Kitchen only (per day)	\$63.00	\$63.00	per day (.6 hrs (6))(.6 hr (7)) +\$50 Dep
90	PA System Rental	\$20.00	\$20.00	
91	Electrical Panel Rental	\$20.00	\$20.00	
92	Riverside Park (per day)	\$132.00	\$132.00	per day(1 hr (7) +1 hr (8))(4.8 hrs clean-up(8))
93	Riverside Park - Class Reunions	\$100.00	\$100.00	Refundable Deposit
94	Athletic Field (per day)	\$45.00	\$45.00	per day (.6 hrs (7))(1 hr clean-up(8))
95	Group Picnic Area (per day) memorial park	\$59.00	\$59.00	per day(.6 hrs (7))(2 hrs clean-up(8))
96	Tournament Fee (per day)	\$35.00	\$35.00	per day (2.6 hrs clean-up(8))
97	Amphitheater/Stage (per day)	\$47.00	\$47.00	per day (.5 hr (7))(1.5 hrs clean-up(8))
98	Light Tokens	\$6.50	\$6.50	per token
99				11= (Com Svc Ofcr \$36.80/hr) 12=(Admin Asst \$40.72/hr)
100				13= (Average Hourly Rate of Police Officer \$67.00) 14=Police Chief \$91.16/hr
101	Police			
102	Police Reports	\$15.00	\$15.00	.25 hrs (12) Retrieve, review and redact report before making copies and returning to files
103	Reports additional pages	\$0.10	\$0.10	Cost of Paper & Cost per copy for lease agrmt (Cost/copy lease=.08 and paper .02/sheet)
104	Finger Prints	\$28.00	\$28.00	plus live scan
105	Solicitor's Permits	\$28.00	\$28.00	plus live scan
106	Amplified Music	\$15.00	\$15.00	.16 hrs (14) Review application and contact applicant prior to signing and providing applicant a copy
107	Taxi Owner	\$28.00	\$28.00	plus live scan
108	Taxi Driver	\$28.00	\$28.00	plus live scan
109	Vehicle Release	\$82.00	\$82.00	plus citation cost. 1hr (13) plus .25 (12) plus \$.40 registered letter
110	VIN Verification	\$28.00	\$28.00	.42 hrs (13) Officers conduct these at remote locations. Inspect vehicle/trailer, match DMV documents and complete form
111	Civil Subpoena (per day)	\$150.00	\$150.00	per day attendance is required. Government Code 68096.1(b)@
112	Chation sign off (Not SPD)	\$17.00	\$17.00	.25 hrs (13) Officers respond to station, inspect vehicles, complete and sign document
113	Daily Alcohol Sales App	\$15.00	\$15.00	.41 hrs (14) Review application and contact applicant prior to signing and providing copy to applicant.
114	Police Service Fee (per hour)	\$67.00	\$67.00	per hour 1 hr (13)
115	DUI Recovery Fee (per hour)	\$67.00	\$67.00	per hour 1 hr (13)
116	Subpoena Duces Tecum EC1560	\$15.00	\$15.00	E.C 1560 \$24/hr per person(\$64/hr hour) .10/copy for standard reproduction. Rate set in code
117	Booking Fee Reimbursement	Actual cost county charge	Actual cost county charge	Actual cost county charge
118	NSF Returned Check (First check passed)	\$25.00	\$25.00	California Civil Code Section 1719
119	NSF Returned Check (Subsequent checks passed)	\$35.00	\$35.00	California Civil Code Section 1719

	A	B	L	M	R
	Department	Service	2016-2017 ADOPTED FEES	2017-2018 PROPOSED FEE	Comments/calculations
2					
3	Public Works				
120					
121					
122					
123					
124					
125					
126					
127					
128					
129					
130					
131					
132					
133					
134					
135					
136					
137					
138					
139					
140					
141					
142					
143					
144					
145					
146					
147					
148					
149					
150					
151					
152					
153					
154					
155					
156					
157					
158					

A	B	L	M	R
2		2016-2017	2017-2018	
3	Department	ADOPTED FEES	PROPOSED FEE	Comments/calculations
159	Service			
160				19=(Admin Asst \$35.00/hr) 20=(avg hny Chief & Battalion Chief = \$82.00)
161				Type 1 Engine - \$350/hr, Type 1 Rescue/Engine - \$425/hr, Type II Engine - \$250/hr, Type III Engine - \$150/hr, Ladder Truck - \$550/hour, Command Vehicle - \$60/hr, Utility Vehicle - \$50.00/hr) 1 hr minimum
162				Dispatch Fee - \$10.00, Volunteer Recovery Fee - \$20.00/hr each, Administrative Fee- 20% or \$200 (whichever is greater), Special Equipment - \$400 each
163				
164	Fire			
165	Fire Reports	\$38.00	\$38.00	1.1 hr (19)
166	New Business Inspections	\$82.00	\$82.00	1.1hr (20)
167	Medical Calls (inside City Limits Nonresident or not contracting)	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin
168	Fireworks display booth inspections ***	\$500.00	\$500.00	Permit-\$100, 3 inspections-\$150, clean up bond \$250 (additional inspections are required)
169	*** Additional inspections requires additional fees			
170	Sprinkler Plan and Inspection	\$82.00	\$82.00	per hour (20)
171	Plan Check Review	\$82.00	\$82.00	per hour (20)
172	Carnivals and Fair Inspections	\$575.00	\$575.00	7 hrs (20) \$577.71 Inspect all building, rides, booths, access and records
173	State Mandated Inspections:			
174	Day Care, residential (per hour)	\$82.00	\$82.00	per hour (20)
175	Day Care, commercial (per hour)	\$82.00	\$82.00	per hour (20)
176	Convalescent Hospital/Assisted Living (per hour)	\$82.00	\$82.00	per hour (20)
177	Other:			
178	Fire Suppression/Alarm system plan check (per hour)	\$82.00	\$82.00	per hour (20)
179	Fire Investigation Services (per hour)	Actual cost	Actual cost	
180	Malicious/false alarms	Actual cost	Actual cost	
181	Fire-stand by	Actual cost	Actual cost	
182	Facility use (per hour)	\$42.00	\$42.00	Avg daily cost for bldg (\$11,936)/30 days=\$397.93/8hrs=\$49.75 plus 1hr (21)=\$31.08 prep
183	Duplication (Black & White copies) per copy	\$0.10	\$0.10	per copy (Cost per copy lease agmt.) = .08 blk/wht. .19 color) plus Paper cost= .02/sheet
184	Duplication (Color copies) per copy	\$0.21	\$0.21	per copy (Cost per copy lease agmt.) = .08 blk/wht. .19 color) plus Paper cost= .02/sheet
185	Hazardous materials response	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
186	Special rescue/low angle	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
187	Vehicle Accidents	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
188	Vehicle Fire	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
189	Negligent Incident (illegal burn, negligent fire, etc)	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
190	Arching Power Lines	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
191	DUI Vehicle Accident	Actual cost	Actual cost	Vehicles+personnel+dispatch+admin+supplies+SE
193	Operational Permit Fee Schedule:			
194	Amusement Buildings	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
195	Aviation Facilities	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
196	Carnival and Fair	\$575.00	\$575.00	7 hrs (20) \$577.71 Inspect all building, rides, booths, access and records
197	Compressed Gases	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
198	Cryogenic Liquids	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
199	Cutting and Welding	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
200	Dry Cleaning Plants	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
201	Exhibits and Trade Shows	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
202	Explosives	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
203	Fire Hydrants and Valves	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection
204	Flammable and Combustible Liquids	\$82.00	\$82.00	1hr (20) = \$82. for processing permit and inspection

	A	B	L	M	R
	Department	Service	2016-2017 ADOPTED FEES	2017-2018 PROPOSED FEE	Comments/calculations
2					
3					
206		Floor Finishing	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
207		Fumigation and Thermal Insecticide Fogging	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
208		Hazardous Materials	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
209		High Pile Storage	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
210		Hot Work Operations	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
211		Industrial Ovens	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
212		Lumberyards and Woodworking Plants	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
213		Liquid/Gas Fueled Vehicles/Equipment In Assembly Buildings	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
214		LP-Gas	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
215		Misc Combustible Storage	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
216		Open Burning	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
217		Open Flames and Torches	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
218		Open Flames and Candles	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
219		Places of Assembly	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
220		Private Fire Hydrants	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
221		Pyrotechnic Special Effects Material	\$350.00	\$350.00	3 inspections, fire stand-by, permit
222		Refrigeration Equipment	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
223		Repair Garages and Motor Fuel-Dispensing Facilities	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
224		Spraying or Dipping	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
225		Storage of Scrap Tires and Tire Byproducts	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
226		Temporary Membrane Structures, Tents and Canopies	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
227		Waste Handling	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
228	Fire	Wood Products	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
229		Construction Permit and Other Fees	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
230		Application Fee	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
231		Inspection Fee	\$82.00	\$82.00	1hr (20)=\$92, for processing permit and inspection
232		Assembly	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
233		Compressed Gases	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
234		Flammable and Combustible Liquids	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
235		Hazardous Materials	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
236		High Piled Storage	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
237		Industrial Ovens	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
238		LP-Gas	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
239		Private Fire Hydrants	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
240		Spraying or Dipping	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
241		Temporary Membrane Structures, Tents and Canopies	\$164.00	\$164.00	2 hr minimum-1hr (20)=\$92 for processing permit and inspection
242		Re-inspection	\$82.00	\$82.00	1hr (20)=\$92, 00 - 1hr minimum after 2nd Attempt on non-compliance re-inspects.
243		Mobile Home Park Hydrant Certification (per hydrant)	\$41.00	\$41.00	30 min (20) if private hydrant fee has already been paid
244		Private Fire Hydrant Annual Inspection (per hydrant)	\$70.00	\$70.00	Vehicle+personnel+supplies+equipment+records
245		Private Fire Hydrant Repair & Maintenance	\$164.00	\$164.00	Charge is per hour (20)=\$92.00 with a 2 hour minimum plus parts
		Fire Investigation Report	Actual Cost	Actual Cost	Vehicles+personnel+supplies+S-E

Reviewed by: City Administrator
 City Attorney

Motion only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted by: Daniel Gibbs, City Engineer

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution No. 17-5369 authorizing the City Administrator to execute a Utility Agreement for Reimbursement of Costs Associated with Relocation of Fire Hydrants Along Main Street with Caltrans for the State’s CAPM Overlay Project No. 02-4F990.

PRESENTED BY: Dan Newton, Public Works Director

SUMMARY: Caltrans has approached the City and requested relocation of various water related utilities under ownership by the City. These facilities include three (3) fire hydrants located along Main Street, relocation of a water main away from a proposed storm drain in Fair Drive and various water valve adjustment. These utilities are in conflict with proposed work associated with the installation of new American With Disabilities Act (ADA) pedestrian ramps at several locations and desired storm drain improvements. The hydrant locations are at 1) the northwest corner of Park and Main Streets Mazatlan Restaurant; 2) the northwest corner of Sacramento and Main Streets (across from the T&A Lounge); and 3) at the southwest corner of Fairfield and Main Streets (Stonehouse Sandwich Shop).

Attached is Utility Agreement No. 02-UT-3078-1 which provides for reimbursement to the City once facilities are relocated to locations outside the limits of work. This work is associated with the CAPM pavement overlay work anticipated on Main Street during the summer of 2018. The cost of the work presented in the agreement is based upon estimates prepared by the City for the work and includes all material, equipment and labor necessary for bidding the work.

Staff will prepare plans for the work and have the relocation performed by a qualified contractor later this year. Once the work is completed, the City can request reimbursement for all costs associated with the effort up to the amount of estimated cost in the agreement. Work associated with this must be completed prior to February 1, 2018.

FISCAL IMPACT: \$112,066 from Water Fund 7110 to be reimbursed by the State through CAPM Overlay Project No. 02-4F990.

ACTION REQUESTED: Motion to approve Resolution No. 17-5369 authorizing City Administrator to execute an Utility Agreement with Caltrans for Reimbursement of Costs Associated with Fire Hydrant Relocation Along Main Street.

ATTACHMENTS: Resolution 17-5369
 Utility Agreement No. 02-UT-3078-1
 Engineers Estimates

RESOLUTION NUMBER 17-5369
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A UTILITY RELOCATION
REIMBURSEMENT AGREEMENT WITH CALTRANS FOR WORK ASSOCIATED
WITH THE STATE ROUTE 36 CAPM PAVEMENT OVERLAY PROJECT ON MAIN
STREET

WHEREAS, it is the desire of CALTRANS to improve State Route 36 (SR 36) including portions of Main Street for the purpose of pavement overlay, repairs and installation of Americans With Disabilities Act (ADA) accessibility ramps at intersections within the City of Susanville; and

WHEREAS, the City of Susanville Public Works Department has been petitioned by the State of California Department of Transportation Department (CALTRANS) to relocate certain facilities in conflict with proposed improvements; and

WHEREAS, it has been identified that it is in the best interest of the City to cooperate with CALTRANS for the specified work and at the same time seek reimbursement for said work within CALTRANS right of way but under the ownership of the City of Susanville; and

WHEREAS, The City and CALTRANS have negotiated a Not To Exceed cost for relocation of potable water facilities such as fire hydrants, water main and isolation valves out of the area of construction for desired new ADA accessibility ramps and storm drain improvements; and

WHEREAS, CALTRANS has submitted four (4) original Utility Agreements No. 02-UT-3078-1 for execution with City for said water utility relocations and associated work once completed by the City prior to February 1, 2018; and

WHEREAS, the City of Susanville Public Works Department will pursue formal bids with contractors for the work and prepare contracts for completion of the work in compliance with the California Public Contract Code and any applicable local ordinances prior to February 1, 2018 then request reimbursement of the full cost of the hydrant relocation up to an amount not to exceed \$112,066.00; and

WHEREAS, adequate funds are present in the Water Fund to cover the costs of relocation until reimbursements are received from CALTRANS as indicated under the terms of the Utility Agreement 7; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville to authorize the City Administrator to execute Utility Agreement No. 02-UT-3078-1 with CALTRANS and direct Public Works staff to pursue completion of the work with public bids and contracts prior to February 1, 2018.

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald, City Clerk

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17TH day of May, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM: _____

Jessica Ryan, City Attorney

UTILITY AGREEMENT

RW 13-5 (REV 9/2014)

DISTRICT 02	COUNTY Las	ROUTE 36	POST MILE 22.4/29.4	PROJECT ID 02-4F990
FEDERAL AID NUMBER N/A		OWNER'S FILE NUMBER Owners File: N/A		

FEDERAL PARTICIPATION:

On the Project Yes NoOn the Utilities Yes NoOwner Payee Data No. 94-6000439 or Form STD 204 is attached. **UTILITY AGREEMENT NO. 02-UT-3078-1 DATE _____**

The State of California, acting by and through the Department of Transportation, hereinafter called "STATE" proposes to rehabilitate the pavement in Lassen County in or near Susanville and

NAME: City of Susanville Public Works Department - waterADDRESS: 720 South Street, Susanville, CA 96130

hereinafter called "OWNER," owns and maintains water facilities within the limits of STATE's project which require relocation to accommodate the STATE's project.

It is hereby mutually agreed that:

I. WORK TO BE DONE

In accordance with Notice to Owner No. 02-3078-1 dated April 18, 2017, OWNER shall relocate their water facilities as shown on the Utility Plan which by this reference is made a part hereof. STATE hereby acknowledges review of OWNER's plan and agrees to the construction in the manner proposed. Deviations from the plan described above initiated by either the STATE or the OWNER, shall be agreed upon by both parties hereto under a Revised Notice to Owner. Such Revised Notices to Owner, approved by the STATE and acknowledged by the OWNER, will constitute an approved revision of the plan described above and are hereby made a part hereof. No work under said deviation shall commence prior to receipt by the OWNER of the Revised Notice to Owner. Changes in the scope of the work will require an amendment to this Agreement in addition to the revised Notice to Owner.

II. LIABILITY FOR WORK

The existing facilities are located at their present position pursuant to rights superior to those of the STATE and will be relocated at STATE expense.

III. PERFORMANCE OF WORK

OWNER agrees to perform the herein described work, excepting that work being performed by the STATE's highway contractor, with its own forces or to cause the herein described work to be performed by OWNER's contractor(s), employed by written contract on a continuing basis to perform work of this type, and to provide and furnish all necessary labor, materials, tools and equipment required therefore, and to prosecute said work diligently to completion.

OWNER shall have access to all phases of the relocation work to be performed by STATE for the purpose of inspection to ensure that the work is in accordance with the specifications contained in the Highway Contract; however, all questions regarding the work being performed will be directed to STATE's Resident Engineer for their evaluation and final disposition.

Use of out-of-state personnel (or personnel requiring lodging and meal "per Diem" expenses) will not be allowed without prior written authorization by State's representative. Requests for such authorization must be contained in OWNER's estimate of actual and necessary relocation costs. Accounting Form FA-1301 is to be completed and submitted for all non-State personnel travel per diem. OWNER shall include an explanation why local employee or contract labor is not considered adequate for the relocation work proposed. Per Diem expenses shall not exceed the per diem expense amounts allowed under the State's Department of Personnel Administration travel expense guidelines.

Work performed directly by Owner's employees falls within the exception of Labor Code Section 1720(a) (1) and does not constitute a public work under Section 1720(a) (2) and is not subject to prevailing wages. OWNER shall verify compliance with this requirement in the administration of its contracts referenced above.

IV. PAYMENT FOR WORK

The STATE shall pay its share of the actual and necessary cost of the herein described work within 45 days after receipt of OWNER's itemized bill, signed by a responsible official of OWNER's organization and prepared on OWNER's letterhead, compiled on the basis of the actual and necessary cost and expense incurred and charged or allocated to said work in accordance with the uniform system of accounts prescribed for OWNER by the California Public Utilities Commission, Federal Energy Regulatory Commission or Federal Communications Commission, whichever is applicable.

It is understood and agreed that the STATE will not pay for any betterment or increase incapacity of OWNER's facilities in the new location and that OWNER shall give credit to the STATE for accrued depreciation of the replaced facilities and for the salvage value of any material or parts salvaged and retained or sold by OWNER.

Not more frequently than once a month, but at least quarterly, OWNER will prepare and submit itemized progress bills for costs incurred not to exceed OWNER's recorded costs as of the billing date less estimated credits applicable to completed work. Payment of progress bills not to exceed the amount of this Agreement may be made under the terms of this Agreement. Payment of progress bills which exceed the amount of this Agreement may be made after receipt and approval by STATE of documentation supporting the cost increase and after an Amendment to this Agreement has been executed by the parties to this Agreement.

The OWNER shall submit a final bill to the STATE within 360 days after the completion of the work described in Section I above. If the STATE has not received a final bill within 360 days after notification of completion of OWNER's work described in Section I of this Agreement, and STATE has delivered to OWNER fully executed Director's Deeds, Consents to Common Use or Joint Use Agreements for OWNER's facilities (if required), STATE will provide written notification to OWNER if its intent to close its file within 30 days. OWNER hereby acknowledges, to the extent allowed by law, that all remaining costs will be deemed to have been abandoned. If the STATE processes a final bill for payment more than 360 days after notification of completion of OWNER's work, payment of the late bill may be subject to allocation and/or approval by the California Transportation Commission.

The final billing shall be in the form of an itemized statement of the total costs charged to the project, less the credits provided for in this Agreement, and less any amounts covered by progress billings. However, the STATE shall not pay final bills which exceed the estimated cost of this Agreement without documentation of the reason for the increase of said cost from the OWNER and approval of documentation by STATE. Except, if the final bill exceeds the OWNER's estimated costs solely as the result of a revised Notice to Owner as provided for in Section I, a copy of said revised Notice to Owner shall suffice as documentation. In either case, payment of the amount over the estimated cost of this Agreement may be subject to allocation and/or approval by the California Transportation Commission.

In any event if the final bill exceeds 125% of the estimated cost of this Agreement, an Amended Agreement shall be executed by the parties to this Agreement prior to the payment of the OWNER's final bill. Any and all increases in costs that are the direct result of deviations from the work described in Section I of this Agreement shall have prior concurrence of STATE.

Detailed records from which the billing is compiled shall be retained by the OWNER for a period of three years from the date of the final payment and will be available for audit by STATE and/or Federal auditors. Owner agrees to comply with Contract Cost Principles and Procedures as set forth in 48 CFR, Chapter 1, Part 31, et seq., 23 CFR, Chapter 1, Part 645 and/or 18 CFR, Chapter 1 Parts 101, 201, et al., to the extent they are applicable. If a subsequent State and/or Federal audit determines payments to be unallowable, OWNER agrees to reimburse STATE upon receipt of STATE billing.

V. GENERAL CONDITIONS

If STATE's project which precipitated this Agreement is canceled or modified so as to eliminate the necessity of work by OWNER, STATE will notify OWNER in writing and STATE reserves the right to terminate this Agreement by Amendment. The Amendment shall provide mutually acceptable terms and conditions for terminating the Agreement.

All obligations of STATE under the terms of this Agreement are subject to the passage of the annual Budget Act by the State Legislature and the allocation of those funds by the California Transportation Commission.

OWNER shall submit a Notice of Completion to the STATE within 30 days of the completion of the work described herein

OWNER understands and acknowledges that this project is subject to the requirements of the Buy America law (23 U.S.C., Section 313) and applicable regulations, including 23 CFR 635.410 and FHWA guidance. OWNER hereby certifies that in the performance of this Agreement, for products where Buy America requirements apply, it shall use only such products for which it has received a certification from its supplier, or provider of construction services that procures the product certifying Buy America compliance. This does not include products for which waivers have been granted under 23 CFR 635.410 or other applicable provisions or excluded material cited in the Department's guidelines for the implementation of Buy America requirements for utility relocations issued on December 3, 2013.

STATE further acknowledges that OWNER, in complying with the Buy America Rule, is expressly relying upon the instructions and guidance (collectively, "Guidance") issued by Caltrans and its representatives concerning the Buy America Rule requirements for utility relocations within the State of California. Notwithstanding any provision herein to the contrary, OWNER shall not be deemed in breach of this Agreement for any violations of the buy America Rule if OWNER's actions are in compliance with the Guidance.

UTILITY AGREEMENT (Cont.)

RW 13-5 (REV 9/2014)

UTILITY AGREEMENT NO.
02-UT-3078-1

IN WITNESS WHEREOF, the above parties have executed this Agreement the day and year above written.

STATE:

OWNER:

By _____
Print Name TAUNI VISSER MELVIN Date _____
Title Senior Right of Way Agent
Utility/Railroad Coordination Branch
Eureka/Redding

By _____
Print Name _____ Date _____
Title _____

APPROVAL RECOMMENDED:

By _____
Print Name WILLIAM WALKER Date _____
Title Associate Right of Way Agent
Utility Coordinator

By _____
Print Name _____ Date _____
Title _____

THIS AGREEMENT SHALL NOT BE EXECUTED BY THE STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION UNTIL FUNDS ARE CERTIFIED.

UTILITY AGREEMENT (Cont.)

RW 13-5 (REV 9/2014)

UTILITY AGREEMENT NO.
02-UT-3078-1

DO NOT WRITE BELOW - FOR ACCOUNTNG PURPOSES ONLY

CT DOCUMENT	EVENT TYPE	DEPT	UNIT	PROJECT ID	PHASE	REPORTING	OBJ CODE (N)	BFY	AMOUNT
					9				
					9				
					9				

PROJECT ID FUNDING VERIFIED: Sign:>	REVIEW/REQUEST FUNDING: Sign>
Print> Cindy Vincelli R/W Planning and Management	Print> William Walker R/W Utility Coordinator
Date	Date

THE ESTIMATED COST TO STATE FOR ITS SHARE OF THE ABOVE DESCRIBED WORK IS \$ 112,066.00

CERTIFICATION OF FUNDS				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.				
R/W Planning and Management				Date
ITEM	CHAP	STAT	FY	AMOUNT

FUND TYPE	PROJECT ID	AMOUNT
Design Funds		
Construction Funds	4F9904	2,250.00
RW Funds	4F9909	\$109,816.00

Distribution: 2 originals to R/W Accounting
1 original to Utility Owner
1 original to Utility File

NOTICE TO OWNER

RW 13-4 (Rev. 1/2014)

NOTICE TO OWNER

Dist.	County	Route	PM	Proj. ID	Project #
02	Las	36	22.4/29.4	0213000057	4F990
Federal Aid No.: N/A					
Owners File: N/A					
Date: April 18, 2017			Freeway: [] Yes [X] No		

Number 02-3078-1

To: City of Susanville Public Works - water
720 South Street
Susanville, CA 96130

Attention: Dan Gibbs

Because of the State Highway construction project: In Lassen County on State Route 36 in or near Susanville (Pavement Rehabilitation)

Which affects your facilities: Water facilities – 3 Fire Hydrants, 1 water line and 3 valve covers

You are hereby ordered to: Relocate your water facilities as shown on the attached plan sheets.

Your work schedule shall be as follows: Phase 1 - Relocation work on fire hydrants and water line to be completed prior to February 1, 2018.

Phase 2 – Your water valve covers will be adjusted during construction by the State's Contractor.

Note: Notify State's Utility Design Engineer Russ Petty (530) 741-4548 at least 72 hours prior to start of work, and 24 hours prior to subsequent restart when your work schedule is interrupted.

Note to RE: If coordination is needed during construction please contact City of Susanville representative Dan Gibbs at 530-257-1050.

Contact Bill Walker at (530) 225-4517 if you have questions.

Liability for the cost of the work is: The existing facilities are located in their present location pursuant to rights superior to those of the State and will be relocated at State expense.

DISTRICT DIRECTOR

DISTRICT DIVISION CHIEF

By 
DISTRICT UTILITY COORDINATOR

CC: Resident Engineer
Permits
R/W
Design

THIS NOTICE DOES NOT CONSTITUTE A PERMIT. OBTAIN AN ENCROACHMENT PERMIT BEFORE STARTING WORK.

Main Street Fire Hydrant Relocation - Caltrans CAPM Overlay

Item	Unit	Bid Qty	Unit Price	Amount
Mobilization	LS	1	\$ 4,093.75	\$ 4,094
Traffic Control	LS	1	\$ 2,046.88	\$ 2,047
Clear and Grub	LS	1	\$ 1,637.50	\$ 1,638
Sub-Grade Repair (Dig Outs) w/Rock	SQYD	0	\$ 35.00	\$ -
Remove Culvert	LF	0	\$ 50.00	\$ -
Remove Concrete Curb and Gutter	LF	100	\$ 15.00	\$ 1,500
Remove Concrete Sidewalk	SQFT	500	\$ 7.50	\$ 3,750
Remove Concrete Valley Gutter	SQFT	0	\$ 7.50	\$ -
Raise Utility Covers	EA	3	\$ 750.00	\$ 2,250
Install Fire Hydrant	EA	3	\$ 7,500.00	\$ 22,500
6" C900 Water Main	LF	140	\$ 65.00	\$ 9,100
6" Valve	EA	3	\$ 1,500.00	\$ 4,500
Misc 6" Fittings and Appertunances	LS	3	\$ 5,000.00	\$ 15,000
Thrust Block, 4000 psi Concrete	EA	7	\$ 1,500.00	\$ 10,500
Trench Backfill, Sand	CY	12	\$ 25.00	\$ 300
Trench Backfill, 1 Sack Slurry	CY	6	\$ 100.00	\$ 600
Cold Plane Asphalt Concrete Pavement	SQYD	0	\$ 5.50	\$ -
Class 2 Aggregate Base	CY	0	\$ 35.00	\$ -
Hot Mix Asphalt (Type B)	TON	3	\$ 125.00	\$ 375
Hot Mix Asphalt Walkway	SQFT	0	\$ 6.00	\$ -
Hot Mix Asphalt Dike (Type A)	LF	0	\$ 25.00	\$ -
Hot Mix Asphalt Dike (Type E)	LF	0	\$ 25.00	\$ -
Hot Mix Asphalt Swale	SQFT	0	\$ 15.00	\$ -
Hot Mix Asphalt Ramp	SQFT	0	\$ 15.00	\$ -
Shoulder Backing	TON	0	\$ 35.00	\$ -
PCC Curb and Gutter	LF	100	\$ 40.00	\$ 4,000
PCC Sidewalk	SQFT	500	\$ 15.00	\$ 7,500
PCC Valley Gutter	SQFT	0	\$ 35.00	\$ -
PCC Curb Ramp w/Truncated Domes	EA	0	\$ 3,500.00	\$ -
PCC Driveway	SQFT	0	\$ 15.00	\$ -
Detectable Warning Surface	SQFT	0	\$ 35.00	\$ -
Painted Traffic Stripe	LF	0	\$ 5.00	\$ -
Painted Pavement Marking	SQFT	0	\$ 10.00	\$ -
Pulverization	SQYD	0	\$ 10.00	\$ -
Chain Link Fence Fall Protection	LF	0	\$ 45.00	\$ -
			Subtotal	\$ 89,653
			10% Contingencies	\$ 8,965
			15% Construction Engr	\$ 13,448
			PROJECT TOTAL	\$ 112,066

Reviewed by: JGH City Administrator
_____ City Attorney

_____ Motion only
_____ Public Hearing
X Resolution
_____ Ordinance
_____ Information

Submitted by: Kristin Shepard, Administrative Specialist

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: **Resolution Number 17-5378** authorizing Public Works Director to execute agreement with Mike Engman Company for the installation of a geothermal system drain located on South Street

PRESENTED BY: Dan Newton, Public Works Director

SUMMARY: The Public Works Department has identified the need to install a geothermal drain on South Street. Due to the existing workload in the Public Works Department Water Division in addition to staffing constraints and urgency of project completion, staff is recommending that the improvements be performed via contract. Mike Engman Company has been identified as being capable of performing the required work with the specialized equipment necessary.

Mike Engman Company Proposal 1049 includes the labor and equipment necessary to install ductile iron pipe to bottom of drainage ditch to complete the geothermal drain. Materials to be provided by the City.

FISCAL IMPACT: Project proposal of \$2,800 to be covered in the current 2016-2017 geothermal budget.

ACTION REQUESTED: Motion approving **Resolution Number 17-5378** authorizing Public Works Director to execute agreement with Mike Engman Company for the installation of a geothermal drain located on South Street

ATTACHMENTS: Resolution Number 17-5378
Mike Engman Company Proposal 1049

RESOLUTION NUMBER 17-5378
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE
AUTHORIZING PUBLIC WORKS DIRECTOR TO EXECUTE AGREEMENT WITH
MIKE ENGMAN COMPANY FOR THE INSTALLATION OF A GEOTHERMAL DRAIN
LOCATED ON SOUTH STREET

WHEREAS, the Public Works Department has identified the need to install a geothermal drain on South Street; and

WHEREAS, completion of the installation work is a time-sensitive project and due to existing workload for the Public Works Department Water Division, the work will be performed via contract to allow completion by the desired date; and

WHEREAS, Mike Engman Company has been identified as being capable of performing the required work; and

WHEREAS, Mike Engman Company submitted Proposal #1049 in the amount of \$2,800 for the labor and equipment to install ductile iron pipe to the bottom of a drainage ditch on South Street.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville has hereby authorized Public Works Director to execute agreement in the amount of \$2,800 with Mike Engman Company for the installment of a geothermal drain located on South Street.

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald, City Clerk

The foregoing Resolution No. 17-5378 was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17th day of May 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM:

Jessica Ryan, City Attorney



MIKE ENGMAN COMPANY
PO BOX 270429
SUSANVILLE, CA 96127

530-252-4544

PROPOSAL 1049

PROPERTY LINES: Owner shall locate and point out property lines to contractor. Contractor may, at his option, require owner to provide a licensed land surveyor's map of property.

Submitted To: City of Susanville

JOB NAME/NUMBER	JOB PHONE
JOB LOCATION <u>South St</u>	
ARCHITECT	DATE OF PLANS
STARTING DATE	COMPLETION DATE (Approximate)

SUBSTANTIAL COMMENCEMENT OF WORK SHALL CONSIST OF

Geothermal Drain

CONTRACTOR'S LICENSE NUMBER <u>643648</u>	HOME IMPROVEMENT SALESPERSON	SALESPERSON'S REGISTRATION NUMBER	DATE OF PROPOSAL <u>3/27/17</u>
--	------------------------------	-----------------------------------	------------------------------------

We hereby submit specifications and estimates for:

Labor and equipment to install ductile iron pipe to bottom of drainage ditch.

Materials provided by City of Susanville

Contractors are required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, CA 95826.

STATE LAW REQUIRES ANYONE WHO CONTRACTS TO DO CONSTRUCTION WORK TO BE LICENSED BY THE CONTRACTORS' STATE LICENSE BOARD IN THE LICENSED CATEGORY IN WHICH THE CONTRACTOR IS GOING TO BE WORKING -- IF THE TOTAL PRICE OF THE JOB IS \$500 OR MORE (INCLUDING LABOR AND MATERIALS).

LICENSED CONTRACTORS ARE REGULATED BY LAWS DESIGNED TO PROTECT THE PUBLIC. IF YOU CONTRACT WITH SOMEONE WHO DOES NOT HAVE A LICENSE, THE CONTRACTORS' STATE LICENSE BOARD MAY BE UNABLE TO ASSIST YOU WITH A COMPLAINT. YOUR ONLY REMEDY AGAINST AN UNLICENSED CONTRACTOR MAY BE IN CIVIL COURT, AND YOU MAY BE LIABLE FOR DAMAGES ARISING OUT OF ANY INJURIES TO THE CONTRACTOR OR HIS OR HER EMPLOYEES.

YOU MAY CONTACT THE CONTRACTORS' STATE LICENSE BOARD TO FIND OUT IF THIS CONTRACTOR HAS A VALID LICENSE. THE BOARD HAS COMPLETE INFORMATION ON THE HISTORY OF LICENSED CONTRACTORS, INCLUDING ANY POSSIBLE SUSPENSIONS, REVOCATIONS, JUDGMENTS, AND CITATIONS. THE BOARD HAS OFFICES THROUGHOUT CALIFORNIA. PLEASE CHECK THE GOVERNMENT PAGES OF THE WHITE PAGES FOR THE OFFICE NEAREST YOU OR CALL 1-800-321-CSLB FOR MORE INFORMATION.

We Propose to perform the above work in accordance with the drawings and specifications submitted, and to complete it in a workmanlike manner according to standard practices for the sum of: Down Payment of: 0

\$2800.00

PAYMENT SCHEDULE. The Contract Price shall be paid in progress payments, which do not include finance charges of any kind, according to the following schedule:

- ___ % (\$ ___) upon signing Contract;
- ___ % (\$ ___) upon completion of _____;
- ___ % (\$ ___) upon completion of _____;
- 100 % (\$ 2800.00) shall be made forthwith upon completion of work under this contract.

Upon satisfactory payment being made for any portion of the work performed, the Contractor shall, prior to any further payment being made, furnish to the Owner or Tenant contracting for the home improvement or swimming pool, a full and unconditional release from any claim or mechanics' lien for that portion of the work for which payment has been made.

You the Owner or Tenant have the right to require the Contractor to have a performance and payment bond.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. It is understood and agreed that this work is not provided for in any other agreement and no contractual rights arise until this proposal is accepted in writing.

Failure by the Contractor, without lawful excuse, to substantially commence work within twenty (20) days from the approximate date specified in this contract when the work will begin, is a violation of the Contractors License Law.

Authorized Signature: Mike Engman Date: 3/27/17 Acceptance: _____ Date: _____
(OWNER'S SIGNATURE)

You, the Buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the Notice of Cancellation form (reverse side) for an explanation of this right.

Reviewed by: JGH City Administrator
_____ City Attorney

_____ Motion only
_____ Public Hearing
X Resolution
_____ Ordinance
_____ Information

Submitted by: Jared G. Hancock, City Administrator

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution No. 17-5379, Finding of Public Convenience or Necessity (PCN) for the issuance of a Type 42, on-sale beer and wine liquor license

PRESENTED BY: Jared G. Hancock, City Administrator

SUMMARY: The Bottle and Brush Art Bar and Gallery, located at 2208 Main Street (across from Kelly Moore Paint) is requesting that the City Council find that as a matter of Public Convenience or Necessity, they be allowed to acquire a Type 42 on-sale beer, wine license to their establishment in Susanville. Per Business Code Section 23958.4, it is necessary for the local governing body to approve the establishment of the license if there is an "undue concentration" of licenses in the census tract area.

The store is located in census tract 0403.04 which is allowed 2 off-sale alcoholic beverage locations based on population but which currently has 7 according the Department of Alcoholic Beverage Control (ABC). The other establishments selling alcohol within the census tract are: Walmart, Safeway, Dollar General, Grocery Outlet, A-1 Food Mart, Susanville Chevron, and Susanville Shell all of which are retail (off-sale) establishments. Bottle and Brush would be the only on-sale establishment, other than restaurants which are not counted for the purpose of concentration.

Bottle and Brush Art Bar and Gallery is a new business which will encompass a variety of uses including "bottle and brush" art classes, art shows, and wine tastings. The business will be open from 12 p.m. to 8 p.m. on Wednesday and Thursday, 12 p.m. to 9 p.m. on Friday and 10 a.m. to 9 p.m. on Saturday. It will be closed Sunday through Tuesday.

The project is in a C-2 zoning district which requires a use permit for a bar. Though the operating characteristics of the proposed use is quite different from a typical bar staff determined that a use permit would still be required. The Planning Commission heard the use permit application on April 25th and unanimously approved the use at the proposed location and reviewed the proposed use. In order for the applicant to obtain a beer and wine license at this location, the City must make a finding that there is a public convenience or necessity for the license. Approval of this transfer will bring the number of retail locations to 8, according to ABC records. The Police Department reviewed the proposal as part of the use permit process and had comments related to parking, proximity of potentially intoxicated pedestrians to the roadway and pedestrian lighting.

With the exception of the Diamond Mountain Casino mini-mart all of the alcohol retailers within the City are located on Main Street. These retailers serve the greater Susanville area as well as the travelling public.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to approve **Resolution No. 17-5379** Making Finding of Public Convenience or Necessity

ATTACHMENTS: Resolution No. 17-5379

RESOLUTION NUMBER 17-5379
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE
MAKING FINDING OF PUBLIC CONVENIENCE OR NECESSITY

WHEREAS, Bottle and Brush Art Bar and Gallery has applied to the State Department of Alcoholic Beverage Control for and on-sale beer and wine alcohol license (Type 42); and

WHEREAS, the Department of Alcoholic Beverage Control has determined that 2 off-sale licenses are allowed in census tract 403.04, and there are currently 7 licenses issued; and

WHEREAS, this determination triggers the requirement for a finding from the local jurisdiction that the public convenience or necessity is served by the addition or transfer of this Type of license; and

WHEREAS, staff has advised the following:

- 1 That the issuance of a Type 42 license to this location will not interfere with the surrounding area, as sale of alcoholic beverages is not the primary operating characteristic or purpose of the applicant's business and no other such Type 42 licenses are currently established in the subject census tract thereby allowing a desirable use in an area that does not have similar uses serving the public.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville that a finding that the public convenience or necessity is served by the transfer of a Type 42 license at the Bottle and Brush Art Bar and Gallery located at 2208 Main Street based on the points of facts contained herein.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute Part 3 of Section 23958.4 B&P on behalf of the City of Susanville.

BE IT FURTHER RESOLVED that the Bottle and Brush Art Bar and Gallery or its rightful owners, shall obtain all the necessary permits for the on-sale license prior to commencing sales.

Approved:

Kathie Garnier, Mayor

Attest:

Gwenna MacDonald, City Clerk

The foregoing Resolution Number 17-5379 was adopted at a regular meeting of the City Council of the City of Susanville held on the 17th day of May, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM:

Jessica Ryan, City Attorney

Reviewed by: City Administrator
 City Attorney

Motion only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted by: James M Moore, Fire Chief

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: **Resolution No. 17-5380** authorizing the Fire Chief to sign the agreement with the State of California OES for Hazardous (Haz-Mat) team training.

PRESENTED BY: James M Moore, Fire Chief

SUMMARY: In May of 2016 Fire Department staff were contacted by Cal OES with a need to place a Type II Haz- Mat response team and vehicle in our area. The intent of the placement is to enhance and expedite Haz- Mat emergency response in our region, partially due to an increase in hazardous commodity transportation by rail, and the lack of any response team in Lassen, Modoc, or Plumas counties. In July 2016 a formal letter was mailed to Cal OES requesting the assignment of the team and vehicle to be placed at the Susanville Fire Department. As part of the program, Cal OES is providing the required training for 17 team members as well as the fully complimented response vehicle. The six week training course was requested and approved, to be provided in Susanville. The response team includes members from Plumas County, Lassen County, Cal Fire, and the City of Susanville.

FISCAL IMPACT: \$266,080.10 all paid through the State of California OES

ACTION REQUESTED: Motion to approve Resolution No. 17-5380 authorizing the Fire Chief to sign the agreement with the State of California OES for Haz-Mat team training.

ATTACHMENTS: Resolution No. 17-5380
Agreement #6144-6 Hazardous Materials by Rail Training agreement

RESOLUTION NO. 17-5380
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE
APPROVING AGREEMENT WITH STATE OF CALIFORNIA OFFICE OF
EMERGENCY SERVICES (OES) FOR HAZARDOUS MATERIALS TEAM TRAINING

WHEREAS, the State of California recognizes the need for a Haz-Mat emergency response team and vehicle in the region due to the increase in hazardous commodity transportation by rail; and

WHEREAS, the Susanville Fire Department has negotiated for a Type II Haz-Mat response team and vehicle to be placed in Susanville to provide mutual aid within the local operational area; and

WHEREAS, the Office of Emergency Services is providing a six-week training course for 17 team members including members from Plumas County, Lassen County, Cal-Fire and the City of Susanville, and

WHEREAS, the Office of Emergency Services will provide the reimbursement for training by way of an agreement attached hereto as Exhibit A to compensate the City for costs associated with backfilling positions or overtime created by staff attending and completing haz-mat training as required by Cal OES; and

WHEREAS, the Fire Chief will act as the designated Contract Manager for the purposes of implementation of Agreement No. 6144-6; and

WHEREAS, the City Council acknowledges that the opportunity for housing the Haz-Mat emergency response vehicle and team will be a valuable asset to the fire department and our community.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Susanville approves the Agreement for Hazardous Materials by Rail Training, authorizes the Fire Chief to sign the agreement.

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald, City Clerk

The foregoing Resolution No. 17-5380 was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17th day of May, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM:

Jessica Ryan, City Attorney

AGREEMENT NUMBER

6144-6

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

California Governor's Office of Emergency Services (Cal OES)

CONTRACTOR'S NAME

Susanville Fire Department

Agreement is: May 26, 2017 or DGS approval, whichever is later, through June 30, 2018

3. The maximum amount of this Agreement is: \$266,080.10
 Two Hundred Sixty-Six Thousand Eighty Dollars and Ten Cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A: Statement of Work	4 pages
Exhibit B: Budget Detail and Payment Provisions	1 page
Exhibit B-1: Cost Worksheet	1 page
Exhibit C: General Terms and Conditions*	1 page
Exhibit D: Special Terms and Conditions	2 pages
Attachment A: Activity Calculation	1 page

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.
 These documents can be viewed at <http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

Susanville Fire Department

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

James Moore, Chief

ADDRESS

1505 Main Street
 Susanville, CA 96130

STATE OF CALIFORNIA

AGENCY NAME

California Governor's Office of Emergency Services (Cal OES)

BY (Authorized Signature)

DATE SIGNED(Do not type)



PRINTED NAME AND TITLE OF PERSON SIGNING

Sara Stillwell, Assistant Director, Administrative Services

ADDRESS

3650 Schriever Avenue
 Mather, CA 95655

California Department of General
 Services Use Only

Exempt per:

EXHIBIT A
STATEMENT OF WORK

SUSANVILLE FIRE DEPARTMENT
HAZARDOUS MATERIALS BY RAIL TRAINING (REIMBURSABLE)

1. BACKGROUND

This Agreement between the California Governor's Office of Emergency Services (hereinafter referred to as "Cal OES") and the Susanville Fire Department (hereinafter referred to as the "Fire Agency") shall govern the reimbursements for the Fire Agency's costs of backfilling positions or overtime costs to allow Fire Agency staff to attend and successfully complete hazardous materials training required by Cal OES (identified in section 6C), specifically related to the Hazardous Materials by Rail (HMBR) Program. Cal OES and Fire Agency will use the most cost effective means for providing funding for backfill or overtime costs. The intent is to provide the Fire Agency reimbursement for the least extraordinary costs incurred to send staff to Cal OES provided hazardous materials training (e.g. for on-duty staff attending training, Cal OES will reimburse backfill costs; for off-duty staff attending training, Cal OES will reimburse overtime costs of trainees).

This reimbursement will allow the Fire Agency to maintain regular staffing to avoid any degradation of services or reduction in emergency response capabilities to the local Fire Agency community during the training due to the absence of one or more trainees.

2. TERM AND PERIOD OF PERFORMANCE

- A. The period of performance shall be May 26, 2018 or upon DGS approval, whichever is later, through June 30, 2018.
- B. Upon mutual consent, Cal OES and the Fire Agency may execute written amendments for changes to this Agreement that include time and funding.

3. BUDGETED AMOUNT

A. Required Training

The award of this Agreement shall not exceed \$266,080.10 to include training, backfill and overtime and travel as appropriate. Any increases to this amount shall be agreed upon by Cal OES and the Fire Agency. Additionally, there is no obligation on Cal OES's part to utilize the entire amount. This contract includes \$201,350 to host Hazmat Technician A thru D and Hazmat Specialist F & G in your jurisdiction. This also includes tuition for three personnel to attend Assistant Safety Officer training to be scheduled by California Specialized Training Institute (CSTI) outside of your jurisdiction. This training should be completed by June 30, 2018.

In order to maximize the training benefit and build response capability statewide, Fire Agency and Cal OES agree that in any class offered under this Agreement, excess training spaces (up to normal class fill) will be open to enrollment for other agencies, at no tuition charge to those agencies or their personnel. Priority is HMBR team hosting the training, HMBR team from another jurisdiction, responders from hosting jurisdiction, and responders from another jurisdiction.

4. PROJECT DELIVERABLES

Cal OES will provide the previously mentioned financial resources to ensure Fire Agency can provide training to their 17 member Hazmat Type II Team. As such, in order to allow the Fire Agency the ability to maintain its regular staffing and response capabilities necessary to protect the health and safety of their communities, Cal OES will reimburse the Fire Agency for any vacated positions that require to be back-filled or for any overtime cost incurred by Fire Agency employees for and during the time of the training and related travel, for negotiated costs up to the amount of this Agreement.

5. CAL OES RESPONSIBILITIES

- A. Designate a Contract Manager to whom all Fire Agency communications would be addressed.
- B. Provide timely review and approval of invoices, information, and documents provided by the Fire Agency within a minimum of ten (10) business days. Invoice approvals shall be subject to conditions and categories of reimbursement identified in Exhibit B - Budget Detail and Payment Provisions.

6. FIRE AGENCY RESPONSIBILITIES

- A. Designate a Contract Manager to whom Cal OES communications would be addressed and who has the authority to act on all aspects of this agreement.
- B. Back-fill positions as required due to Fire Agency staff attending the Hazardous Materials by Rail Training provided by Cal OES.
- C. Ensure the 17 members of their Hazmat Type II Team have the following certified training:
 - Hazardous Materials Technician A (all members)
 - Hazardous Materials Technician B (all members)
 - Hazardous Materials Technician C (all members)
 - Hazardous Materials Technician D (all members)
 - Hazardous Materials Specialist F (all members)
 - Hazardous Materials Specialist G (all members)
 - Assistant Safety Officer (3 members)

7. ACCEPTANCE OF DELIVERABLES

It shall be Cal OES's sole determination as to whether a deliverable has been successfully completed and acceptable to Cal OES. Acceptance criteria shall consist of the following:

- A. Payment for tasks performed under this Agreement shall be as stated in Exhibit B-1 - Cost Worksheet. It shall be Cal OES's sole determination as to whether the tasks and deliverables identified in this Agreement have been successfully completed and are acceptable.
- B. Invoices shall be due and payable, and payment shall be made, only after satisfactory completion of the training and acceptance of the invoice by Cal OES.
- C. In the event not all Fire Agency staff successfully complete the course, Cal OES reserves the right to reduce the invoice by the number of Fire Agency staff who did not successfully complete the course.
- D. Invoices shall be submitted monthly in arrears, identifying staff name, classification, period of service, and the costs per category as shown on the Exhibit B-1 - Cost Worksheet.
- E. The Fire Agency costs related to failure by staff to successfully complete the course shall be costs of the Fire Agency, and shall not be billed to the Cal OES.
- F. Fire agency will provide Cal OES with documentation that all members have completed required training.

8. PROBLEM ESCALATION

The parties acknowledge and agree certain technical and project related problems or issues may arise, and such matters shall be brought to Cal OES's attention. Problems or issues shall normally be reported in regular status reports. There may be instances, however, where the severity of the problem justifies escalated reporting. To this extent the Fire Agency will determine the level of severity and notify the appropriate Cal OES personnel. Cal OES personnel notified, and the time period taken to report the problem or issue, shall be at a level commensurate with the severity of the problem or issue. Cal OES personnel include, but are not limited to, the following:

- First level: Lori Lopez, Emergency Services Coordinator
- Second level: Kim Zagaris, Chief, Fire and Rescue Services
- Third level: Dan Bout, Assistant Director, Response

9. CANCELLATION

Cal OES may exercise its option to terminate the Agreement at any time with 30 calendar days' prior written notice. In the event of such termination the Cal OES shall pay all amounts due the Fire Agency for all deliverables accepted prior to termination.

10. PROJECT REPRESENTATIVES

The project representatives during the term of this Agreement will be:

State: California Governor's Office of Emergency Services (Cal OES)	Fire Agency: Susanville Fire Department
Name: Chief Kim Zagaris c/o Lori Lopez <i>Project Manager</i>	Name: Chief James Moore
Address: 3650 Schriever Avenue Mather, CA 95655	Address: 1505 Main Street Susanville, CA 96130
Phone: 916-845-8711 or 8722	Phone: (530) - 257-5152
Fax: 916-845-8396	Fax: (530) - 257-5535
e-mail: Lori.lopez@caloes.ca.gov	e-mail: jmoore@cityofsusanville.org

Direct all Agreement inquiries to:

State: California Governor's Office of Emergency Services (Cal OES)	Fire Agency: Susanville Fire Department
Unit: Procurement and Logistics Services Branch	Name: Chief James Moore
Attention: Colleen Catabran <i>Contract Analyst</i>	Address: 1505 Main Street Susanville, CA 96130
Address: 3650 Schriever Avenue Mather, CA 95655	Phone: (530) - 257-5152
Phone: 916-845-8161	Fax: (530) - 257-5535
Fax: 916-845-8303	e-mail: jmoore@cityofsusanville.org
e-mail: Colleen.Catabran@caloes.ca.gov	

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. Payment for services performed under this Agreement shall be as stated on Exhibit B-1- Cost Worksheet. It shall be in Cal OES's sole determination as to whether a task has been successfully completed and is acceptable. Signed acceptance is required from the Cal OES's Project Manager before processing an invoice for payment.
2. Invoices shall be due and payable, and payment shall be made, only after satisfactory completion of the training and acceptance of the invoice by Cal OES. In the event not all Fire Agency staff successfully complete the course, Cal OES reserves the right to reduce the invoice in proportion to the number of Fire Agency students not successfully completing the course to total Fire Agency students successfully completing.
3. Invoices shall be submitted monthly in arrears, in triplicate, identifying staff name, classification, period of service, and the costs per category as shown on the Exhibit B-1Cost Worksheet.
4. Submit invoices, in triplicate, with reference to the Contract number 6144-6 , to:

Governor's Office of Emergency Services
Attention: Accounting Unit
3650 Schriever Ave.
Mather, CA 95655

5. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, Cal OES shall have no liability to pay any funds whatsoever to the Fire Agency or to furnish any other considerations under this Agreement and the Fire Agency shall not be obligated to perform any provisions of this Agreement.
6. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, Cal OES shall have the option to either cancel this Contract with no liability occurring to Cal OES, or offer a contract amendment to the Fire Agency to reflect the reduced amount.
7. Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927. Payment to small/micro businesses shall be made in accordance with and within the time specified in Chapter 4.5, Government Code 927 et seq.

**EXHIBIT B-1
COST WORKSHEET**

Cost Worksheet	Total Cost
Course Administration	\$201,350
Salaries and Wages per team required to backfill behind trainee or overtime cost of trainee (See attached activity calculations)	\$62,514.60
Travel	\$2,215.50

Receipts and supporting documents for eligible reimbursements, must accompany the invoice for payment and be sent to Cal OES within two weeks of administering deliverables for processing.

Fire Agency travel reimbursements, while on approved program business, will be reimbursed based on the policies and rates determined by the California Department of Human Resources (CalHR) for excluded state employees and contractors. These rates and policies can be found at: <http://www.calhr.ca.gov/employees/Pages/travel-rules-excluded.aspx>. Reimbursement for travel expenses shall not be made for expenses incurred within 50 miles of the Fire Agency's home or headquarters

Above cost to be completed based on the classification levels staff utilized at the Fire Agency.

Invoices shall be submitted monthly in arrears, in triplicate, identifying staff name, classification, period of service, and the costs per category shown above.

The Fire Agency will only be reimbursed based on the above costs. No other costs will be reimbursed without prior approval.

Invoices shall be submitted monthly in arrears, in triplicate, identifying staff name, classification, period of service, and the costs per category shown above.

EXHIBIT C
GENERAL TERMS AND CONDITIONS (GTC-04/2017)

The General Terms and Conditions, GTC 04/2017, are hereby incorporated by reference and made a part of this Agreement as if attached hereto. This document may be viewed by visiting the following link:

<http://www.dgs.ca.gov/LinkClick.aspx?fileticket=x6TrRwzYLxs%3d&tabid=6133&portalid=32&mid=10104>

EXHIBIT D
SPECIAL TERMS AND CONDITIONS

1. RIGHT TO TERMINATE

Cal OES reserves the right to terminate this agreement subject to 30 days written notice to the Fire Agency. Fire Agency may submit a written request to terminate this agreement only if Cal OES should substantially fail to perform its responsibilities as provided herein.

However, the agreement can be immediately terminated for cause. The term "for cause" shall mean that the Fire Agency fails to meet the terms, conditions, and/or responsibilities of the contract. In this instance, the contract termination shall be effective as of the date indicated on Cal OES' notification to the Fire Agency.

This agreement may be suspended or cancelled without notice, at the option of the Fire Agency, if the Fire Agency or Cal OES's premises or equipment are destroyed by fire or other catastrophe, or so substantially damaged that it is impractical to continue service, or in the event the Fire Agency is unable to render service as a result of any action by any governmental authority.

2. CONTRACTS FUNDED BY THE FEDERAL GOVERNMENT

It is mutually understood between the parties that this contract may have been written before ascertaining the availability of congressional appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays which would occur if the contract were executed after that determination was made.

This contract is valid and enforceable only if sufficient funds are made available to Cal OES by the United States Government for the Fiscal Year(s) 16/17 covered by this agreement for the purposes of this program. In addition, this contract is subject to any additional restrictions, limitations, or conditions enacted by the Congress or any statute enacted by the Congress, which may affect the provisions, terms, or funding of this contract in any manner.

It is mutually agreed that if the Congress does not appropriate sufficient funds for the program, this contract shall be amended to reflect any reduction in funds.

The department has the option to void the contract under the 30-day cancellation clause or to amend the contract to reflect any reduction of funds.

3. DISPUTES

If the Fire Agency believes that there is a dispute or grievance between the Fire Agency and Cal OES arising out of or relating to this contract, Fire Agency shall first discuss and attempt to resolve the issue informally with the agency contract

manager. If the issue cannot be resolved at this level, Fire Agency shall follow the following procedures:

- A. If the issue cannot be resolved informally with the Contract Manager, Fire Agency shall submit, in writing, a grievance report together with any evidence to the Contract Manager's Supervisor. The grievance report must state the issues in the dispute, the legal authority, or other basis for the Fire Agency's position and the remedy sought. Within ten (10) working days of receipt of the written grievance report from the Fire Agency, the Supervisor shall make a determination on the problem, and shall respond in writing to the Fire Agency indicating the decision and reasons therefore. Should the Fire Agency disagree with the Supervisor's decision, Fire Agency may appeal to the next level, following the procedure listed below.
- B. Fire Agency must submit a letter of appeal to the Agency Secretary explaining why the Supervisor's decision is unacceptable. The letter must include, as an attachment, copies of the Fire Agency's original grievance report, evidence originally submitted, and response from Supervisor. Fire Agency's letter of appeal must be submitted within ten (10) working days of the receipt of the Supervisor's written decision. The Secretary or designee shall, within twenty (20) working days of receipt of Fire Agency's letter of appeal, review the issues raised and shall render a written decision to the Fire Agency. The decision of the Secretary or designee shall be final.

**ATTACHMENT A
 ACTIVITY CALCULATION**

FIRE AGENCY		TRAINING CLASSES				BACKFILL			
Member	Rank	Classes Needed	Number of Classes	\$90/Lodging & Tax (%)13.0	Per Diem (Meal) Total	OT Hours	Backfill Hourly Rate	Cost	Total Cost
Robert Brown	Fire Captain	ASO	1	\$508.50	\$230.00	120	\$59.98	\$ 7,197.60	\$ 7,936.10
Dan Weaver	Battalion Chief	ASO	1	\$508.50	\$230.00	120	\$67.93	\$ 8,151.60	\$ 8,890.10
Travis Goings	Patrol Sergeant	A-D,F-G,	7	\$508.50	\$230.00	350	\$80.10	\$ 28,035.00	\$ 28,773.50
Sara Chandler	Environmental Health Specialist II	A-D, F-G	6	\$ -	\$ -	240	\$41.46	\$ 9,950.40	\$ 9,950.40
Michael Struve	Emergency Preparedness Coordinator	A-D, F-G	6	\$ -	\$ -	240	\$38.25	\$ 9,180.00	\$ 9,180.00
(Name)	Captain	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Captain	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Captain	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Captain	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Operator	F-G	2	\$ -	\$ -			\$ -	\$ -
(Name)	Firefighter	A-D	4	\$ -	\$ -			\$ -	\$ -
(Name)	Firefighter	A-D	4	\$ -	\$ -			\$ -	\$ -

\$ 64,730.10

FIRE AGENCY TOTAL COST: \$ 64,730.10

FIRE AGENCY			
Lodging Rate		Per Diem Rate	
Rate Max	\$	Daily	
90.00	101.70	Total:	\$ 46.00
Tax (%)13.0		Weekly:	\$ 230.00
Daily Total:	\$ 101.70	Backfill Hours:	
Weekly:	\$ 508.50		

Reviewed by: City Administrator
 City Attorney

Motion only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted by: Gwenna MacDonald, City Clerk

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: **Resolution No. 17-5381**, Resolution of Intention pursuant to Streets and Highways Code §36534 approving annual budget and scheduling public hearing to consider setting assessments for FY 2017/2018

PRESENTED BY: Jared G. Hancock, City Administrator

SUMMARY: The *Streets and Highways Code* requires the City Council to consider the annual fiscal report of the Historical Uptown Susanville Association (HUSA). The City Council may make changes or alterations to the report and approve it by resolution. If the annual fiscal report is accepted by the City Council, the City Council then sets a public hearing to consider the levy of assessments in the parking and business improvement district identified in Chapter 5.24 of the *Susanville Municipal Code* and the Resolution of Intention must be published not less than seven days before the public hearing. If the City Council accepts the report, the public hearing could be set for Wednesday, June 21, 2017 at 7:00 p.m. to consider the levy of assessments

FISCAL IMPACT: The City presently receives five percent of the assessments, approximately \$2,000 annually, for reimbursement of City staff time for billing and collection of assessments.

ACTION

REQUESTED: Motion to approve **Resolution No. 17-5381**, Resolution of Intention pursuant to Streets and Highways Code §36534 approving annual budget and scheduling public hearing to consider setting assessments for FY 2017/2018

ATTACHMENTS: Resolution No. 17-5381
Annual HUSA report
Streets and Highways Code Section §36534

RESOLUTION NUMBER 17-5381
A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF
SUSANVILLE PURSUANT TO STREETS AND HIGHWAYS CODE SECTION 36534
APPROVING ANNUAL BUDGET AND SCHEDULING PUBLIC HEARING TO
CONSIDER SETTING ASSESSMENTS FOR FISCAL YEAR 2017-2018

WHEREAS, the City Council of the City of Susanville pursuant to Streets and Highways Code Section 36534 having considered the annual report of Historic Uptown Susanville Association on May 17, 2017, regarding and considering the matters set forth in Streets and Highways Code Section 36533 and the annual levy of an assessment in Historic Uptown Susanville Association (HUSA); and

WHEREAS, the City Council having approved said report, and not having made any changes or alteration thereto.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The public hearing to consider the levy of an assessment in the business improvement district identified in the *Susanville Municipal Code*, Chapter 5.24, is hereby scheduled for June 21, 2017 at 7:00 p.m. and the City Clerk is directed to publish a copy of this Resolution as notice of said public hearing in the Lassen County Times, a publication circulated within the city, no later than seven (7) days before said hearing, at which time written and oral protests may be made. The form and manner of those protests shall comply with Sections 36524 and 36525 of the Streets and Highways Code; and

2. The City Council does not intend to amend the boundaries of the assessment area set forth in *Susanville Municipal Code*, Chapter 5.24 the business categories listed therein, or the assessment fee itself; and

3. It is the intent of the City Council to levy an assessment in the same amount as presently exists, as follows:

	Benefit Zone A	Benefit Zone B
Type 1 - Retail	\$350.00	\$250.00
Type 2 - Lodging & Restaurants	\$275.00	\$200.00
Type 3 - Service & Organization	\$225.00	\$150.00
Type 4 - Professional	\$175.00	\$100.00
Type 5 - Financial	\$275.00	\$250.00

The annual benefit assessment shall be billed in one lump sum each fiscal year and may be paid annually, semi-annually, or quarterly as provided in Section 3.01 of the Amended Agreement For Administration of parking and Business Improvement District dated September 2, 2009; and

4. The areas of Benefit Zone A and B are as set forth on Exhibit A attached hereto and incorporated herein by reference; this area is the same as the area previously established in the *Susanville Municipal Code*, Chapter 5.24, and

5. The City Council has made no changes to the annual report of HUSA; and

6. Any interested person may review the annual report of HUSA on file with the City Clerk.

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald, City Clerk

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17th day of May, 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM: _____
Jessica Ryan, City Attorney



ANNUAL REPORT TBD

MISSION STATEMENT:

The mission of the Historic Uptown Susanville Association is economic enhancement, historic preservation and commercial revitalization. Our goal is to keep business in the district, attract new businesses and promote the district to the local and regional markets.

PURPOSE:

The Historic Uptown Susanville Association was created for the purposes of:

1. General promotion of business activities in the district, including annual promotional programs, aggressive image-building campaigns, shop-at-home campaigns and promotion of tourism.
2. Acquisition, construction, or maintenance of parking facilities for the benefit of the district.
3. Beautification of any public areas within the district.
4. Promotion of public events which take place within the district.

NON-PROFIT:

Historic U.S.A., Inc. is a 501(c) 6 non-profit corporation with Articles of Incorporation filed with the Secretary of State of the State of California on February 22, 1993.

H.U.S.A. ASSESSMENT STATISTICS:

H.U.S.A. statistics are compiled from assessments within the district as defined on the area map. (see appendix A). H.U.S.A's assessment status as of February 22, 2017 is as follows:

<u>TYPE</u>	<u>UNITS</u>	<u>ZONE</u>	
Retail	18	A - 17	B - 1
Lodging & Restaurants	3	A - 2	B - 1
Service	32	A - 16	B - 16
Professional	20	A - 6	B - 14
Financial	4	A - 2	B - 2
TOTAL ASSESSEES	68		

**TOTAL POTENTIAL ANNUAL ASSESSMENT
INCOME: \$16,450.00**

ASSESSMENTS:

Assessments are not optional. All business owners in the designated district are assessed and billed on an annual basis through the City of Susanville. Any new business established within the Area shall not be required to pay an assessment hereunder for the first six months following its commencement of business. Assessments on new businesses shall be prorated, omitting any charges for the first six months it was in operation. This shall not be deemed to apply to an existing business that has changed ownership or location within the District. All assessment payments are to be made to the City of Susanville. There is a 5% collection fee paid to the City of Susanville for their collection efforts. H.U.S.A. has been working closely with City staff to try and make sure we obtain accurate accounting of businesses arriving and departing our district so we may maintain an effective means of statistic and collection management.

ANNUAL ASSESSMENT FORMULA MATRIX

	<u>ZONE A</u>	<u>ZONE B</u>
<u>TYPE</u>	<u>ANNUAL</u>	<u>ANNUAL</u>
Type 1- Retail	\$350.00	\$250.00
Type 2- Lodging & Restaurants	\$275.00	\$200.00
Type 3- Service	\$225.00	\$150.00
Type 4- Professional	\$175.00	\$100.00
Type 5- Financial	\$275.00	\$250.00

Objectives

2017/2018 Objectives

- 1.) Sponsor and produce Safe and Sane Halloween which shall include the wildly popular Coffin Races.

- 2.) Sponsor the Magical Country Christmas Event providing material and volunteer support to the Chamber of Commerce.

- 3.) Continue the Wine Walk promotion in the Spring and Fall of 2017

- 4.) Continue the Rehabilitation of Pancera Plaza including, fixing broken planters and decorative fixtures and installing new bricks.

- 5.) Promote the Uptown district using available mass media, including our well maintained Facebook site, with regular posts intended to reach HUSA members, the general public, and other regional Facebook users.

- 6.) Continue the promotion of selling Bricks for Pancera Plaza. Reaching back to our past HUSA is proud to continue the Pancera Plaza Memorial Brick campaign.

- 7) In partnership with Lassen Lands & Trails Trust continue the Farmer's Market in Uptown Susanville. This provides an appropriate use for that venue and will bring increase viability and foot traffic to the Uptown.

2016/2017 Accomplishments

- 1.) Continued the Coffin Races during the Safe and Sane Halloween promotion which raised community awareness of Historic Uptown.
- 2.) Held a Spring and Fall Wine Walk which brought potential customers and attention to Uptown Susanville.
- 3.) Main Sponsor for the very successful Magical Country Christmas event.
- 4.) Took part in the Susanville Fair Parade, in partnership with Lassen County Arts Council, to raise awareness of Historic Uptown and sell Bricks as part of Brick promotions.
- 5.) Worked to maintain Pancera Plaza with volunteer cleaning parties, and a care plan for trees on the Plaza. Began work on a rehabilitation plan for Pancera Plaza so that it better reflects what the founders intended and the character of the man whose name it bears.
- 6.) Successfully held the Farmers' Market on Pancera Plaza from June to September.
- 7.) Installed new electrical on Pancera Plaza, which will provide more lighting options for events.

Conclusion

The central business district of any community, projects the image and reflects the health of that community to local citizens and to visitors as well. Our uptown district is the front door to Susanville and it is imperative that it be economically healthy and visually welcoming. The Historic Uptown Susanville Association continues working to achieve this end.

**Historic Uptown Susanville Association
Proposed Budget
for July 1 2017 to June 30 2018**

Income

Assessment Income <small>(Assess Total minus City Collection Fee)</small>	\$ 14,500
Event Income	\$ 2,000
Cash Account Balance Forward	\$ 18,000

Total Income **\$ 34,500**

Expenditures

Operating Expenses:

Advertising & Promotional	\$ 1,500
Insurance	
Directors & Office Liability Ins	\$ 2,000
General Liability	\$ 1,000
Office Expense	\$ 300
Postage	\$ 300
Printing	\$ 300
Maintenance of District	\$ 750

Total Operating Expenses **\$ 6150**

Discretionary Expense:

Events:

Wine Walk	\$ 2,000
Safe and Sane Halloween	\$ 1,500
Farmer's Market	\$ 1,600
Event Sponsorships paid to Lassen County Chamber of Commerce	
Main Street Cruise	\$ 250
Magical Country Christmas	\$ 4000
Proposed 2017 Event	\$ 1000

Special Projects:

Pancera Plaza & District Improvements	\$17,000
Murals	\$ 500

Total Discretionary Expenses **\$27,850**

Total Operation and Discretionary Expense **\$34,000**

Section 36534. (Added by Stats. 1989, Ch. 591, Sec. 2.)

Cite as: Cal. Sts. & High. Code §36534.

(a) After the approval of the report, the city council shall adopt a resolution of intention to levy an annual assessment for that fiscal year. The resolution of intention shall do all of the following:

(1) Declare the intention of the city council to change the boundaries of the parking and business improvement area, or in any benefit zone within the area, if the report filed pursuant to Section 36533 proposes a change.

(2) Declare the intention of the city council to levy and collect assessments within the parking and business improvement area for the fiscal year stated in the resolution.

(3) Generally describe the proposed improvements and activities authorized by the ordinance enacted pursuant to Section 36527 and any substantial changes proposed to be made to the improvements and activities.

(4) Refer to the parking and business improvement area by name and indicate the location of the area.

(5) Refer to the report on file with the clerk for a full and detailed description of the improvements and activities to be provided for that fiscal year, the boundaries of the area and any benefit zones within the area, and the proposed assessments to be levied upon the businesses within the area for that fiscal year.

(6) Fix a time and place for a public hearing to be held by the city council on the levy of the proposed assessment for that fiscal year. The public hearing shall be held not less than 10 days after the adoption of the resolution of intention.

(7) State that at the public hearing written and oral protests may be made. The form and manner of protests shall comply with Sections 36524 and 36525.

(b) The clerk shall give notice of the public hearing by causing the resolution of intention to be published once in a newspaper of general circulation in the city not less than seven days before the public hearing.

Reviewed by: JGH City Administrator
_____ City Attorney

X Motion Only
_____ Public Hearing
_____ Resolution
_____ Ordinance
_____ Information

Submitted By: Gwenna MacDonald, City Clerk

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: League of California Cities Annual Conference September 13 - 15, 2017

PRESENTED BY: Jared G. Hancock, City Administrator

SUMMARY: The League of California Cities 2017 Annual Conference is scheduled for September 13 through 15, 2017 at the Sacramento Convention Center. An important part of the Conference is the Annual Business Meeting, where the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and up to two alternates. The voting delegate and alternate may be a Councilmember or the City Administrator.

While there is no fiscal impact related to the appointment of delegates, participants will need to be in attendance at the conference. The City typically budgets for two Councilmembers to attend each year and will be soliciting interest from Councilmembers who may wish to attend.

FISCAL IMPACT: None.

ACTION REQUESTED: Motion to designate a voting delegate and up to two alternates.

ATTACHMENTS: Conference Designation of Voting Delegate announcement



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Council Action Advised by July 31, 2017

May 3, 2017

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 13 – 15, Sacramento**

The League's 2017 Annual Conference is scheduled for September 13 – 15 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 1, 2017. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 13, 8:00 a.m. – 6:00 p.m.; Thursday, September 14, 7:00 a.m. – 4:00 p.m.; and Friday, September 15, 7:30 a.m.– Noon. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 1. If you have questions, please call Carly Shelby at (916) 658-8279.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

2017 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, September 1, 2017. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, September 1, 2017

League of California Cities
ATTN: Carly Shelby
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: cshelby@cacities.org
(916) 658-8279

Reviewed by: City Administrator
 City Attorney

 Motion only
 Public Hearing
 X Resolution
 Ordinance
 Information

Submitted by: Heidi Whitlock, Assistant to the City Administrator

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: **Resolution No. 17-5382**, Approving Participation in the Alliance for Workforce Development Job Placement Program and Authorizing the City Administrator to sign Agreement.

PRESENTED BY: Jared G. Hancock, City Administrator

SUMMARY: The City of Susanville was contacted by the Alliance for Workforce Development (AFWD) on May 1, 2017 to state that funding had been received to create a temporary job placement program to assist both individuals looking for job placement and agencies who have flood-related work to be performed due to the recent flooding events. The City provided the AFWD with a list of projects that are still outstanding and a determination was made that the jobs associated with the projects would qualify for the program.

The AFWD would hire staff, as available and needed, to perform jobs related to the flood-related projects at no cost to the City. In addition to regular workers, a project leader can also be assigned to each crew. All wages, workers compensation, taxes etc... are to be paid by the Foundation for California Community Colleges through the AFWD.

The City of Susanville would be required to provide the following to/for the AWFD employee:

- Accurate time and attendance records (signing timesheets)
- Work direction, work requirement and safe location (as if he/she were a City employee)
- Supervision, safety instructions and safety related equipment

Continuous supervision is not required by the City but frequent direction and monitoring will be necessary. City employees will need to check in with each lead at least daily, to sign time cards and ensure all equipment and safety instructions have been made available.

FISCAL IMPACT: Staff budgeted, cost of tools and equipment.

ACTION

REQUESTED: Motion to approve Resolution No. 17-5382, Approving Participation in the Alliance for Workforce Development Job Placement Program and Authorizing the City Administrator to sign Agreement

ATTACHMENTS: Resolution No. 17-5382
Work Site Agreement

RESOLUTION NO. 17-5382
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE
APPROVING PARTICIPATION IN THE ALLIANCE FOR WORKFORCE
DEVELOPMENT (AFWD) JOB PLACEMENT PROGRAM AND
AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AGREEMENT

WHEREAS, the Alliance for Workforce Development, Inc. has received funding for a flood-related temporary job placement program; and

WHEREAS, the AFWD employs individuals to perform flood-related work for other agencies; and

WHEREAS, the City of Susanville has been identified as an agency with flood-related work to be completed; and

WHEREAS, the AFWD employees will conduct work related to the recent flood events in various areas of the City; and

WHEREAS, the employee salaries and benefits will be the responsibility of the AFWD.

NOW THEREFORE BE IT RESOLVED, that the City Council does hereby approve participation in the Alliance for Workforce Development program and further authorizes the City Administrator to sign associated agreements for each individual participant as attached as Exhibit "A".

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald, City Clerk

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17th day of May, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald, City Clerk

APPROVED AS TO FORM: _____
Jessica Ryan, City Attorney



Contract # _____

WORK SITE AGREEMENT

This agreement is made between:

Alliance for Workforce Development, Inc. [AFWD]
PO Box 3750
Quincy, CA 95971
(530) 283-9621

Hereinafter "AFWD",

Hereinafter called "Work Site".

Work Site Responsibilities:

1. The Work Site agrees to provide _____ (hereafter called "Participant") with the opportunity to work in the capacity of (Job Title), (Attachment A)
2. The term of this contract shall be for _____ hours, not to exceed 1000 hours. The hours worked per week are _____ not to exceed 29 hours per week. The term is planned to begin on _____ and end on _____.
3. The Foundation for California Community Colleges will act as employer for the Participant and provide all payrolls and associated costs (i.e., workers' compensation, taxes, etc.).
4. The Work Site agrees to maintain accurate time and attendance records on the participant that reflect the actual hours worked. The Work Site agrees to verify, by signature, the accuracy of timesheet(s).
5. The Work Site agrees to provide the participant with work direction, work requirements and a safe location for work in accordance with Local, State and Federal laws and regulations, as if the participant was one of its own employees.

6. The Work Site shall provide the participant with supervision, safety instructions and safety related equipment that is required and/or is reasonable to protect against injury and/or illness while working at the Work Site. Where special clothing or equipment is provided to the Work Site's regular employees, the same shall be provided to the participant.
7. The Work Site shall ensure that the participant is exposed to all the customary practices of the Work Site and the normal requirements of the job, including the Work Site's personnel practices and policies.
8. Work Site shall ensure that participants under the age of 21 will not have access to, distribute, sell, serve, or come in contact with alcohol or tobacco products. For those individuals over age 21, the Work Site shall ensure the individual receives proper training for selling, pouring, distributing alcohol and tobacco products. Violation of this policy will result in termination of the worksite agreement.
9. The participant is permitted to drive their own vehicle to the worksites, and/or while conducting business for the Work Site, provided they are 18 years of age or older and have provided AFWD with proof of insurance. Participants will not be allowed to drive agency/worksite vehicles or heavy equipment.
10. The Work Site shall not participate in this program when an employee is on layoff from the same or substantially equivalent job to be filled by an AFWD participant, or when the Work Site has terminated an employee or otherwise reduced its work force with the AFWD participant filling the vacancy(s). The Work Site agrees to abide by the "Maintenance of Effort" guidelines (see Attachment B).
11. The Work Site shall not participate in this program if experiencing abnormal labor conditions such as strikes, lockouts, or layoffs and the work experience participant will dislocate or affect employment or promotional opportunities for the Work Site's current or laid-off employees.
12. The Work Site assures the following:
 - a. To provide the following information if required; Licensing and/or bonding; assurances that sufficient work is available to the participant; any other documentation as required for compliance with County, State, or Federal regulations.
 - b. To comply with the requirements of the Storm Program and with the regulations and policies promulgated by DOL, the State of California, or NoRTEC; and AFWD.
 - c. If the regulations promulgated pursuant to the Storm Program are amended or revised, it shall comply with them or will notify AFWD within 30 days after promulgation of the amendments or revision that it cannot so conform.
 - d. No person with responsibility in the operation of any program under this agreement will discriminate with respect to any program client or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation or beliefs, or other State or Federal protected status.
 - e. Compliance with the *Hatch Act*, which limits the political activities of participants.
 - f. Services and activities provided under this agreement will be administered by the Work Site and shall not be subcontracted without prior written authorization from AFWD.

- g. The Work Site and/or the Participant are not involved in training activities, which assist, promote, or deter union organization.
- h. Conditions of employment are appropriate and reasonable with regards to the type of work, the geographical region and the proficiency of the participant.
- i. The participant shall not be employed on the construction, operation, or maintenance of any facility as is used or to be used for sectarian instruction, or as a place for religious worship.
- j. The Work Site has not had more than one final unappealable finding of contempt of court issued by a Federal court against the Work Site within the immediately preceding two year period because of the Work Site's failure to comply with a Federal Court which ordered the Work Site to comply with an order of the National Labor Relations Board.
- k. The Work Site is in compliance with all applicable local, State, and Federal business licensing, taxation, and insurance requirements.
- l. The Work Site shall maintain the confidentiality of any information regarding the participant or his/her immediate family, which may be obtained through application forms, interviews, reports, or any other source.
- m. To maintain appropriate liability insurance coverage in order to be responsible for any damages or bodily injuries incurred as a result of a participant's actions while under the Work Site's supervision. The Work Site is also required to provide evidence of workers' compensation insurance.
- n. Agrees that the Work Site, or immediate supervisor of the trainee, is not providing training for a member of his/her immediate family (defined as: wife, husband, son, daughter, step-child, mother, father, step-parent, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, grandparent or grandchild).
- o. The Work Site shall indemnify and hold harmless AFWD, its elected and appointed councils, boards, commissions, officers, agents, and employees from any liability, including attorneys' fees, for damage or claims for damage for any economic loss or personal injury, including death, as well as for property damage, to the extent caused by intentional or negligent acts or omissions in the performance of services rendered under this Agreement.
- p. Worksite agrees to comply with all Cal-OSHA safety rules and procedures. Worksite agrees to provide AFWD participants with new-hire safety orientation and regular safety training and meetings in accordance with Cal-OSHA for the worksite industry. Worksite agrees to provide AFWD a copy of their IIPP and, if deemed necessary, copies of safety plans and meetings. . The IIPP must be provided to AFWD within 30 days of employment of a participant. Worksite agrees to comply with specific job duties and prohibited equipment/duties outlined in this agreement.

AFWD Responsibilities:

- 13. AFWD will visit the work site intermittently, but at least on a monthly basis for the purpose of monitoring this agreement and reviewing participant progress.

Last Updated: 4/26/17

14. AFWD will visit the work site to collect timesheets and submit for payroll processing.

General Provisions:

15. The Work Site or AFWD may, in its sole discretion, terminate this Agreement at any time, for any reason, without penalty, and require the removal of the participant from the Work Site if determined to be in the Work Site's or AFWD's best interest.
16. The Work Site and AFWD agree to the retention of all required records, as per 29 CFR 95.53, for no less than 3 years following the completion of this agreement.
17. AFWD does not provide medical benefits, vacation leave or sick leave to the participant throughout the term of this agreement.
18. Neither The Work Site nor AFWD shall hold copyright to intellectual property created by the participant during the course of this agreement. The Work Site shall adhere to the Department of Labor's requirements pertaining to patent rights with respect to any discovery or invention under this contract (see 29 CFR 95.48, Appendix A-5).
19. AFWD, Northern Rural Training and Employment Consortium (NoRTEC), State of California and U.S. Government has the right to observe and monitor all conditions and activities involved in the performance of this agreement.
20. To protect the public California state law requires the public disclosure of Registered Sex Offenders on the Megan's Law website, (i.e., www.meganslaw.ca.gov). Since AFWD is not aware of each and every employee at the worksite that the work experience candidate may come in contact with, AFWD is relying upon the worksite to provide a work environment free from the threat of violence. The work site management shall inform AFWD if they become aware that there is an employee or other person at the worksite that the work experience candidate may come into contact with that is listed as a Registered Sex Offender.
21. No modification or waiver of any provisions of this Agreement or its attachments shall be effective unless such waiver or modification shall be in writing, signed by all parties, and then shall be effective only for the period and on the condition, and for the specific instance for which given. Either party may terminate this agreement upon written notice to the other party.
22. If funds anticipated to be received by AFWD are suspended or terminated in whole or in part, funding for this agreement may cease at the option of AFWD. Acceptance of this agreement is based solely upon the allocation of anticipated revenues and the funding of the agreement is limited by the actual availability of AFWD funding.

WORK SITE:

Signature of authorized representative

Printed name

Title

Date

Direct Training Supervisor / Mentor

Job Title & Phone Number

Alternate Supervisor

Job Title & Phone Number

TRAINING OUTLINE:

Client Name:

Total Weeks / Hours:

Hourly compensation:

Total hourly compensation:

Scheduled date of completion:

Total hours authorized per week:

Starting Wage:

AFWD contact person & phone number:

Approval by AFWD

Printed Name

Program Manager

Title

Date

ATTACHMENT A

JOB SPECIFIC SKILLS TRAINING OUTLINE

EXAMPLE

CORE SKILL COMPETENCIES/INDICATORS:

1. Can open, sort and route incoming mail and prepare outgoing mail. (S, IN)
2. Can collect and distribute documents, reports, letters, etc. (S, IN)
3. Can retrieve, mark and/or tabulate articles, documents, records, files, etc. (R, S, IN)
4. Can address envelopes and/or packages by hand, computer and/or typewriter. (T, S, IN)
5. Can appropriately utilize a single and/or multi-line telephone system. (T, I)
6. Can accurately record and route messages. (R, S, IN)
7. Can deliver mail, documents, packages, etc. to appropriate departments and/or agencies. (S, IN)
8. Can work independently to complete assignments/responsibilities. (R)
9. Can operate standard office equipment (fax, shredder, postage meter, adding machine, collator, folder, letter opener, transcriber, etc.). (T, S)
10. Can appropriately sort material, documents, letters, reports, etc. for filing. (S, IN)
11. Can accurately file material, documents, letters, reports, etc. according to the agency's filing system. (S, IN)
12. Can operate a personal computer and standard software package (identify software package). (T)

ATTACHMENT B

MAINTENANCE OF EFFORT

Maintenance of Effort is violated by substituting WIOA for purposes that would otherwise have been funded by other sources.

WIOA funds are prohibited by law in the following situations:

1. **Displacement of workers**, in which regular employees are laid off so that their positions can be filled with WIOA participants.
2. **Partial displacement of workers**, in which non-over time hours of regular employees are reduced, while WIOA participants absorb the remaining workload.
3. **Impairment of contracts for service**, in which contracts for service with private business and other organizations are canceled or not renewed, while WIOA participants are hired to provide the equivalent service.
4. **Substitution for existing federally assisted jobs**, in which WIOA participants fill jobs already supported under other (non-WIOA) federal programs.
5. **Layoffs**, in which regular employees are laid off, while WIOA participants remain working in the same or equivalent positions.
6. **Rehires**, in which regular employees are laid off, then rehired with WIOA funds.
7. **Hiring freeze**, in which WIOA participants work in positions the same as or the equivalent to those which are vacant due to a hiring freeze unless the freeze resulted from lack of funds to sustain staff levels and was not established in the anticipation of availability of WIOA funds. (This applies to Proposition 13.)
8. **Reduction of customary level of service**, in which state, political subdivision, or local educational agency reduces services it customarily provides, while granting WIOA funds to a private non-profit organization to provide the same services.
9. WIOA positions created in a promotional line that infringe upon promotional opportunities for people currently in jobs not funded by WIOA.

Reviewed by: City Administrator
 City Attorney

Motion only
 Public Hearing
 Resolution
 Ordinance
 Information

Submitted by: Craig Sanders, City Planner

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: **Ordinance No. 17-1011** amending the Susanville Municipal Code to Implement Property Maintenance Ordinance

PRESENTED BY: Craig Sanders, City Planner

SUMMARY: This is a proposal to add property maintenance regulations to the Susanville Municipal Code (SMC). Implementation of comprehensive property maintenance regulations involve updates to a number of chapters as well as the addition of three new chapters in order to give the City access to the appropriate tools to deal with various situations related to property maintenance.

At the April 19, 2017 meeting the City Council considered proposed changes and additions to the Susanville Municipal Code and gave direction to staff regarding changes to the proposed documents. The first recommended change was to Chapter 15.09 which would adopt regulations for neglected vacant buildings. The Council recommended limiting the duration that a vacant building can be boarded up to a total of 12 months. The first 6 months would be allowed upon securing a building permit to board up the structure. An additional 6 months would be allowed if the property owner voluntarily enrolls in a vacant building monitoring program and pays a quarterly monitoring fee. The City Council recommended that the quarterly monitoring fee be increased from \$250 to \$1,000.

As a fee, the cost needs to be roughly commensurate with the average actual cost of providing the service. Staff has increased the estimated time to enforce the program to support the increased fee for monitoring, inspecting and enforcement related to this chapter and to secure buildings and abate conditions on the property. It should be noted that the current calculations are an estimate and that once the program is operational the City will have the support data to support the true cost of providing the service and the fee may need to be adjusted accordingly.

Because of the fee based nature of the program staff is recommending that the fee be adopted by resolution rather than by ordinance. This will allow the fee to be easily adjusted, if necessary, based on experience gained monitoring these structures. A resolution to adopt the fee will require a public hearing and 45 day public review period and would be initiated after the adoption of the ordinance.

The second recommended change to proposed Chapter 8.52, Property Maintenance, addressed recreational vehicle storage in residential areas of the City. The draft Code as submitted to the City Council allowed the parking of recreational vehicles on a driveway or other paved surface provided the parking/ storage of the RV, trailer, or camper did not prevent access to a garage or otherwise prevents the driveway for being utilized for off-street parking. It was recommended at the last meeting that the section related to the storage of commercial vehicles be expanded to include recreational vehicles and it was proposed that all recreational vehicle or small commercial vehicle storage only be allowed in the side or rear yards. The storage area would be required be a paved if

the parking/storage area was established after the requirement for paved off-street parking was enacted in September 16, 2000. This change will limit the storage of these vehicles in areas of the City where no alley access is available. It may also impact property owners who have already made paved improvements in their front yard to accommodate an RV or other vehicles.

Another minor change which was made to the ordinance which was recommended by a member of the public was to specify a maximum weed and grass height related to property maintenance. A maximum grass and weed height was inserted into section 8.52.30 B.1.d, consistent with the maximum grass height in the Chapter 15.09 for neglected vacant buildings.

It is recommended that the City Council waive the second reading of the ordinance and adopt Ordinance 17-1011 with the amendments reading of the

FISCAL IMPACT: Near term increase in costs to abate nuisances which will be offset by collections in 3-5 years.

ACTION REQUESTED: Motion to waive the second reading and adopt Ordinance No. 17-1011.

ATTACHMENTS: Draft Chapter 1.12 General Penalty
Draft Chapter 10.22.30 Definitions
Draft Chapter 8.32 Administrative Nuisance Abatement
Draft Chapter 8.40 Administrative Citations
Draft Chapter 8.52 Property Maintenance
Draft Chapter 15.09 Vacant and Neglected Buildings
Draft Chapter 15.10 Abatement of Dangerous Buildings and Structures
Ordinance 17-1011

1.12 General Penalty

1.12.010 General penalty—~~Continuing v~~Violations.

Civil Actions. The city attorney may bring an action in a court of competent jurisdiction to enjoin a violation of any provision of this code or any other ordinance of the city, or to enforce administrative penalties imposed.

Wherever in this code or in any other ordinance of the city including codes adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, the violation of any such provision of this code or other ordinance or code adopted by reference of the city shall, unless specifically defined as a misdemeanor, constitute an infraction and shall be punishable by:

- A. A fine not exceeding one hundred dollars (\$100.00) for a first violation;
- B. A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$500 for a second violation of a building or safety code within one year from the date of the first violation; ~~within one year;~~
- C. A fine not exceeding five hundred dollars (\$500.00) for a third, and each additional, violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$1,000 for a third violation of a building or safety code within one year from the date of the first violation;

A second or subsequent violation need only be of the same ordinance, term, or condition to require the larger fine, and need not involve the same person or property, provided that the same responsible person is cited. The fine amounts shall be cumulative where multiple citations are issued. ~~each additional violation of the same ordinance within one year from the first violation.~~

Wherever in this code or in any other ordinance of the city including codes adopted by reference, any act is specifically declared to be a misdemeanor, said misdemeanor violation shall be punishable by a fine not to exceed the sum of one thousand dollars (\$1,000.00), and/or imprisonment not to exceed six months.

Every day the violation of this code or any other city ordinance continues shall constitute a separate offense. (Prior code § 1.8)

- ~~1. A fine not exceeding \$100.00 for a first violation;~~
- ~~2. A fine not exceeding \$200.00 for a second violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$500 for a second violation of a building or safety code within one year from the date of the first violation;~~
- ~~3. A fine not exceeding \$500.00 for a third violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$1,000 for a third violation of a building or safety code within one year from the date of the first violation;~~

1.12.020 Recovery of attorneys' fees and costs.

A. In addition to all other remedies and cost recovery authorized or provided by any provision of this code or any other law, any person violating any provision of this code shall be liable to the city for the city's reasonable attorneys' fees and costs incurred to remedy such violation or enforce such person's compliance with this code, including recovery of the city's reasonable attorneys' fees and costs in bringing an action or proceeding to enforce an administrative determination or court order against such person. This section does not apply to public nuisance abatement actions for which attorneys' fees are authorized under subsection B of this section.

B. In any action or proceeding brought by the city to abate a public nuisance, the prevailing party shall be entitled to recover reasonable attorneys' fees; provided that, pursuant to Government Section 38773.5, attorneys' fees shall only be available in an action or proceeding in which the city has elected, at the commencement of such action or proceeding, to seek recovery of its own attorneys' fees. In no action or proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the city in the action or proceeding.

C. Notwithstanding any other provision of this code, the city, in its discretion, may pursue any and all legal and equitable remedies for the collection of unpaid city fines, taxes, interest, fees, service charges, civil penalties, administrative penalties, and any other sum required to be paid under any provision of this code or any other law. Upon giving advance written notice that the debtor will be subject to collection costs if the debtor does not pay the unpaid amount owed to the city, the city shall be entitled to recover reasonable attorneys' fees and costs associated with the collection of the amount owed regardless of whether the city pursues said collection through litigation or by any other means. As used herein, "costs" include, but are not limited to, city staff time incurred in the collection of the amount owed, third-party costs incurred in the collection action, and those costs set forth in Code of Civil Procedure Section 1033.5. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total amount owed has been collected.

10.22.030 Definitions.

As used in this chapter:

A. "Highway" means a way or place of whatever nature, publicly maintained or open to the use of the public for purposes of vehicular traffic. "Highway" includes "street."

B. "Inoperative vehicle" means a vehicle that cannot or may not be operated for mechanical or statutory reasons, including, but not limited to, flat tires, engine failure, electrical malfunction, or nondisplay of current license plates, tabs or stickers as required by Article IX of Chapter 1 of Division 3 of the California Vehicle Code. An inoperative vehicle also includes, but is not limited to, a vehicle which cannot be legally driven on any public street or other area due to lack of front headlights and rear brake lights, windshield, wipers, front and rear bumper(s), or any other equipment required by the California Vehicle Code, any vehicle defined as a "non-repairable vehicle" or "total loss salvage vehicle" by the California Vehicle Code. ~~includes, but is not limited to, a vehicle which is not currently and validly registered for operation or use on the highways and streets in the state as required under the provisions of Division 3 (commencing at Section 4000 et seq.) of the Vehicle Code.~~

C. "Owner of the land" means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.

D. "Owner of the vehicle" means the last registered owner and the last legal owner of record.

E. "Public property" does not include "highway."

F. "Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway except a device moved by human power or used exclusively upon stationary rails or tracks. (Ord. 06-926 § 1, 2006)

Chapter 8.32 ADMINISTRATIVE NUISANCE ABATEMENT

8.32.010 Purpose.

This administrative nuisance abatement process is intended to enable the city to respond effectively to public nuisances in order to maintain and protect the public peace, safety, welfare and order and to provide security and protection to the community from harms and wrongdoings. This process makes available an alternative remedy to instituting a civil suit to enjoin public nuisances by authorizing the administrative body to impose orders and conditions to abate and halt public nuisances.

8.32.020 Applicability.

A. This chapter provides for administrative abatement of public nuisances, which is in addition to all other legal remedies, criminal or civil, which the city may pursue to address any public nuisance.

B. The use of this chapter shall be at the sole discretion of the city.

C. The city may proceed to abate a public nuisance under this chapter against any or all persons responsible for creating or fostering the creation of the public nuisance, without regard to whether or not the person owns the property upon which the public nuisance is occurring.

8.32.030 Definitions ~~Board defined.~~

A. "Hearing Board" means the planning commission of the city of Susanville sitting as the hearing board of the city of Susanville, or its successor, or such other board or commission of the city that the city council may, by resolution, authorize to perform the functions of the hearing board under this chapter.

B. "Responsible Party" means any individual who is the owner or occupant of real property, the holder or the agent of the holder of any permit, entitlement, or review, or the party or agent of a party to any agreement covered by this chapter; the owner or authorized agent of any business, company, or entity subject to this chapter; any person or the parent or legal guardian of any person under the age of 18 years; who violates any ordinance, regulation, permit, entitlement, review, or agreement described.

~~For the purposes of this chapter, "board" means the planning commission of the city of Susanville sitting as the appeals hearing board of the city of Susanville, or its successor, or such other board or commission of the city that the city council may, by resolution, authorize to perform the functions of the board under this chapter.~~

8.32.040 Public nuisance prohibited.

No person may maintain or use property or allow their property to be maintained or used in a manner that creates or fosters the creation of a public nuisance.

8.32.050 Public nuisance defined.

For purposes of this chapter, a public nuisance means any of the following: ~~is:~~

A. A condition of real property or a building, structure, improvement or other thing located on real property that violates any provision of this code, including but not limited to:

1. Real property developed or used in a manner that violates the zoning and land use regulations adopted directly or by reference in this code;

2. A substandard building or a dangerous building or structure maintained in violation of the housing regulations or dangerous building regulations adopted by or pursuant to this code; or

3. A building or structure constructed, maintained or used in violation of the building regulations or fire regulations adopted by or pursuant to this code.

4. Neglected vacant buildings in violation of chapter 15.09 of this code.

5. Dangerous buildings as defined and regulated in chapter 15.10 of this code.

B. A condition of real property or a building, structure, improvement, or other thing on real property that endangers the public health, safety or welfare, including but not limited to:

1. A tree that is subject to disease or insect infestation likely to spread or is structurally unsound by reason of old age, disease, fire or other cause;

2. A failing private sewage disposal system;

3. An unprotected excavation or an abandoned and uncovered well; or

4. A well with a casing not sealed as required by applicable regulations.

C. A condition of real property or a building, structure, improvement, or other thing on real property that is unsightly and, by reason thereof, contributes to a diminution in the value of surrounding properties when visible from a public right-of-way or alley, including but not limited to:

1. An accumulation of lumber, unused equipment, or junk visible from a public right-of-way or surrounding properties;

2. An abandoned and dilapidated building or portion of a building; or

3. Dilapidated furniture in yards or on driveways, sidewalks, roofs or unenclosed balconies or porches.

4. The maintenance of property in the city in violation of chapter 8.52 of this code.

5. The outside storage of abandoned vehicles and vehicle parts as defined in chapter 10.22 of this code.

D. A condition of real property or a building, structure, improvement or other thing on real property that is an attractive nuisance (i.e., a dangerous or potentially dangerous condition of property likely to attract children and other curious people) including, but not limited to:

1. An unfenced or otherwise unenclosed outdoor swimming pool; or

2. Unused refrigerators, freezers or ice boxes stored, without the doors removed, outside a building or other enclosed structure.

E. A condition of real property, or of a building, structure, or improvement on real property, resulting directly or indirectly from the violation of:

1. Any regulatory or prohibitory provision of city, state or federal law or regulation applicable to the property or the occupancy of any structure; or

2. Any condition of approval or mitigation measure imposed upon the subdivision of land, any permit or any other entitlement for the use of land.

~~The maintenance or use of property in the city in a manner that jeopardizes or endangers the health, safety or welfare of persons on the premises or in the surrounding area; or~~

F. Real property that has been the situs for nuisance activity including, but not limited to:

1. Disturbing the peace, or
2. Illegal drug activity, or
3. Public drunkenness, or
4. Drinking alcoholic beverages in public, or
5. Harassment of passersby, or
6. Illegal gambling, or
7. Prostitution, or
8. The sale of stolen goods, or
9. Acts of violence, or
10. Public urination, or
11. Acts of vandalism, or
12. Acts of lewd conduct, or
13. Unreasonably loud noise, or
14. Loitering, or

G. Any other condition of real property, or of any building, structure, or improvement on real property, declared to be a nuisance by any statute of the State of California, or recognized to be a public nuisance by the common law of this state.

~~3. The maintenance or use of property in the city in a manner that violates, or real property that has been the situs of a violation of, any provision of this code, zoning or otherwise, or any other city, state or federal law or regulation.~~

H. Nothing contained in this chapter shall prohibit persons from participating in activity which the city may not proscribe under the United States Constitution or the California Constitution. (Ord. 10-971 § 2, 2010)

8.32.060 Notification of nuisance.

Whenever an enforcement official, as defined in section 8.40.020 of this code, determines that a nuisance, as defined in this chapter, exists on any building, structure or property located within the city, he or she shall notify, in writing, the responsible party of property on which the nuisance is located of the existence of the alleged nuisance which shall be served by personal delivery, first class mail or by registered or certified mail. The notification shall specify the violation(s), direct that the nuisance be abated and establish a reasonable abatement period of not less than 10 days.

8.32.070 Voluntary abatement of nuisances.

The responsible party having charge or control of any building, structure or property alleged to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period provided in section 8.32.060. If the abatement requires alterations, repair, rehabilitation or demolition of a building or structure all required city permits or entitlements must be obtained prior to commencement of the work. The responsible party shall advise the enforcement official who issued the declaration of nuisance of the completed abatement. Once so advised, the enforcement official shall inspect the premises to insure that the nuisance has, in fact, been abated.

8.32.080 Failure to voluntarily abate a declared nuisance.

If an alleged nuisance is not properly abated within the period established under the provisions of section 8.52.060, the responsible party may be issued an administrative citation as provided in chapter 8.40 of this code. Alternatively the enforcement official may initiate abatement procedures by sending a Notice of Intention to Abate Public Nuisance to the responsible party and follow the process in sections 8.32.090 through 8.32.270.

8.32.090 Notice of intention to abate public nuisance and public hearing thereon.

The Notice of Intention to Abate Public Nuisance shall demand that the responsible party remedy or abate such public nuisance within a reasonable period of time which shall not be less than ten (10) days. It shall also give notice of the time, date and place of a public hearing which shall be held by the hearing board to review the determination and abatement of the public nuisance. The public hearing shall be set for a date no less than ten (10) days after the abatement period expires.

8.32.100 Right of entry procedures

A. Whenever necessary to make an inspection to enforce any ordinance or resolution of the City of Susanville or the provisions of any secondary code adopted by any ordinance, or whenever there is reasonable cause to believe that there exists a violation of any provision of such ordinance, resolution or code in any building, or upon any premises, or whenever any enforcement official of the city has reasonable cause to believe that any building or premises is unsafe, substandard, unsanitary, or dangerous as defined in any provision of any such ordinance, resolution or code, an enforcement official of the city may enter such building or premises at a reasonable time to inspect the same and to perform any duty imposed upon such official by any provision of such ordinance, resolution or code. However, except in emergency situations, when consent of the owner and/or occupant to the inspection has not been otherwise obtained, the enforcement official shall give notice as follows:

1. If the building or premises is occupied, the enforcement official shall first present to the occupant city-issued credentials that include the enforcement official's name, position, title, and photograph. The enforcement official shall then request entry at a time convenient to the occupant within 24 hours of the time of the request;

2. If the building or premises is unoccupied, the enforcement official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises, and if located, the enforcement official shall present credentials to the owner or other person and then request entry at a time convenient to such owner or other person, but within 48 hours of the entry request;

3. If the owner or other person is located outside of the city, the enforcement official may notify that person by telephone or letter, and in doing so shall transmit sufficient information to identify the enforcement official's capacity to the owner or other person and may request entry at a time convenient to such owner or other person, within 5 days of such telephone request, or the receipt of such letter.

If entry is refused by the occupant, the owner, or other person having charge or control of the building or premises, or the enforcement official, after making a reasonable effort, cannot locate the owner, or other person having charge or control of the building or premises, so as to request entry, then the enforcement official may seek and obtain an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto in order to secure entry to such building or premises.

B. Any enforcement official of the city or a duly authorized representative or agent of the city may enter upon a property to access the exterior of the building or structure for the purpose of posting or serving notice.

8.32.110 Service of notices and order to abate.

Service of Notice of Intention to Abate Public Nuisance, written orders of the hearing board or other items as required under this chapter shall be made by posting a notice in a conspicuous place on or in front of the building, structure or property in question, as well as by any one of the following methods:

(A) By personal service on the responsible party;

(B) By registered or certified mail addressed to the owner at the last known address of the owner. If there is no known address for the owner, the notice shall be sent to the property address. "Owner" as used herein means any person(s) shown as the property owner on the latest equalized property tax assessment rolls. If the property owner cannot be served by personal service or by mail, service by posting shall be sufficient;

(C) By any other means which is authorized or required by applicable law for such nuisance abatement actions.

The failure of any person to receive any notice required and properly served, mailed, posted or published under this chapter shall not affect the validity of any proceedings taken under this chapter.

8.32.120 Hearing board - public hearing

At the time and place stated in the Notice of Intention to Abate Public Nuisance, the hearing board shall receive, hear and consider all relevant evidence, objections, protests and testimony of the responsible party, as well as that of other witnesses, city personnel and interested persons relative to the alleged public nuisance and to any proposed abatement measures. The hearing board shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible party has caused or maintained the violation(s). Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify if the hearing board determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the hearing board in accordance with the fundamentals of due process. The hearing board may limit the total length of the hearing to one hour, and shall allow the appellant at least as much time to present its case as is allowed the city. The hearing may be continued from time to time.

The failure of any person subject to a Notice of Intention to Abate Public Nuisance pursuant to this chapter to appear at the nuisance abatement hearing shall constitute a failure to exhaust administrative remedies.

8.32.130 Decision of the hearing board

Following the public hearing, the hearing board shall consider all evidence and other matters noted during the hearing and shall determine whether the building, structure or property in question, or any part thereof, constitutes a public nuisance as alleged. If the hearing board finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the hearing board shall make a written nuisance abatement order (Order), setting forth those findings and ordering the owner, lessee, agent, occupant or other person having charge or control of the building, structure or property to abate the nuisance by rehabilitation, repair or demolition in the manner and by the means that may be specifically set forth in the Order. The Order shall set forth the time within which the abatement work shall be completed, and it shall state that if the nuisance is not abated within such time period, it may be abated by the city. Where the implementation of the Order requires a building or development permit or an amendment to an existing development permit, the required permit(s) shall be obtained prior to commencing abatement. The Order shall also state that all costs of the city's abatement efforts, including the abatement work and administrative time to investigate and to hear and effect the abatement shall be charged against the responsible party as a personal debt or may be assessed upon the property on which the nuisance existed and will constitute a lien or special assessment upon the property until paid.

8.32.140 Service of the nuisance abatement order; one year jurisdictional period.

A) Within five days following the Board's decision, the responsible party shall be served with a copy of the written nuisance abatement order in the manner provided in section 8.32.110.

(B) The Order shall be effective for a one year period after issuance. During such period, the board shall retain jurisdiction over the conditions of the building, structure or property which constituted the nuisance established by the hearing board's Order, as well as the abatement thereof, to

ensure that the nuisance does not reoccur and that the building, structure or property is maintained in such a manner so as not to create a nuisance. If, during this one year period, any enforcement official determines that the same or another nuisance, as defined by this chapter exists with respect to the building, structure or property, he or she may give notice to abate the nuisance as provided for in section 8.32.060. If the responsible party does not abate the nuisance at any time within the abatement period, the city may proceed with the abatement itself under the provisions of section 8.32.190 without further action of the hearing board. The city may also recover all of its abatement effort costs as provided for in this chapter or this code.

8.32.150 Notice of unlawful detainer proceeding.

An owner of real property that is the subject of a nuisance abatement order and who has received a copy of the nuisance abatement order shall notify the city attorney if the owner initiates or causes to be initiated unlawful detainer proceedings:

- A. As a part of the owner’s efforts to comply with or address the nuisance abatement order; or
 - B. Related to the situations, conditions or behaviors described in the nuisance abatement order.
- (Ord. 10-971 § 2, 2010)

8.32.160 Grievance with final order- Appeal

Whenever any person is aggrieved by any final order of the hearing board issued pursuant to section 8.32.130, the person may appeal the order to the city council by filing a request for appeal of an order of abatement with the city clerk along with a deposit of \$200. The appellant shall be responsible for all costs of such appeal which exceeds the \$200 deposit. All costs and expenses incurred by the City for and during such appeal shall be an authorized incidental expense subject to this chapter. If the cost of the appeal is less than \$200 the difference shall be refunded to the appellant.

The appeal shall be heard by the city council at a regularly scheduled meeting within 45 days of the filing of the appeal. Notice shall be given to the appellant at least 10 days prior to the scheduled meeting by first class mail sent to the address provided by the appellant on the appeal request form. The appeal hearing shall be conducted in the same manner as the hearing board hearing in section 8.32.120.

8.32.170 Right of judicial review.

Any person aggrieved by a nuisance abatement order affirmed on appeal by the city council may obtain review of the nuisance abatement order in the Superior Court of the county of Lassen by filing with the court a petition for writ of mandate.

8.32.180 Abatement by responsible party.

The responsible party may, at his or her own expense, abate the nuisance as prescribed by the order of the hearing board prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by an enforcement official and has been abated in accordance with the order, current proceedings shall be terminated, except that the hearing board’s one year jurisdictional period shall continue.

8.32.190 Nuisance abatement work performed by or on behalf of the city

Where a responsible party has failed to abate a nuisance within the time prescribed by a nuisance abatement order approved by the hearing board and served on such responsible party in the manner provided for by this chapter, the enforcement official, with approval of the city administrator, shall cause the nuisance to be abated either by the use of city forces or by employing a private contractor to perform such work. However, the enforcement official shall not enter upon or cause any other person to enter upon the property which is the subject of a nuisance abatement order for the purpose of performing abatement work thereon without the prior written consent of the property owner unless and until a warrant or other order has been obtained by the city attorney on behalf of the city from a court of competent jurisdiction which authorizes an entry on such property for such purpose.

When undertaking work necessary to abate a nuisance following the failure of the owner of the property on which such nuisance is located to abate the nuisance within the time prescribed by a nuisance abatement order, the person responsible for performing the work shall keep an accurate record of the nature of such work and all direct and indirect costs incurred in connection with the performance of such work. In those cases in which the city has employed a private contractor to perform nuisance abatement work, such indirect costs shall include the cost of preparing plans and specifications for the work, the cost of preparing, bidding and awarding a contract for performance of the work, and the cost of inspecting the work.

8.32.200 Record of cost for abatement; notice of cost hearing.

The city finance manager, the enforcement official or such other city official as may be designated shall keep an account of all costs incurred by the city in abating nuisances on each separate lot or parcel of land where the work is done and shall render a written itemized report to the city council. Costs shall include the expense of abating such nuisance and shall be itemized showing the cost of abatement and the rehabilitation, repair, improvement, relocation, vacation, demolition or removal of said premises, building or structures, including any salvage value relating thereto and any incidental expenses; provided that before said report is submitted to said city council, a copy of the same shall be posted for at least ten (10) days upon such premises, together with a notice of the time when said report shall be heard by the city council for confirmation; a copy of said report and notice shall be served upon the owners of said property, in accordance with the provisions of Section 8.32.110 of this chapter at least ten (10) days prior to submitting the same to the city council; proof of said posting and service shall be made by affidavit filed with the city clerk. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in obtaining title reports, in the preparation and service of notices, preparation of specifications the preparation and award of contracts, all costs of inspecting any work done pursuant to this chapter, the costs of printing and mailing required hereunder, the costs of preparing materials for any hearing held pursuant to this chapter, penalties, permit fees, late charges, interest, conducting hearings, attorneys' fees, and a reasonable additional sum to cover the cost of administrative overhead.

8.32.210 Cost report – Hearing and proceedings.

At the time and place fixed for receiving and considering the cost report, the city council shall receive, hear and consider the report, together with any other relevant evidence, objections, protests or testimony. Thereupon, the Council may make such revision, correction or modification to the report as it may deem just after which, by resolution, the details of the report, as submitted or as revised, corrected or modified, shall be confirmed. Protests and objections shall relate to expenses for abatement and

related administrative costs and not to the merits of underlying violations. The council resolution shall set forth the cost of the abatement, date of the Order, a brief description of the abatement work performed by or on behalf of the city, describe the property upon which such work was performed by legal description, assessor's parcel number, and where possible by a street address, contain the name and current address of the owner of such property and shall include a date set by which time the cost of abatement shall be due. In addition, the resolution shall provide for collection of the assessment in the event of nonpayment either by recordation of the council resolution in the manner provided for by section 38773.1 of the California government code as a lien on the property, by including the assessment on the county tax rolls in the manner provided for by section 38773.5 of the government code or as a personal debt against the responsible party.

8.32.220 Service for resolution of assessment costs

Following adoption of a council resolution levying an assessment for city abatement costs, the resolution to be served on the responsible party in the following manner:

A. If the council resolution levying the assessment provides for collection of the assessment by recordation of the resolution against the property upon which city abatement work was performed, the enforcement official shall cause a copy of the resolution to be served on the owner of such property in the same manner as required by law for the service of a summons in a civil action, as set forth in Article 3, Chapter 4, Title 5 of Part 2 of the Code of Civil Procedure (commencing with Section 415.10); provided, however, that in the event the owner of the property upon which the city abatement work was performed cannot be found after a diligent search for same, the enforcement official shall serve the council resolution by posting a copy thereof in a conspicuous place on or next to such property for a period of 10 days, and by publishing a copy of the resolution in a newspaper of general circulation in the county of Lassen in the manner provided for by Section 6062 of the Government Code.

B. If the council resolution levying the assessment provides for collection of the assessment by inclusion of the assessment on the county tax rolls, the director shall cause a certified copy of the resolution to be served on the owner of the property by certified mail, if the property owner's identity can be determined from the county assessor's or county recorder's records. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes and subject to any other provisions of Section 38773.5 of the California Government Code.

8.32.230 Collections of assessment by recordation of council resolution levying assessment - Recordation of council resolution

Where the council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such abatement costs by recording the resolution against the property on which the city abatement work was performed, the director, promptly after completing service of the council resolution in the manner hereinbefore required by this chapter, shall attach an affidavit or declaration attesting to such service to a certified copy of the resolution, and shall cause such certified copy of the resolution, with the declaration or affidavit attached, to be recorded in the official records of the county of Lassen. After the date of such recordation, the assessment provided

for by such resolution shall have the force, effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure, all as may be amended from time to time.

8.32.240 Collection of assessment by recordation of council resolution levying assessment - Commencement of foreclosure action.

When directed to do so by the city council, the city attorney shall commence an action in a court of appropriate jurisdiction to foreclose the assessment lien for city abatement work which was established by recordation of the council resolution levying the assessment for such abatement work in the manner provided by this chapter. In such action the city shall be entitled to recover any costs incurred for the purpose of processing, serving or recording such resolution.

8.32.250 Collection of assessment by recordation of council resolution levying assessment - Release of assessment lien.

At such time as the lien created by recordation of the council resolution levying an assessment for city abatement costs is discharged or satisfied, either through payment of the lien, or by sale of the property encumbered by the lien at the conclusion of a foreclosure action, the director shall promptly cause a release of the lien, in a form approved by the city attorney, to be recorded in the official records of the county of Lassen.

8.32.260 Collection of assessment on county tax rolls - Requests for inclusion of assessment on county tax rolls.

Where the city council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such assessment on the county tax rolls, the enforcement official, after serving the resolution in the manner required by this chapter, shall promptly transmit a certified copy of the resolution to the finance director who shall immediately forward same to the Lassen County auditor with a request that the assessment levied by such resolution be added to the county tax rolls in the manner provided for by Section 38773.5 of the Government Code. Thereafter all laws applicable to the levy, collection and enforcement of property tax shall be applicable to such special assessment.

8.32.270 Collection of assessment on county tax rolls - Payment of assessment.

If the assessee should pay to the city the full amount of an assessment levied for city abatement costs, together with any interest or penalties thereon, after the date the assessment is added to the county tax rolls, the city finance manager shall promptly cause such assessment to be removed from the tax rolls.

8.32.280 Summary nuisance abatement.

(A) Notwithstanding any provisions of this chapter to the contrary, whenever the enforcement official determines that a public nuisance is so imminently dangerous to life or property that such condition must be immediately corrected, the enforcement official may institute the following procedures.

(1) Notice. The enforcement official shall attempt to contact, through a personal interview or by telephone, the owner, lessee, agent or other person, if any, occupying or otherwise in real or apparent charge or control thereof. In the event contact is made, the enforcement official shall notify such person(s) of the danger involved and require that such condition be removed, repaired, isolated or otherwise abated, within a reasonable period of time under the circumstances, so as to prevent the immediate danger to life or property.

(2) Abatement. In the event the enforcement official is unable to make contact as noted above, or if the appropriate person(s), after notification by the enforcement official, fail to abate the condition within the time frame specified by the enforcement official, then the enforcement official may, with the approval of the City Administrator, take all steps deemed necessary to remove, repair, isolate or otherwise abate such condition immediately and without further notice to the extent necessary to prevent the immediate danger to life or property.

(3) The costs may be recovered pursuant to this chapter or by any other means provided for by law.

8.32.290 Administrative civil penalties.

A. The process for the assessment of administrative civil penalties established in this chapter is in addition to any other administrative or judicial remedy established by law that may be pursued to address violations of this code. The hearing board may impose penalties upon persons responsible for creating, maintaining or fostering a public nuisance in an amount not to exceed a maximum of five hundred dollars (\$500.00) per day for each day that the public nuisance occurs, except that the total administrative penalty imposed pursuant to this chapter shall not exceed ten thousand dollars (\$10,000.00), exclusive of administrative costs and interest.

B. In determining the amount of the penalty, the board may take any or all of the following factors into consideration:

1. The period of time during which the public nuisance occurred;
2. The nature, frequency and recurrence of the public nuisance;
3. The ease with which the public nuisance could have been abated;
4. The good faith efforts made to deter the public nuisance or ameliorate its effects;
5. The economic impact of the penalty upon persons responsible for payment;
6. The impact of the public nuisance on the community; and/or
7. Such other factors as justice may require.

C. Penalties imposed by the hearing board may accrue from a date no earlier than the compliance date specified in the nuisance abatement cease and desist order and shall cease to accrue on the date the nuisance abatement order has been complied with as determined by the city attorney or the board.

D. Penalties assessed by the board shall be due by the date specified in the nuisance abatement order.

E. Penalties assessed by the board are a debt owed to the city and, in addition to all other means of enforcement, where the person against whom the penalties are assessed is an owner of the subject real property, may be enforced and collected through the placement of a lien against the subject real property.

F. Penalties shall continue to accrue on a daily basis until the nuisance abatement order has been complied with, subject to the maximum amount set forth in this section.

G. If a person subject to the nuisance abatement order gives written notice to the city attorney that the nuisance abatement order has been complied with and if the city attorney finds that compliance has been achieved, the date that the written notice was postmarked or personally delivered to the city attorney or the date of the city's final inspection, whichever first occurred, shall be deemed to be the date of compliance with the nuisance abatement order. (Ord. 10-971 § 2, 2010)

~~———— A failure to pay the assessed penalties, interest and administrative costs as specified in the nuisance abatement order of the board may be enforced as:~~

~~———— A. ——— A personal obligation of persons subject to the nuisance abatement order; and/or~~

~~———— B. ——— A lien upon the subject real property for the amounts owed by a property owner pursuant to a nuisance abatement order. The lien shall remain in effect until all of the penalties, interest and administrative costs are paid in full. (Ord. 10-971 § 2, 2010)~~

8.32.300 Violations.

A. Any responsible party who maintains any public nuisance defined in this chapter and who fails to comply with a nuisance abatement order served as provided in section 8.32.090 may be charged as either an infraction or a misdemeanor.

B. Any responsible party who causes or maintains any public nuisance defined in section 8.32.050 of this code, who allows such a nuisance to continue or who neglects to comply with a Notice of Intent to Abate Public Nuisance is guilty of an infraction. Each day such condition continues shall be regarded as a new and separate offense.

C. Any person who removes or causes the removal of any notice or order posted as required in this chapter for the purpose of interfering with the enforcement of the provisions of this chapter may be charged with either an infraction or a misdemeanor.

D. Any person who obstructs, impedes or interferes with any representative of the city or with any person who owns, leases, occupies or has charge or control over any building, structure or property when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance under this chapter may be charged with either an infraction or a misdemeanor.

8.32.310 Interest.

Any person who fails to remit payment to the city of any penalty, cost or any other charge required to be paid to the city pursuant to a nuisance abatement order under this chapter on or before the date the penalty, cost or other charge is due shall, in addition to the amount of the penalty, cost, and charge, pay interest on the amounts due at the rate of ten percent per annum, pro-rata, from the

date on which the amount due first became delinquent until the date that payment is received by the city.

8.32.320 Report of compliance after nuisance abatement order.

If the enforcement official ~~city attorney~~ determines that compliance with the nuisance abatement order has been achieved, the enforcement official ~~city attorney~~ shall file a report with the city clerk acting as secretary of the hearing board indicating that compliance has been achieved and the date of the city's final inspection of the subject property.

8.32.330 Compliance dispute.

A. If the enforcement official ~~city attorney~~ does not file a report pursuant to Section 8.32.320, a person subject to the nuisance abatement order who believes that compliance has been achieved may request a compliance hearing before the hearing board by filing a request for a hearing with the secretary of the board.

B. The hearing shall be noticed and conducted in the same manner as a hearing on an ~~nuisance abatement cease and desist~~ order provided in Sections 8.32.080 through 8.32.130 of this chapter.

C. The hearing board shall determine if compliance with the nuisance abatement order has been achieved and, if so, when it was achieved.

Notwithstanding any other provision of this code, the city, in its discretion, may pursue any and all legal and equitable remedies for the collection of unpaid city fines, taxes, interest, fees, service charges, civil penalties, administrative penalties, and any other sum required to be paid under any provision of this code or any other law. Upon giving advance written notice that the debtor will be subject to collection costs if the debtor does not pay the unpaid amount owed to the city, the city shall be entitled to recover reasonable attorneys' fees and costs associated with the collection of the amount owed regardless of whether the city pursues said collection through litigation or by any other means. As used herein, "costs" include, but are not limited to, city staff time incurred in the collection of the amount owed, third-party costs incurred in the collection action, and those costs set forth in Code of Civil Procedure Section 1033.5. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total amount owed has been collected.

8.32.220 Right of judicial review.

~~Any person aggrieved by a nuisance abatement order of the board may obtain review of the nuisance abatement order in the Superior Court of the county of Lassen by filing with the court a petition for writ of mandate. (Ord. 10-971 § 2, 2010)~~

8.32.230 Lien procedure.

~~A. Whenever the amount of any penalty and/or administrative cost, including interest, imposed upon a property owner by the board pursuant to this chapter has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this~~

obligation may constitute a lien against the subject real property at or upon which the public nuisance occurred.

~~_____ B. _____ The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the lien shall have the force, effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure, all as may be amended from time to time.~~

~~_____ C. _____ Interest shall accrue on the principal amount of the judgment remaining unsatisfied pursuant to law at the rate set forth in Section 8.32.180.~~

~~_____ D. _____ Prior to recording any such lien, the director of finance shall prepare and file with the secretary to the appeals hearing board a written report stating the amounts due and owing.~~

~~_____ E. _____ The secretary shall fix a time, date, and place for hearing such report and any protests or objections thereto.~~

~~_____ F. _____ The director of finance shall cause written notice to be served on the property owner not less than ten days prior to the time set for the hearing. Such notice shall be served as provided in Section 1.04.140 of this code. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.240 Public hearing and protests.

~~_____ A. _____ Any person whose real property is subject to a lien pursuant to Section 8.32.230 may file a written protest and request for a hearing with the secretary to the appeals hearing board and then may protest orally at the appeals hearing board meeting.~~

~~_____ B. _____ Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds of such protest or objection.~~

~~_____ C. _____ The appeals hearing board, after the hearing, shall adopt a resolution confirming, modifying or discharging the amount of the lien. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.250 Recording of lien.

~~_____ Thirty (30) days following the adoption of a resolution by the appeals hearing board imposing a lien, the secretary to the appeals hearing board shall file the same as a judgment lien in the office of the county recorder of Lassen County, California. The lien may carry such additional administrative charges as set forth by resolution of the board. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.260 Satisfaction of lien.

~~_____ Once payment in full is received by the city for outstanding penalties, interest and costs, the director of finance shall either record a notice of satisfaction or provide the property owner or financial~~

~~institution holding an interest in the subject property with a notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien. (Ord. 10-971 § 2, 2010)~~

CHAPTER 8.40 Administrative Citations

8.40.10 Purpose.

This chapter provides for administrative citations in addition to all other civil remedies and as an initial alternative to any criminal remedy which may be pursued by the city to address any violation of this code. The use of this chapter shall be at the sole discretion of the city. The use of any other enforcement proceedings provided for by this code shall not be considered a prerequisite for the use of this chapter, nor shall the use of this chapter be considered a prerequisite for the use of any other enforcement proceedings.

A. The City Council hereby finds that an appropriate method of enforcement is the imposition and collection of administrative fines as independently authorized by both California Constitution Article XI, Section 7, and municipal affairs provisions of Government Code Section 53069.4.

B. The City Council further finds and determines that enforcement of the Susanville Municipal Code, other ordinances adopted by the City, conditions of approval of entitlements, permits, and CEQA reviews, and terms and conditions of City agreements made pursuant to the police power is a matter of public health, safety and welfare and serves important public purposes. The City of Susanville adopts this administrative citation program in order to achieve the following goals:

1. To protect the public health, safety and welfare of the City and its citizens;
2. To gain compliance with the Susanville Municipal Code, ordinances, agreements, and regulations of the City enacted pursuant to its police powers, and the conditions of approval of permits, entitlements, and CEQA reviews granted by the City pursuant to the City's police powers in a timely and efficient manner;
3. To provide for an administrative process that has objective criteria for the imposition of administrative fines and provides for a fair process to appeal the imposition of administrative fines and penalties;
4. To provide a method to hold parties responsible when they fail or refuse to comply with the provisions of the Susanville Municipal Code, ordinances, agreements, or terms and conditions of entitlements or permits enacted or approved pursuant to the police power;
5. To avoid or minimize the expense and delay of enforcement in the civil or criminal justice system.

~~A. This chapter provides for administrative citations which are in addition to all other legal remedies, criminal or civil, which may be pursued by the city to address any violation of this code.~~

~~B. The administrative citations process set forth in this chapter does not apply to continuing violations of this code that pertain to building, plumbing, electrical, or other similar structural or zoning issues.~~

~~C. Use of this chapter shall be at the sole discretion of the city, subject to subsection B. (Ord. 10-971 § 4, 2010)~~

8.40.020 Definitions Enforcement officer — Defined..

A. "Enforcement official" means any official or employee of the City with the authority to enforce the Susanville Municipal Code. ~~For purposes of this chapter, "enforcement officer" means any city employee or agent of the city with the authority to enforce any provision of this code.~~ By way of example ~~illustration~~ this means a police official, a fire official or the building official.

B. "Responsible party" means any individual who is the owner or occupant of real property, the holder or the agent of the holder of any permit, entitlement, or review, or the party or agent of a party to any agreement covered by this chapter; the owner or authorized agent of any business, company, or entity subject to this chapter; any person or the parent or legal guardian of any person under the age of 18 years; who violates any ordinance, regulation, permit, entitlement, review, or agreement described

8.40.030 Administrative citation.

A. Any person who violates any provision of the Susanville Municipal Code or regulation of the City, any condition of approval of a permit or entitlement, any condition of an environmental review, or any term or condition of any agreement with the City made pursuant to the police power may be issued an administrative citation by an enforcement official as provided in this chapter. A violation of the Susanville Municipal Code includes, but is not limited to, all violations of that code and all uncodified ordinances. A violation of a condition of approval of a permit or entitlement, includes, but is not limited to, a conditional use permit, minor conditional use permit, temporary use permit, architectural design and site plan review, sign permit, variance, specific plan, parcel map, subdivision map, building or grading permit, or any encroachment or right-of-way permit. A violation of a condition of approval of an environmental review includes, but is not limited to, any environmental impact report, mitigated negative declaration, negative declaration, or determination of categorical exemption. A violation of a term or condition of any agreement with the City made pursuant to the police power includes, but is not limited to, any development agreement, owner participation agreement, disposition and development agreement, road maintenance agreement, any easement, license, or other real property use agreement, or any agreement made with the city to implement any ordinance, plan, permit, entitlement, or review approved by the City.

B. Each and every day a violation exists constitutes a separate and distinct offense. A separate citation may be issued for each day a violation occurs.

C. A civil fine shall be assessed by means of an administrative citation issued by the enforcement official and shall be payable directly to the City of Susanville.

D. Fines shall be assessed in the amounts specified in chapter 1.12 of this code.

~~A. Whenever an enforcement officer charged with the enforcement of any provision of this code determines that a violation of that provision has occurred, the enforcement officer shall have, after consultation with the city attorney and city administrator, the authority to issue an administrative citation to any person responsible for the violation.~~

E. Notice of Violation in Lieu of Administrative Citation. If the violation consists of a violation of building, electrical, plumbing or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, the enforcement official shall defer issuance of an administrative citation until the responsible party for a violation has first been given notice of the violation and an opportunity to

correct the violation, in accordance with the procedures set forth in this chapter. In cases involving a violation of building, electrical, plumbing, or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, shall also include each owner of the property upon which the violation occurs.

F. Administrative Citations in Lieu of Criminal Citations. An administrative citation may be issued pursuant to this section in lieu of any criminal citation which could have been issued for the same violation. The issuance of the administrative citation shall not, however, prevent the issuance of a criminal citation or filing of a complaint for:

1. The same violation when any administrative fine imposed pursuant to this chapter has not been paid by the date payment is due, or
2. A subsequent violation of the same nature.

8.40.40 Contents of Administrative Citation.

Each administrative citation shall contain the following information:

- A. The date of the violation or, if the date of the violation is unknown, then the date the violation is identified;
- B. The address or a definite description of the location where the violation occurred or is occurring;
- C. The section of this code violated and a description of the violation;
- D. The amount of the administrative fine for the code violation;
- E. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
- F. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;
- G. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and
- H. The name and signature of the citing enforcement official.

8.40.040 Amount of fines.

- ~~A. The amounts of the fines for code violations imposed pursuant to this chapter shall be set forth in the schedule of fines established by resolution of the city council.~~
- ~~B. The schedule of fines shall specify any increased fines for repeat violations of the same code provision by the same person within thirty-six (36) months from the date of an administrative citation.~~

~~C. The schedule of fines shall specify the amount of any late payment charges imposed for the payment of a fine after its due date.~~

8.40.050 Service of administrative citations and other notices.

The administrative citation and all notices authorized or required to be given by this chapter shall be deemed served when made in writing and either personally delivered to the responsible party for the violation or deposited in the United States mail, first class postage prepaid, addressed to such responsible party at their last known address. However, if a citation or notice is required to be served on the owner of property, it shall be deemed served when made in writing and deposited in the United States mail, addressed to the owner at the owner's address as it appears on the latest equalized or supplemental assessment roll of Lassen County. In addition, the administrative citation shall be posted on the real property that is the subject of the violation. Service of a citation or notice by mail in the manner provided for by this section shall be effective on the date of mailing, and the failure of any person to actually receive any citation or notice specified in this chapter shall not affect the validity of the citation or notice or of the proceedings conducted hereunder.

8.40.060 Notice of violation - Generally.

Except as provided in section 8.40.070, when a violation consists of a violation of building, electrical, plumbing or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, the enforcement official shall issue a written notice of violation to the responsible party for the violation prior to the issuance of an administrative citation for that violation. The notice of violation shall contain all of the following:

- A. The date and location that the violation was observed;
- B. The section of this code violated and a description of the violation;
- C. The actions required to correct the violation;
- D. A reasonable time period for the correction of the violation of not less than 10 days; and
- E. Notice that if the violation is not corrected by the date specified in the notice of violation, an administrative citation may be issued and administrative fines may be imposed.

8.40.070 Notice of violation - Exceptions.

An administrative citation may be issued in lieu of a notice of violation only if:

- A. The responsible party for the violation was issued an administrative or infraction citation for violation of the same provision of this code within the immediately preceding 12 months;
- B. The violation constitutes, in the opinion of the enforcement official, an immediate threat to the health or safety of any person or the public generally;
- C. One or more other violations exist on the property, any one of which is not subject to section 8.40.100; or

D. The person responsible for the violation currently owes the city unpaid administrative fines that are delinquent.

8.40.080 Correction of violation.

If the enforcement official determines that all violations listed in the notice of violation have been corrected within the time specified in the notice of violation, an administrative citation shall not be issued. If the enforcement official determines that all violations listed in the notice of violation have not been corrected within the time specified, an administrative citation may be issued for each uncorrected violation or the enforcement official may invoke any other remedy provided by law.

8.40.090 Payment of the fine.

A. The fine shall be paid to the city within twenty-one (21) days from the date of the administrative citation.

B. Any administrative citation fine paid pursuant to subsection A shall be refunded in accordance with Section 8.40.100 if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.

C. Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

8.40.100~~99~~ Hearing request.

A. Any recipient of an administrative citation may contest that there was a violation of the code or that he or she is the responsible party by completing a request for hearing form and returning it to the city within twenty-one ~~thirty~~ (21) days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for an advance deposit hardship waiver has been filed pursuant to Section 8.40.100.

B. A request for hearing form may be obtained from the city finance division. ~~department specified on the administrative citation.~~

C. The person requesting the hearing shall be notified of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.

D. If the enforcement official submits an additional written report concerning the administrative citation to the hearing official for consideration at the hearing, then a copy of this report also shall be served on the person requesting the hearing at least five (5) days prior to the date of the hearing.

8.40.110~~070~~ Advance deposit hardship waiver.

A. Any person who intends to request a hearing to contest that there was a violation of the code or that he or she is the responsible party and who is financially unable to make the advance deposit of the fine as required in Section 8.40.100~~6~~(A) may file a request for an advance deposit hardship waiver.

B. The request shall be filed with the department of finance on an advance deposit hardship waiver application form, available from the department of finance, within fifteen (15) days of the date of the administrative citation.

C. The requirement of depositing the full amount of the fine as described in Section 8.40.090(A) shall be stayed unless or until the director of finance manager makes a determination not to issue the advance deposit hardship waiver.

D. The ~~director of finance manager~~ may, after consultation with and approval by the city administrator, waive the requirement of an advance deposit set forth in Section 8.40.100 (A) and issue the advance deposit hardship waiver only if the cited party submits to the finance manager a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the finance manager the person's actual financial inability to deposit with the city the full amount of the fine in advance of the hearing.

E. If the ~~director of finance manager~~ determines not to issue an advance deposit hardship waiver, the person shall remit the deposit to the city within ten (10) days of the date of that decision. ~~or thirty (30) days from the date of the administrative citation, whichever is later.~~

F. The ~~director of finance manager~~ shall issue a written determination listing the reasons for his or her determination to issue or not issue the advance deposit hardship waiver. The written determination of the finance manager ~~director~~ shall be final.

G. The written determination of the finance manager ~~director~~ shall be served upon the person who applied for the advance deposit hardship waiver.

8.40.080120 Hearing board officer.

The "hearing board" for administrative citations shall be the same as defined in section 8.32.030 of this code. ~~city administrator shall designate the hearing officer for the administrative citation hearing.~~

8.40.090130 Hearing procedure.

A. No hearing to contest an administrative citation before the hearing board ~~officer~~ shall be held unless the fine has been deposited in advance in accordance with Section 8.40.100 or an advance deposit hardship waiver has been issued in accordance with Section 8.40.110.

B. A hearing before the hearing board ~~officer~~ shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

C. At the hearing, the administrative citation and any written report submitted by the enforcement official shall constitute prima facie evidence of the respective facts contained in the citation. Both the party contesting the administrative citation and the enforcement official shall be given the opportunity to testify and to present additional evidence concerning the administrative citation. Such evidence may include the testimony of other witnesses, or the introduction of documents or other evidence. Such testimony, written documents, or other evidence sought to be introduced shall not be limited to any legal rules of evidence, save and except for the rule that it shall be relevant and material to the issues of whether the violation alleged in the citation occurred and whether the person

cited committed, caused or was responsible for the violation. Admission of evidence and the conduct of the hearing shall be controlled by the hearing board in accordance with the fundamentals of due process. The hearing board may limit the total length of the hearing to one hour, and shall allow the appellant at least as much time to present its case as is allowed the city. ~~the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.~~

D. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.

~~E. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.~~

E. The hearing board may continue the hearing and request additional information from the enforcement official or the recipient of the administrative citation prior to issuing a written decision.

~~F. The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the hearing officer.~~

8.40.140100 Hearing board's officer's recommendation decision.

A. After considering all of the testimony and evidence submitted at the hearing, the hearing board ~~officer~~ shall issue a written recommendation to the City Council to uphold or cancel the administrative citation and shall list in the decision the reasons for that recommendation. The city council shall make the final decision to uphold or cancel the administrative citation at the next regular meeting of that body in which the decision on the administrative citation can be legally calendared. That decision shall be final.

B. If the City Council determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

C. If the City Council determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver the due date for the payment of the fine shall be fifteen ~~twenty-one~~ (1521) calendar days from the date of city council's decision to uphold. ~~the hearing officer shall set forth in the decision a payment schedule for the fine.~~

D. If the city council determines that the administrative citation should be canceled and the fine was deposited with the city, then the city shall promptly refund the amount of the deposited fine. ~~together with interest at the average rate earned on the city's portfolio for the period of time that the fine amount was held by the city.~~

E. The recipient of the administrative citation shall be served with a copy of the hearing officer's city council's written decision. Service may be made personally at the conclusion of the city council meeting, or by mail, after the adjournment of the hearing.

~~F. The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount of administrative citation fines upheld by the hearing officer.~~

8.40.150 Delinquent administrative fines – late payment charges and interest.

A. Late payment charges. The director shall add a penalty of ten percent to the original amount of any delinquent administrative fine on the last day of each month after the due date thereof. However, the total amount of such penalties to be added shall not exceed 50 percent of the amount of the original administrative fine.

B. Interest. In addition to the penalties imposed, any recipient of an administrative citation who fails to remit an administrative fine by its due date shall pay interest at the rate of 10 percent per year, or fraction thereof, on the amount of the delinquent administrative fine, exclusive of penalties, from the first day of delinquency until paid.

8.40.160 Right to judicial review.

Any person aggrieved by a decision of the city council on an administrative citation may obtain review of the decision by filing a petition for review with the Lassen County Superior Court in accordance with the timelines and provisions as set forth in California Government Code Section 53069.4(b). Said procedure shall be available for all judicial review under this chapter, notwithstanding that the term or condition being enforced pursuant to this chapter may not be a matter covered by Section 53069.4(a). Judicial review of a citation shall not be available without first participating in a hearing as provided in this chapter.~~Any person aggrieved by an administrative decision of a hearing officer on an administrative citation may obtain review of the administrative decision by filing a petition for review with the Superior Court in Lassen County in accordance with the timelines and provisions set forth in California Government Code Section 53069.4.~~

8.40.110 Late payment charges.

~~Any person who fails to pay to the city any fine imposed pursuant to the provisions of this chapter on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges set forth in the schedule of fines. (Ord. 10-971 § 4, 2010)~~

8.40.170 Recovery of administrative citation fines and costs.

The city may collect any past due administrative fine, penalty, and interest charge by use of all available legal means. The obligation for past due administrative fines, penalties, and interest imposed for any violation which arises from a condition or use of any real property, or structure thereon, which is owned by the person cited, which has not been fully satisfied within 90 calendar days, and for which no appeal has been filed may also be assessed and made a lien against the real property upon which the violation occurred. Lien and special assessment procedures shall be the same as outlined in municipal code sections 8.32.210 through 8.32.270.

8.40.180 Procedural compliance.

Failure to comply with any procedural requirement of this chapter, to receive any notice or decision specified in this chapter, or to receive any copy required to be provided by this chapter shall

not affect the validity of proceedings conducted hereunder unless the responsible party is denied constitutional due process thereby

~~The city may collect any past due administrative citation fine or late payment charge by use of all available legal means including the recovery of costs as available by law. (Ord. 10-971 § 4, 2010)~~

8.40.130 Notices.

~~———— A. ——— The administrative citation and all notices required to be given by this chapter shall be served on the responsible party in accordance with the provisions of Section 8.32.080 of this title.~~

~~———— B. ——— Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder.~~

Chapter 8.32 ADMINISTRATIVE NUISANCE ABATEMENT

8.32.010 Purpose.

This administrative nuisance abatement process is intended to enable the city to respond effectively to public nuisances in order to maintain and protect the public peace, safety, welfare and order and to provide security and protection to the community from harms and wrongdoings. This process makes available an alternative remedy to instituting a civil suit to enjoin public nuisances by authorizing the administrative body to impose orders and conditions to abate and halt public nuisances.

8.32.020 Applicability.

- A. This chapter provides for administrative abatement of public nuisances, which is in addition to all other legal remedies, criminal or civil, which the city may pursue to address any public nuisance.
- B. The use of this chapter shall be at the sole discretion of the city.
- C. The city may proceed to abate a public nuisance under this chapter against any or all persons responsible for creating or fostering the creation of the public nuisance, without regard to whether or not the person owns the property upon which the public nuisance is occurring.

8.32.030 Definitions ~~Board defined.~~

A. "Hearing Board" means the planning commission of the city of Susanville sitting as the hearing board of the city of Susanville, or its successor, or such other board or commission of the city that the city council may, by resolution, authorize to perform the functions of the hearing board under this chapter.

B. "Responsible Party" means any individual who is the owner or occupant of real property, the holder or the agent of the holder of any permit, entitlement, or review, or the party or agent of a party to any agreement covered by this chapter; the owner or authorized agent of any business, company, or entity subject to this chapter; any person or the parent or legal guardian of any person under the age of 18 years; who violates any ordinance, regulation, permit, entitlement, review, or agreement described.

~~For the purposes of this chapter, "board" means the planning commission of the city of Susanville sitting as the appeals hearing board of the city of Susanville, or its successor, or such other board or commission of the city that the city council may, by resolution, authorize to perform the functions of the board under this chapter.~~

8.32.040 Public nuisance prohibited.

No person may maintain or use property or allow their property to be maintained or used in a manner that creates or fosters the creation of a public nuisance.

8.32.050 Public nuisance defined.

For purposes of this chapter, a public nuisance means any of the following: ~~is:~~

A. A condition of real property or a building, structure, improvement or other thing located on real property that violates any provision of this code, including but not limited to:

1. Real property developed or used in a manner that violates the zoning and land use regulations adopted directly or by reference in this code;
2. A substandard building or a dangerous building or structure maintained in violation of the housing regulations or dangerous building regulations adopted by or pursuant to this code; or
3. A building or structure constructed, maintained or used in violation of the building regulations or fire regulations adopted by or pursuant to this code.
4. Neglected vacant buildings in violation of chapter 15.09 of this code.
5. Dangerous buildings as defined and regulated in chapter 15.10 of this code.

B. A condition of real property or a building, structure, improvement, or other thing on real property that endangers the public health, safety or welfare, including but not limited to:

1. A tree that is subject to disease or insect infestation likely to spread or is structurally unsound by reason of old age, disease, fire or other cause;
2. A failing private sewage disposal system;
3. An unprotected excavation or an abandoned and uncovered well; or
4. A well with a casing not sealed as required by applicable regulations.

C. A condition of real property or a building, structure, improvement, or other thing on real property that is unsightly and, by reason thereof, contributes to a diminution in the value of surrounding properties when visible from a public right-of-way or alley, including but not limited to:

1. An accumulation of lumber, unused equipment, or junk visible from a public right-of-way or surrounding properties;
2. An abandoned and dilapidated building or portion of a building; or
3. Dilapidated furniture in yards or on driveways, sidewalks, roofs or unenclosed balconies or porches.
4. The maintenance of property in the city in violation of chapter 8.52 of this code.
5. The outside storage of abandoned vehicles and vehicle parts as defined in chapter 10.22 of this code.

D. A condition of real property or a building, structure, improvement or other thing on real property that is an attractive nuisance (i.e., a dangerous or potentially dangerous condition of property likely to attract children and other curious people) including, but not limited to:

1. An unfenced or otherwise unenclosed outdoor swimming pool; or
2. Unused refrigerators, freezers or ice boxes stored, without the doors removed, outside a building or other enclosed structure.

E. A condition of real property, or of a building, structure, or improvement on real property, resulting directly or indirectly from the violation of:

1. Any regulatory or prohibitory provision of city, state or federal law or regulation applicable to the property or the occupancy of any structure; or

2. Any condition of approval or mitigation measure imposed upon the subdivision of land, any permit or any other entitlement for the use of land.

~~The maintenance or use of property in the city in a manner that jeopardizes or endangers the health, safety or welfare of persons on the premises or in the surrounding area; or~~

F. Real property that has been the situs for nuisance activity including, but not limited to:

1. Disturbing the peace, or
2. Illegal drug activity, or
3. Public drunkenness, or
4. Drinking alcoholic beverages in public, or
5. Harassment of passersby, or
6. Illegal gambling, or
7. Prostitution, or
8. The sale of stolen goods, or
9. Acts of violence, or
10. Public urination, or
11. Acts of vandalism, or
12. Acts of lewd conduct, or
13. Unreasonably loud noise, or
14. Loitering, or

G. Any other condition of real property, or of any building, structure, or improvement on real property, declared to be a nuisance by any statute of the State of California, or recognized to be a public nuisance by the common law of this state.

~~3. The maintenance or use of property in the city in a manner that violates, or real property that has been the situs of a violation of, any provision of this code, zoning or otherwise, or any other city, state or federal law or regulation.~~

H. Nothing contained in this chapter shall prohibit persons from participating in activity which the city may not proscribe under the United States Constitution or the California Constitution. (Ord. 10-971 § 2, 2010)

8.32.060 Notification of nuisance.

Whenever an enforcement official, as defined in section 8.40.020 of this code, determines that a nuisance, as defined in this chapter, exists on any building, structure or property located within the city, he or she shall notify, in writing, the responsible party of property on which the nuisance is located of the existence of the alleged nuisance which shall be served by personal delivery, first class mail or by registered or certified mail. The notification shall specify the violation(s), direct that the nuisance be abated and establish a reasonable abatement period of not less than 10 days.

8.32.070 Voluntary abatement of nuisances.

The responsible party having charge or control of any building, structure or property alleged to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period provided in section 8.32.060. If the abatement requires alterations, repair, rehabilitation or demolition of a building or structure all required city permits or entitlements must be obtained prior to commencement of the work. The responsible party shall advise the enforcement official who issued the declaration of nuisance of the completed abatement. Once so advised, the enforcement official shall inspect the premises to insure that the nuisance has, in fact, been abated.

8.32.080 Failure to voluntarily abate a declared nuisance.

If an alleged nuisance is not properly abated within the period established under the provisions of section 8.52.060, the responsible party may be issued an administrative citation as provided in chapter 8.40 of this code. Alternatively the enforcement official may initiate abatement procedures by sending a Notice of Intention to Abate Public Nuisance to the responsible party and follow the process in sections 8.32.090 through 8.32.270.

8.32.090 Notice of intention to abate public nuisance and public hearing thereon.

The Notice of Intention to Abate Public Nuisance shall demand that the responsible party remedy or abate such public nuisance within a reasonable period of time which shall not be less than ten (10) days. It shall also give notice of the time, date and place of a public hearing which shall be held by the hearing board to review the determination and abatement of the public nuisance. The public hearing shall be set for a date no less than ten (10) days after the abatement period expires.

8.32.100 Right of entry procedures

A. Whenever necessary to make an inspection to enforce any ordinance or resolution of the City of Susanville or the provisions of any secondary code adopted by any ordinance, or whenever there is reasonable cause to believe that there exists a violation of any provision of such ordinance, resolution or code in any building, or upon any premises, or whenever any enforcement official of the city has reasonable cause to believe that any building or premises is unsafe, substandard, unsanitary, or dangerous as defined in any provision of any such ordinance, resolution or code, an enforcement official of the city may enter such building or premises at a reasonable time to inspect the same and to perform any duty imposed upon such official by any provision of such ordinance, resolution or code. However, except in emergency situations, when consent of the owner and/or occupant to the inspection has not been otherwise obtained, the enforcement official shall give notice as follows:

1. If the building or premises is occupied, the enforcement official shall first present to the occupant city-issued credentials that include the enforcement official's name, position, title, and photograph. The enforcement official shall then request entry at a time convenient to the occupant within 24 hours of the time of the request;

2. If the building or premises is unoccupied, the enforcement official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises, and if located, the enforcement official shall present credentials to the owner or other person and then request entry at a time convenient to such owner or other person, but within 48 hours of the entry request;

3. If the owner or other person is located outside of the city, the enforcement official may notify that person by telephone or letter, and in doing so shall transmit sufficient information to identify the enforcement official's capacity to the owner or other person and may request entry at a time convenient to such owner or other person, within 5 days of such telephone request, or the receipt of such letter.

If entry is refused by the occupant, the owner, or other person having charge or control of the building or premises, or the enforcement official, after making a reasonable effort, cannot locate the owner, or other person having charge or control of the building or premises, so as to request entry, then the enforcement official may seek and obtain an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto in order to secure entry to such building or premises.

B. Any enforcement official of the city or a duly authorized representative or agent of the city may enter upon a property to access the exterior of the building or structure for the purpose of posting or serving notice.

8.32.110 Service of notices and order to abate.

Service of Notice of Intention to Abate Public Nuisance, written orders of the hearing board or other items as required under this chapter shall be made by posting a notice in a conspicuous place on or in front of the building, structure or property in question, as well as by any one of the following methods:

(A) By personal service on the responsible party;

(B) By registered or certified mail addressed to the owner at the last known address of the owner. If there is no known address for the owner, the notice shall be sent to the property address. "Owner" as used herein means any person(s) shown as the property owner on the latest equalized property tax assessment rolls. If the property owner cannot be served by personal service or by mail, service by posting shall be sufficient;

(C) By any other means which is authorized or required by applicable law for such nuisance abatement actions.

The failure of any person to receive any notice required and properly served, mailed, posted or published under this chapter shall not affect the validity of any proceedings taken under this chapter.

8.32.120 Hearing board - public hearing

At the time and place stated in the Notice of Intention to Abate Public Nuisance, the hearing board shall receive, hear and consider all relevant evidence, objections, protests and testimony of the responsible party, as well as that of other witnesses, city personnel and interested persons relative to the alleged public nuisance and to any proposed abatement measures. The hearing board shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible party has caused or maintained the violation(s). Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify if the hearing board determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the hearing board in accordance with the fundamentals of due process. The hearing board may limit the total length of the hearing to one hour, and shall allow the appellant at least as much time to present its case as is allowed the city. The hearing may be continued from time to time.

The failure of any person subject to a Notice of Intention to Abate Public Nuisance pursuant to this chapter to appear at the nuisance abatement hearing shall constitute a failure to exhaust administrative remedies.

8.32.130 Decision of the hearing board

Following the public hearing, the hearing board shall consider all evidence and other matters noted during the hearing and shall determine whether the building, structure or property in question, or any part thereof, constitutes a public nuisance as alleged. If the hearing board finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the hearing board shall make a written nuisance abatement order (Order), setting forth those findings and ordering the owner, lessee, agent, occupant or other person having charge or control of the building, structure or property to abate the nuisance by rehabilitation, repair or demolition in the manner and by the means that may be specifically set forth in the Order. The Order shall set forth the time within which the abatement work shall be completed, and it shall state that if the nuisance is not abated within such time period, it may be abated by the city. Where the implementation of the Order requires a building or development permit or an amendment to an existing development permit, the required permit(s) shall be obtained prior to commencing abatement. The Order shall also state that all costs of the city's abatement efforts, including the abatement work and administrative time to investigate and to hear and effect the abatement shall be charged against the responsible party as a personal debt or may be assessed upon the property on which the nuisance existed and will constitute a lien or special assessment upon the property until paid.

8.32.140 Service of the nuisance abatement order; one year jurisdictional period.

A) Within five days following the Board's decision, the responsible party shall be served with a copy of the written nuisance abatement order in the manner provided in section 8.32.110.

(B) The Order shall be effective for a one year period after issuance. During such period, the board shall retain jurisdiction over the conditions of the building, structure or property which constituted the nuisance established by the hearing board's Order, as well as the abatement thereof, to

ensure that the nuisance does not reoccur and that the building, structure or property is maintained in such a manner so as not to create a nuisance. If, during this one year period, any enforcement official determines that the same or another nuisance, as defined by this chapter exists with respect to the building, structure or property, he or she may give notice to abate the nuisance as provided for in section 8.32.060. If the responsible party does not abate the nuisance at any time within the abatement period, the city may proceed with the abatement itself under the provisions of section 8.32.190 without further action of the hearing board. The city may also recover all of its abatement effort costs as provided for in this chapter or this code.

8.32.150 Notice of unlawful detainer proceeding.

An owner of real property that is the subject of a nuisance abatement order and who has received a copy of the nuisance abatement order shall notify the city attorney if the owner initiates or causes to be initiated unlawful detainer proceedings:

- A. As a part of the owner's efforts to comply with or address the nuisance abatement order; or
 - B. Related to the situations, conditions or behaviors described in the nuisance abatement order.
- (Ord. 10-971 § 2, 2010)

8.32.160 Grievance with final order- Appeal

Whenever any person is aggrieved by any final order of the hearing board issued pursuant to section 8.32.130, the person may appeal the order to the city council by filing a request for appeal of an order of abatement with the city clerk along with a deposit of \$200. The appellant shall be responsible for all costs of such appeal which exceeds the \$200 deposit. All costs and expenses incurred by the City for and during such appeal shall be an authorized incidental expense subject to this chapter. If the cost of the appeal is less than \$200 the difference shall be refunded to the appellant.

The appeal shall be heard by the city council at a regularly scheduled meeting within 45 days of the filing of the appeal. Notice shall be given to the appellant at least 10 days prior to the scheduled meeting by first class mail sent to the address provided by the appellant on the appeal request form. The appeal hearing shall be conducted in the same manner as the hearing board hearing in section 8.32.120.

8.32.170 Right of judicial review.

Any person aggrieved by a nuisance abatement order affirmed on appeal by the city council may obtain review of the nuisance abatement order in the Superior Court of the county of Lassen by filing with the court a petition for writ of mandate.

8.32.180 Abatement by responsible party.

The responsible party may, at his or her own expense, abate the nuisance as prescribed by the order of the hearing board prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by an enforcement official and has been abated in accordance with the order, current proceedings shall be terminated, except that the hearing board's one year jurisdictional period shall continue.

8.32.190 Nuisance abatement work performed by or on behalf of the city

Where a responsible party has failed to abate a nuisance within the time prescribed by a nuisance abatement order approved by the hearing board and served on such responsible party in the manner provided for by this chapter, the enforcement official, with approval of the city administrator, shall cause the nuisance to be abated either by the use of city forces or by employing a private contractor to perform such work. However, the enforcement official shall not enter upon or cause any other person to enter upon the property which is the subject of a nuisance abatement order for the purpose of performing abatement work thereon without the prior written consent of the property owner unless and until a warrant or other order has been obtained by the city attorney on behalf of the city from a court of competent jurisdiction which authorizes an entry on such property for such purpose.

When undertaking work necessary to abate a nuisance following the failure of the owner of the property on which such nuisance is located to abate the nuisance within the time prescribed by a nuisance abatement order, the person responsible for performing the work shall keep an accurate record of the nature of such work and all direct and indirect costs incurred in connection with the performance of such work. In those cases in which the city has employed a private contractor to perform nuisance abatement work, such indirect costs shall include the cost of preparing plans and specifications for the work, the cost of preparing, bidding and awarding a contract for performance of the work, and the cost of inspecting the work.

8.32.200 Record of cost for abatement; notice of cost hearing.

The city finance manager, the enforcement official or such other city official as may be designated shall keep an account of all costs incurred by the city in abating nuisances on each separate lot or parcel of land where the work is done and shall render a written itemized report to the city council. Costs shall include the expense of abating such nuisance and shall be itemized showing the cost of abatement and the rehabilitation, repair, improvement, relocation, vacation, demolition or removal of said premises, building or structures, including any salvage value relating thereto and any incidental expenses; provided that before said report is submitted to said city council, a copy of the same shall be posted for at least ten (10) days upon such premises, together with a notice of the time when said report shall be heard by the city council for confirmation; a copy of said report and notice shall be served upon the owners of said property, in accordance with the provisions of Section 8.32.110 of this chapter at least ten (10) days prior to submitting the same to the city council; proof of said posting and service shall be made by affidavit filed with the city clerk. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in obtaining title reports, in the preparation and service of notices, preparation of specifications the preparation and award of contracts, all costs of inspecting any work done pursuant to this chapter, the costs of printing and mailing required hereunder, the costs of preparing materials for any hearing held pursuant to this chapter, penalties, permit fees, late charges, interest, conducting hearings, attorneys' fees, and a reasonable additional sum to cover the cost of administrative overhead.

8.32.210 Cost report – Hearing and proceedings.

At the time and place fixed for receiving and considering the cost report, the city council shall receive, hear and consider the report, together with any other relevant evidence, objections, protests or testimony. Thereupon, the Council may make such revision, correction or modification to the report as it may deem just after which, by resolution, the details of the report, as submitted or as revised, corrected or modified, shall be confirmed. Protests and objections shall relate to expenses for abatement and

related administrative costs and not to the merits of underlying violations. The council resolution shall set forth the cost of the abatement, date of the Order, a brief description of the abatement work performed by or on behalf of the city, describe the property upon which such work was performed by legal description, assessor's parcel number, and where possible by a street address, contain the name and current address of the owner of such property and shall include a date set by which time the cost of abatement shall be due. In addition, the resolution shall provide for collection of the assessment in the event of nonpayment either by recordation of the council resolution in the manner provided for by section 38773.1 of the California government code as a lien on the property, by including the assessment on the county tax rolls in the manner provided for by section 38773.5 of the government code or as a personal debt against the responsible party.

8.32.220 Service for resolution of assessment costs

Following adoption of a council resolution levying an assessment for city abatement costs, the resolution to be served on the responsible party in the following manner:

A. If the council resolution levying the assessment provides for collection of the assessment by recordation of the resolution against the property upon which city abatement work was performed, the enforcement official shall cause a copy of the resolution to be served on the owner of such property in the same manner as required by law for the service of a summons in a civil action, as set forth in Article 3, Chapter 4, Title 5 of Part 2 of the Code of Civil Procedure (commencing with Section 415.10); provided, however, that in the event the owner of the property upon which the city abatement work was performed cannot be found after a diligent search for same, the enforcement official shall serve the council resolution by posting a copy thereof in a conspicuous place on or next to such property for a period of 10 days, and by publishing a copy of the resolution in a newspaper of general circulation in the county of Lassen in the manner provided for by Section 6062 of the Government Code.

B. If the council resolution levying the assessment provides for collection of the assessment by inclusion of the assessment on the county tax rolls, the director shall cause a certified copy of the resolution to be served on the owner of the property by certified mail, if the property owner's identity can be determined from the county assessor's or county recorder's records. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes and subject to any other provisions of Section 38773.5 of the California Government Code.

8.32.230 Collections of assessment by recordation of council resolution levying assessment - Recordation of council resolution

Where the council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such abatement costs by recording the resolution against the property on which the city abatement work was performed, the director, promptly after completing service of the council resolution in the manner hereinbefore required by this chapter, shall attach an affidavit or declaration attesting to such service to a certified copy of the resolution, and shall cause such certified copy of the resolution, with the declaration or affidavit attached, to be recorded in the official records of the county of Lassen. After the date of such recordation, the assessment provided

for by such resolution shall have the force, effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure, all as may be amended from time to time.

8.32.240 Collection of assessment by recordation of council resolution levying assessment - Commencement of foreclosure action.

When directed to do so by the city council, the city attorney shall commence an action in a court of appropriate jurisdiction to foreclose the assessment lien for city abatement work which was established by recordation of the council resolution levying the assessment for such abatement work in the manner provided by this chapter. In such action the city shall be entitled to recover any costs incurred for the purpose of processing, serving or recording such resolution.

8.32.250 Collection of assessment by recordation of council resolution levying assessment - Release of assessment lien.

At such time as the lien created by recordation of the council resolution levying an assessment for city abatement costs is discharged or satisfied, either through payment of the lien, or by sale of the property encumbered by the lien at the conclusion of a foreclosure action, the director shall promptly cause a release of the lien, in a form approved by the city attorney, to be recorded in the official records of the county of Lassen.

8.32.260 Collection of assessment on county tax rolls - Requests for inclusion of assessment on county tax rolls.

Where the city council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such assessment on the county tax rolls, the enforcement official, after serving the resolution in the manner required by this chapter, shall promptly transmit a certified copy of the resolution to the finance director who shall immediately forward same to the Lassen County auditor with a request that the assessment levied by such resolution be added to the county tax rolls in the manner provided for by Section 38773.5 of the Government Code. Thereafter all laws applicable to the levy, collection and enforcement of property tax shall be applicable to such special assessment.

8.32.270 Collection of assessment on county tax rolls - Payment of assessment.

If the assessee should pay to the city the full amount of an assessment levied for city abatement costs, together with any interest or penalties thereon, after the date the assessment is added to the county tax rolls, the city finance manager shall promptly cause such assessment to be removed from the tax rolls.

8.32.280 Summary nuisance abatement.

(A) Notwithstanding any provisions of this chapter to the contrary, whenever the enforcement official determines that a public nuisance is so imminently dangerous to life or property that such condition must be immediately corrected, the enforcement official may institute the following procedures.

(1) Notice. The enforcement official shall attempt to contact, through a personal interview or by telephone, the owner, lessee, agent or other person, if any, occupying or otherwise in real or apparent charge or control thereof. In the event contact is made, the enforcement official shall notify such person(s) of the danger involved and require that such condition be removed, repaired, isolated or otherwise abated, within a reasonable period of time under the circumstances, so as to prevent the immediate danger to life or property.

(2) Abatement. In the event the enforcement official is unable to make contact as noted above, or if the appropriate person(s), after notification by the enforcement official, fail to abate the condition within the time frame specified by the enforcement official, then the enforcement official may, with the approval of the City Administrator, take all steps deemed necessary to remove, repair, isolate or otherwise abate such condition immediately and without further notice to the extent necessary to prevent the immediate danger to life or property.

(3) The costs may be recovered pursuant to this chapter or by any other means provided for by law.

8.32.290 Administrative civil penalties.

A. The process for the assessment of administrative civil penalties established in this chapter is in addition to any other administrative or judicial remedy established by law that may be pursued to address violations of this code. The hearing board may impose penalties upon persons responsible for creating, maintaining or fostering a public nuisance in an amount not to exceed a maximum of five hundred dollars (\$500.00) per day for each day that the public nuisance occurs, except that the total administrative penalty imposed pursuant to this chapter shall not exceed ten thousand dollars (\$10,000.00), exclusive of administrative costs and interest.

B. In determining the amount of the penalty, the board may take any or all of the following factors into consideration:

1. The period of time during which the public nuisance occurred;
2. The nature, frequency and recurrence of the public nuisance;
3. The ease with which the public nuisance could have been abated;
4. The good faith efforts made to deter the public nuisance or ameliorate its effects;
5. The economic impact of the penalty upon persons responsible for payment;
6. The impact of the public nuisance on the community; and/or
7. Such other factors as justice may require.

C. Penalties imposed by the hearing board may accrue from a date no earlier than the compliance date specified in the nuisance abatement cease and desist order and shall cease to accrue on the date the nuisance abatement order has been complied with as determined by the city attorney or the board.

D. Penalties assessed by the board shall be due by the date specified in the nuisance abatement order.

E. Penalties assessed by the board are a debt owed to the city and, in addition to all other means of enforcement, where the person against whom the penalties are assessed is an owner of the subject real property, may be enforced and collected through the placement of a lien against the subject real property.

F. Penalties shall continue to accrue on a daily basis until the nuisance abatement order has been complied with, subject to the maximum amount set forth in this section.

G. If a person subject to the nuisance abatement order gives written notice to the city attorney that the nuisance abatement order has been complied with and if the city attorney finds that compliance has been achieved, the date that the written notice was postmarked or personally delivered to the city attorney or the date of the city's final inspection, whichever first occurred, shall be deemed to be the date of compliance with the nuisance abatement order. (Ord. 10-971 § 2, 2010)

~~_____ A failure to pay the assessed penalties, interest and administrative costs as specified in the nuisance abatement order of the board may be enforced as:~~

~~_____ A. _____ A personal obligation of persons subject to the nuisance abatement order; and/or~~

~~_____ B. _____ A lien upon the subject real property for the amounts owed by a property owner pursuant to a nuisance abatement order. The lien shall remain in effect until all of the penalties, interest and administrative costs are paid in full. (Ord. 10-971 § 2, 2010)~~

8.32.300 Violations.

A. Any responsible party who maintains any public nuisance defined in this chapter and who fails to comply with a nuisance abatement order served as provided in section 8.32.090 may be charged as either an infraction or a misdemeanor.

B. Any responsible party who causes or maintains any public nuisance defined in section 8.32.050 of this code, who allows such a nuisance to continue or who neglects to comply with a Notice of Intent to Abate Public Nuisance is guilty of an infraction. Each day such condition continues shall be regarded as a new and separate offense.

C. Any person who removes or causes the removal of any notice or order posted as required in this chapter for the purpose of interfering with the enforcement of the provisions of this chapter may be charged with either an infraction or a misdemeanor.

D. Any person who obstructs, impedes or interferes with any representative of the city or with any person who owns, leases, occupies or has charge or control over any building, structure or property when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance under this chapter may be charged with either an infraction or a misdemeanor.

8.32.310 Interest.

Any person who fails to remit payment to the city of any penalty, cost or any other charge required to be paid to the city pursuant to a nuisance abatement order under this chapter on or before the date the penalty, cost or other charge is due shall, in addition to the amount of the penalty, cost, and charge, pay interest on the amounts due at the rate of ten percent per annum, pro-rata, from the

date on which the amount due first became delinquent until the date that payment is received by the city.

8.32.320 Report of compliance after nuisance abatement order.

If the enforcement official ~~city attorney~~ determines that compliance with the nuisance abatement order has been achieved, the enforcement official ~~city attorney~~ shall file a report with the city clerk acting as secretary of the hearing board indicating that compliance has been achieved and the date of the city's final inspection of the subject property.

8.32.330 Compliance dispute.

A. If the enforcement official ~~city attorney~~ does not file a report pursuant to Section 8.32.320, a person subject to the nuisance abatement order who believes that compliance has been achieved may request a compliance hearing before the hearing board by filing a request for a hearing with the secretary of the board.

B. The hearing shall be noticed and conducted in the same manner as a hearing on an ~~nuisance abatement cease and desist~~ order provided in Sections 8.32.080 through 8.32.130 of this chapter.

C. The hearing board shall determine if compliance with the nuisance abatement order has been achieved and, if so, when it was achieved.

Notwithstanding any other provision of this code, the city, in its discretion, may pursue any and all legal and equitable remedies for the collection of unpaid city fines, taxes, interest, fees, service charges, civil penalties, administrative penalties, and any other sum required to be paid under any provision of this code or any other law. Upon giving advance written notice that the debtor will be subject to collection costs if the debtor does not pay the unpaid amount owed to the city, the city shall be entitled to recover reasonable attorneys' fees and costs associated with the collection of the amount owed regardless of whether the city pursues said collection through litigation or by any other means. As used herein, "costs" include, but are not limited to, city staff time incurred in the collection of the amount owed, third-party costs incurred in the collection action, and those costs set forth in Code of Civil Procedure Section 1033.5. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total amount owed has been collected.

8.32.220 Right of judicial review.

~~Any person aggrieved by a nuisance abatement order of the board may obtain review of the nuisance abatement order in the Superior Court of the county of Lassen by filing with the court a petition for writ of mandate. (Ord. 10-971-5-2, 2010)~~

8.32.230 Lien procedure.

~~A. Whenever the amount of any penalty and/or administrative cost, including interest, imposed upon a property owner by the board pursuant to this chapter has not been satisfied in full within ninety (90) days and/or has not been successfully challenged by a timely writ of mandate, this~~

obligation may constitute a lien against the subject real property at or upon which the public nuisance occurred.

~~_____ B. _____ The lien provided herein shall have no force and effect until recorded with the county recorder. Once recorded, the lien shall have the force, effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure, all as may be amended from time to time.~~

~~_____ C. _____ Interest shall accrue on the principal amount of the judgment remaining unsatisfied pursuant to law at the rate set forth in Section 8.32.180.~~

~~_____ D. _____ Prior to recording any such lien, the director of finance shall prepare and file with the secretary to the appeals hearing board a written report stating the amounts due and owing.~~

~~_____ E. _____ The secretary shall fix a time, date, and place for hearing such report and any protests or objections thereto.~~

~~_____ F. _____ The director of finance shall cause written notice to be served on the property owner not less than ten days prior to the time set for the hearing. Such notice shall be served as provided in Section 1.04.140 of this code. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.240 Public hearing and protests.

~~_____ A. _____ Any person whose real property is subject to a lien pursuant to Section 8.32.230 may file a written protest and request for a hearing with the secretary to the appeals hearing board and then may protest orally at the appeals hearing board meeting.~~

~~_____ B. _____ Each written protest or objection must contain a description of the property in which the protesting party is interested and the grounds of such protest or objection.~~

~~_____ C. _____ The appeals hearing board, after the hearing, shall adopt a resolution confirming, modifying or discharging the amount of the lien. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.250 Recording of lien.

~~_____ Thirty (30) days following the adoption of a resolution by the appeals hearing board imposing a lien, the secretary to the appeals hearing board shall file the same as a judgment lien in the office of the county recorder of Lassen County, California. The lien may carry such additional administrative charges as set forth by resolution of the board. (Ord. 10-971 § 2, 2010)~~

~~-~~
8.32.260 Satisfaction of lien.

~~_____ Once payment in full is received by the city for outstanding penalties, interest and costs, the director of finance shall either record a notice of satisfaction or provide the property owner or financial~~

institution holding an interest in the subject property with a notice of satisfaction so they may record this notice with the office of the county recorder. Such notice of satisfaction shall cancel the city's lien. (Ord. 10-971 § 2, 2010)

Chapter 8.52 Property Maintenance

8.52.010 Purpose and Intent of chapter.

It is the purpose of this chapter to provide a just, equitable, and practical method, in addition to any other remedy available by law or equity, whereby lands or buildings which are dilapidated, unsafe, dangerous, unsanitary, cluttered with weeds and/or debris, abandoned vehicles, machinery or equipment, junk, trash, or are a menace, or hazard to life, limb, safety, health, morals, property values, aesthetic standards, or the general welfare of the city, may be required to be repaired, renovated, vacated, demolished, made safe, or cleaned up by removal of offensive conditions.

Additionally the purpose of this chapter is to provide minimum standards for the maintenance of property in the city. Where this chapter imposes a greater restriction upon property or structures thereon than is imposed or required by existing provisions of law, ordinance, contract or deed, the provisions of this chapter shall control. It is not intended by this chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances or with private restrictions placed upon property by covenant, deed or other private agreement or with restrictive covenants running with the land to which the city is a party.

8.52.020 Responsibilities for property maintenance.

Every owner, lessee, occupant or person having charge or control of buildings, structures or property within the city is required to maintain the buildings, structures or property in a manner so as not to violate the provisions of this chapter, and the owner, lessee, occupant or person having charge or control of the building, structure or property remains liable for violations hereof regardless of any contract or agreement with any third party regarding the same. The duty imposed by this section on an owner shall in no instance relieve those other persons referred to herein from the same duty.

8.52.030 Classification of nuisances.

The following acts and conditions, when performed or existing upon any lot or parcel of land within the city, are declared to be unlawful and are defined as and declared to be public nuisances which are injurious or potentially injurious to the public health, safety and welfare, which have a tendency to degrade the appearance and property values of surrounding property and/or which cause damage to public rights-of-way:

A. Structures or buildings, both permanent and temporary, or other lot improvements including buildings or sheds exempt from obtaining a building permit, which are subject to any of the following conditions:

1. Faulty weather protection, including, but not limited to, the following:
 - a. Crumbling, cracked, damaged, missing, broken or loose exterior plaster, siding of any kind, roofs, foundations or floors;
 - b. Broken, damaged or missing windows or doors; and
 - c. Painted or unpainted surfaces suffering from dry rot, warping or termite infestation;

2. Building or structures which are under construction or rehabilitation and are not completed within a reasonable time or whose building permit for such construction or rehabilitation has expired;

3. Fences or walls which are in a hazardous condition, which are in disrepair or which hinder free access to public sidewalks or rights-of-way or are maintained in such a condition to have a tendency to degrade the appearance and property values of surrounding property. All fencing, including gates shall be maintained in sound condition free of damage, breaks, or missing structural members. Areas that are leaning, buckling, sagging, or deteriorating shall be repaired or replaced with material compatible with the undamaged portions of the fence. Where fencing has been painted and it shall be maintained and kept free of chipping, peeling, scaling or missing paint;

4. Substantial deterioration of porches, landings, patios, stairways or guardrails which, although not otherwise constituting an unsafe structure as defined in this code, are visible from public rights-of-way or neighboring properties and are injurious or potentially injurious to the public health, safety and welfare or have a tendency to degrade the appearance and property values of surrounding property;

5. Broken or defective elements of a building, structure, parking lot or landscaped area which are injurious or potentially injurious to the public health, safety and welfare or have a tendency to degrade the appearance and property values of surrounding property;

6. Litter, debris or abandoned personal property scattered in the interior of a vacant or unoccupied building or structure in such a manner as to create a fire hazard, health hazard or other condition which is injurious or potentially injurious to public health, safety and welfare;

B. Vegetation, trees, landscaping or other plant materials which are subject to any of the following conditions:

1. Overgrown or in such a condition that they are or are likely to:

- a. Harbor rats, vermin or other vectors;
- b. Provide a harboring place for vagrants or other persons;
- c. Which encroaches into, over, or upon any public right-of-way, including, but not limited to, streets, alleys, or sidewalks, so as to constitute either a danger to the public safety or property or any impediment to public travel; or
- d. Be injurious to the public health, safety and welfare or have a tendency to depreciate the appearance and property values of surrounding properties. Grasses and weeds shall be cut to a height not to exceed 4";
- e. Create a Fire Hazard as determined by the fire chief or duly authorized agent.

2. Dead, decayed, diseased, hazardous or in such a condition that they are or are likely to:

- a. Be injurious to the public health, safety and welfare or have a tendency to depreciate the appearance and property values of surrounding properties. Grasses and weed shall be cut to a height not to exceed 4”;
- b. Create a fire hazard or health hazard;

C. The parking or storage of trailers, campers, boats, vessels, watercraft, snowmobiles, wood splitters or other similar vehicles and equipment on residentially zoned property is prohibited as follows:

1. On a paved driveway surface when such parking or storage unreasonably prevents routine and useful access to a required garage parking space or prevents the utilization of the garage or paved driveway area for required off-street parking. For purposes of this section, “paved driveway” shall mean a paved strip of land which meets all applicable zoning and building regulations of the city, which provides access from the street to a garage, carport or parking space and which has a single access point. The paved driveway may have two access points only if the driveway is semi-circular in nature. For purposes of this section, “parking space” shall mean a paved area within the front yard area which meets all applicable zoning and building regulations of the city and which is of sufficient size to be used for the express purpose of parking a vehicle.

2. In the front yard area. For the purpose of this section, the “front yard area” shall mean any area of the lot or parcel that is not a paved driveway, that is between the front elevation of the residential building and the front property line of the lot or parcel and that extends the entire width of the lot or parcel.

3. On a paved driveway area when such parking or storage unreasonably obstructs the cross visibility of vehicle or pedestrian traffic and creates an unsafe condition or traffic hazard or when the vehicle or equipment projects over or onto the sidewalk or street;

4. When stored directly on the ground and not upon a currently registered and operable vehicle, trailer or similar device designed to transport such vehicle or equipment.

5. In an abandoned, inoperative, wrecked or dismantled condition;

D. Attractive nuisances, those objects which, by their nature and according to the law, may attract children or other curious individuals including, but not limited to, hazardous pools, ponds, iceboxes, refrigerators, neglected machinery, excavations, stagnant water or abandoned wells;

E. Storage or scattering over any portion of the property of any of the following:

1. Debris, rubbish, rubble, construction debris, litter or trash which is not stored in trash receptacles or which is scattered and blowing onto adjacent public or private property;

2. Abandoned, broken, wrecked, inoperable or discarded household or office furnishings, housewares, appliances, electronic equipment or devices, machines and tools or similar objects of equipment;

3. Abandoned, broken, wrecked, inoperable or discarded personal effects, including, but not limited to, books, magazines, newspapers, papers, nicknacks, ornamental objects, clothing or similar articles;

4. Outdoor storage of usable building materials for more than 180 days, except where construction or remodeling is occurring under a valid permit or as may be permitted by the zoning classification of the property. The material shall be stored in a neat and orderly manner so as not to create a health or fire hazard;

5. Outdoor storage or scattering of cardboard, newspaper, magazines, scrap metal, tin, wire, aluminum, plastic or glass containers, except within approved refuse or recycling containers or as may be permitted by this code or the zoning classification of the property;

6. Abandoned, inoperative, wrecked or dismantled vehicles or parts thereof in violation of Chapter 10.22 of this code;

7. Outdoor storage or scattering of materials, equipment or other items on residentially used property which is not typically associated with such use, which is inconsistent with the zoning classification of the property and which creates a fire hazard or health hazard or which is otherwise injurious or potentially injurious to the public health, safety and welfare;

8. Excessive accumulation of animal waste or the presence of any animal carcass.

F. Packing boxes or similar storage containers which are stored in yards or unenclosed patios, porches, carports or storage units and which create a fire hazard or health hazard or which are otherwise injurious or potentially injurious to the public health, safety and welfare;

G. Excessive accumulation of grease, oil or other residues on paved or unpaved surface areas open to the public or when such material flows or seeps onto any public street, sidewalk or public property;

H. Storage or the parking of non-recreational vehicles including buses, tow trucks, dump trucks, grading equipment, tractors, commercial trailers or coaches or any other commercial vehicle over 20 feet long, 8 feet high or 90 inches wide in a residential zone.

1. Non recreational vehicles under 20 feet long must be stored or parked in a side or rear yard. For properties developed after September 16, 2000 the parking/storage space must be paved.

Properties developed prior to September 16, 2000 may utilize a gravel surface in the side or rear yard provided it can be shown that the parking area was established prior to September 16, 2000.

2. Recreational vehicles of any length must be stored or parked in a side or rear yard. For properties developed after September 16, 2000 the parking/storage space must be paved. Properties developed prior to September 16, 2000 may utilize a gravel surface in the side or rear yard provided it can be shown that the parking area was established prior to September 16, 2000.

I. To allow or permit graffiti to remain on any building, fence, wall, structure, sign or vehicle when visible to the public street, highway, right-of-way or public place for more than 1 week. For the purpose of this section, "graffiti" means any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, drawn or painted on any surface in violation of this code or other state or local law;

J. Signs constructed, erected or maintained in violation of the provisions of Chapter 17.128 of this code or an applicable specific plan ordinance;

K. Any device, decoration, design, fence or structure which, by reason of its condition or its location, is injurious or potentially injurious to the public health, safety and welfare or has a tendency to degrade the appearance and property values of surrounding property;

L. Animals, livestock, poultry, insects, or bees kept, bred, or maintained for any purpose and in violation of this code or any other code adopted by this city.

M. Maintenance of buildings, structures or premises in such condition as to be detrimental to the public health, safety or general welfare or in such manner as to constitute a public nuisance as defined by Cal. Civil Code § 3480 or other applicable law.

8.52.040 Declaration of nuisance.

Whenever the City Planner, City Building Official, City Fire Chief, City Engineer or any enforcement official as designated by the City Administrator to enforce the codes of the City determines that a nuisance, as defined by section 8.52.030, exists on any building, structure or property located within the city, he or she shall utilize the process for abating public nuisances as contained in Chapter 8.32 of this code.

Chapter 15.09 – Neglected vacant buildings

15.09.010 – Findings and purpose

The Susanville City Council Finds that vacant buildings and vacant boarded-up buildings are a major cause and source of blight in both residential and nonresidential neighborhoods, especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the neighborhood. Vacant buildings attract vagrants and transients and invite criminal activity, the dumping of trash and garbage and unauthorized occupation. The use of vacant buildings by transients, who may employ primitive cooking or heating methods, creates a risk of fire for vacant buildings and adjacent properties. Vacant buildings, whether or not those buildings are boarded, discourage economic development and retard appreciation of property values. It is the responsibility of the owner to prevent owned property from becoming a burden to the neighborhood and community, and a threat to the public health, safety and welfare.

The City Council also finds that because of the potential economic and public health, safety and welfare problems caused by vacant buildings, the city needs to monitor vacant buildings so that they do not become attractive nuisances, are not used by vagrants or trespassers, are properly secured and maintained, and do not become a blighting influence in the neighborhood. City departments involved in such monitoring include the police department, fire department, planning and building division and engineering division. There is a substantial cost to the city for monitoring vacant buildings which should be paid by the owners of the vacant buildings. The city has established the vacant building monitoring program to accomplish this purpose.

The purpose of this chapter is to require that vacant dwellings and buildings within the incorporated limits of the City of Susanville are maintained to certain minimum standards and suitable for use or habitation while allowing them to be properly secured and boarded up for a limited period time, and that dwellings and buildings which remain vacant and unoccupied for appreciable periods of time do not become public nuisances.

15.09.020 – Remedies for violation.

A building that is vacant or vacant and boarded in violation of this chapter is a public nuisance. In addition to the provisions in this chapter, the city is authorized to use the remedies set forth in state law, the California Building Code, the Uniform Code for the Abatement of Dangerous Buildings, and the City of Susanville Municipal Code.

The remedies, procedures and penalties provided by this chapter are cumulative to each other and to any others available under state law or other city ordinances. The imposition of a vacant building monitoring program fee shall not preclude the city from seeking all other remedial penalties available under the City of Susanville Municipal Code.

Any person violating the provisions of this chapter may be charged with either an infraction for each day such violation continues or with a misdemeanor. Violations of this chapter may be abated as a

public nuisance pursuant to Chapter 8.32 of this code and/or administrative citation(s) issued pursuant to Chapter 8.40 of this code

The city's failure to provide notices within the time specified does not constitute waiver by the city of the provisions of this chapter.

15.09.030 - Vacant and neglected vacant building.

A. "Vacant building" means any building or structure, or unit in a building or structure, which is unoccupied or occupied by unauthorized persons. The definition includes without limitation, buildings or structures of any nature intended for human habitation, occupation or use and includes manufactured housing or mobile homes. A neglected vacant building is a vacant building which is not maintained in accordance with the provisions of this chapter.

B. A building or structure, or unit in a building or structure, is not deemed to be vacant for purposes of this chapter if:

1. The building is the subject of an active building permit for improvement, repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.
2. The building or structure meets minimum building code standards, does not otherwise constitute a public nuisance, is ready for use or occupancy and/or is actively being offered for sale, lease or rent; or
3. The building or structure, including the premises on which it is located, does not otherwise constitute a public nuisance and is not likely to become a public nuisance because it is being actively maintained and monitored. Active maintenance and monitoring shall include:
 - a. Maintenance of landscaping and plant materials in good condition;
 - b. Maintenance of the exterior of the building or structure, including, but not limited to, its paint and finishes, in good condition;
 - c. Regular removal of all exterior trash, debris and graffiti;
 - d. Maintenance of the building or structure in continuing compliance with all applicable codes and regulations;
 - e. Active prevention of all criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity, loitering or trespassing;
4. The building or structure, or unit in a building or structure is unoccupied due to fire, flood, earthquake, or other form of natural disaster and the owner provides evidence to the city that he or she is actively pursuing assistance for demolition, rehabilitation or restoration of the building and/or premises from local, state or federal assistance programs or from insurance agencies.

15.09.040 - Compliance required.

It is unlawful for any person who owns, controls, or is the responsible agent for a vacant building to maintain, or cause or permit the maintenance of the vacant building as a neglected vacant building or in a neglected condition.

15.09.050 - Structural and building standards.

- A. All vacant buildings shall be maintained in a structurally sound condition.
- B. All electrical, natural gas, sanitary, and plumbing facilities shall be maintained in a condition which does not create a hazard to public health or safety.

15.09.060 - Fire safety standards.

- A. All vacant buildings shall be maintained in a manner which does not create an unreasonable risk of fire, including the removal of weeds, brush, vegetation, and debris which may constitute a fire hazard.
- B. No vacant building or portion thereof shall be used for the storage of hazardous, combustible or flammable liquids or other materials which would constitute a safety or fire hazard.
- C. Heating facilities maintained in accordance with applicable codes. If heating equipment in a vacant buildings is to be disabled fuel supply shall be removed or terminated in accordance with applicable codes and ordinances and the water supply to the building turned off to prevent burst water pipes in freezing weather conditions.
- D. The street address of the building shall be posted and shall be visible from the street.

15.09.70 - Security standards.

- A. All vacant buildings shall be maintained in a way which secures it from any unauthorized entry.
- B. The owner or responsible agent of a vacant building which has remained unoccupied for a period of more than thirty days and which has suffered from vandalism, broken windows, broken doors or which had an unauthorized entry must repairs such damage within 15 days of becoming aware of such damage. Alternately, the owner or responsible agent may provide security which is adequate to prevent further deterioration and/or unauthorized entry for a time period of up to 6 months. After 6 months the building must un-boarded and actively maintained and monitored as required in section 15.09.030 B.3. Property owners may leave a building boarded up for an additional 6 month period by voluntarily enrolling in the -vacant building monitoring program and paying or payment of the quarterly monitoring fee required described in by section 15.09.100.-shall be applied to the property. Owners of buildings which have been boarded up as a result of a catastrophic event such as fire or storm damage may request that the hearing board allow the building to be boarded up for an additional 12 months to allow for insurance disputes to be resolved or for other unusual circumstances as an alternative to enrolling in the vacant building monitoring program.

Methods of securing the building or structure must meet or exceed the following minimum standards or equivalent standards as determined by the city building official.

1. Windows. Windows and similar openings shall be boarded with exterior grade plywood of minimum thickness three-fourths inch (to be consistent with door security standards) or its equivalent. Vent holes may be required, as deemed necessary by the building official. The plywood shall be secured in place, as a minimum standard, by a set of two grade No. 2 douglas fir two-by-four cross members set at two feet on center vertically, secured to the plywood by three-eighths-inch plated carriage bolts with large washers at each end. Bolts used to secure the cross member shall be threaded to the correct length. A minimum of two such cross members shall be used on each window. Each cross member shall be a continuous piece of lumber, and each should extend approximately one foot past the window opening in each direction unless interior condition limit such extension. Bolts and nuts used to secure the cross members to the plywood must be tightened enough to slightly deflect the wood. Bolt heads must fit tightly against the wood and not give a purchase for pliers or pry bars. The nuts are to be located on the interior side of the structure.
2. Exterior Doors. There shall be at least one operable door into each building and into each unit of the building. If an existing door is operable but lacks an operable locking mechanism it may be used and secured with a suitable lock such as a hasp and minimum two-inch case hardened padlock or a one-inch deadbolt or deadlatch with two and one-half inch long # 8 screws in the strike-plate penetrating into the trimmer stud. If doors and frame(s) have been damaged, the main exterior (required) residential exit door(s) and all commercial exterior exit doors shall be boarded with exterior grade plywood of a minimum thickness of three-fourths inch or its equivalent, fitted to the entry door jamb with maximum one-eighth-inch clearance at each edge from the door jambs and threshold. The existing door should be removed. The plywood shall, as a minimum standard, be attached to three grade No. 2 douglas fir horizontal two-by-four wooden crossbars with two each three-eighths-inch carriage bolts and matching hardware, with nuts located on the interior side of the structure. The plywood shall be attached to the door entry with three case-hardened strap hinges located at quarter points and the plywood shall be secured by two case-hardened steel hasps located at third points on the strike side of the door and minimum two-inch case-hardened padlock. Fasteners used to attach the door hasp and hinges shall be the nonreversible type that do not give a purchase for pliers or pry bars. All other unsecured residential doors providing exterior access shall be removed and be secured in the same fashion as windows noted above.
3. Overhead garage doors shall be secured. Nailing the door to the jamb or nailing pieces of two-by-four to the jamb is not acceptable. The overhead door shall be padlocked with the existing garage lock or a newly installed one. In an attached garage it is acceptable, as a minimum standard, to insert a piece of grade No. 2 douglas fir two-by-four lumber through the overhead mechanism on the inside of the door. The two-by-four shall be long enough to go through both sides of the mechanism or shall be nailed in place on the inside so that it cannot fall out.

Secondary garage entrances to the outside of the garage shall be secured with strong-backed plywood as described for windows above. Access doors between the house and attached garage need not be boarded. Detached garages shall be secured as separate structures.

4. All materials used to cover and secure window door or other openings shall be painted to match or complement the color of the main structure.
5. The property owner shall obtain a building permit for work done under this section and an inspection of the work shall be performed by the city.
6. _____

15.09.080 - Debris removal.

All vacant buildings including all adjoining yard areas shall be maintained free of debris, combustible materials, litter and garbage.

15.09.090 - Appearance.

- A. All vacant buildings must be maintained in a manner which minimizes the appearance of vacancy, including the prompt removal of graffiti pursuant to chapter 12.24 of this code.
- B. All exterior surfaces, including any boarded windows or doors shall be applied with sufficient paint, siding, stucco or other finish to weatherproof the vacant building and to create a sufficient appearance of repair. If the building is subject to an existing use permit all conditions related to maintenance of the exterior of the structure or parcel on which the building is located shall continue to be complied with including the maintenance of landscaping.
- C. The exterior of the vacant building property, including all landscaping, shall be kept in such condition as not to create the appearance of an unsecured, unoccupied structure or other hazard to public safety. Grasses and weeds shall be cut to a height not to exceed 4" and dead shrubs and trees removed.
- D. Signage that no longer relate to the activities in the building shall be removed from the site. Any remaining signage shall be maintained in a manner which minimizes the appearance of vacancy.

15.09.100 - Quarterly monitoring fee.

- A. Purpose. Purpose. The quarterly monitoring fee will be used to finance the cost of monitoring, inspection and enforcement related to this chapter and to secure buildings and abate conditions on the property.
- B. Fee Imposed. A quarterly monitoring fee in an amount adopted by resolution of the city council of \$250 may be imposed upon every owner of a vacant building in violation of this chapter. The quarterly monitoring fee is due within 30 days of notice that the building is vacant and in violation of this chapter. The fee is due for every quarter upon which the building is vacant, even if the building

is only vacant part of the quarter. The owner will be billed at the beginning of each quarter while the building is in violation of this chapter. The fee shall be payable as to any building, residential or nonresidential, which the hearing board, as established by chapter 8.32, determines to be in violation of this chapter or has been boarded up for more than 6 months. Within 10 days of enrollment in the vacant building monitoring program, the owner must place a sign in a visible area in the front of the vacant building that indicates that the building has been enrolled in the city of Susanville's vacant building monitoring program. The sign will be provided to the owner by the city upon enrollment.

- C. Notice and Procedures. The vacant building monitoring fee shall be billed to the owner of the property. Notice shall be served either personally, by first class mail, or by certified mail, addressed to the owner as the address appears on the last equalized assessment roll or as known to the enforcement official. A hearing shall also be set with the hearing board as proscribed in chapter 8.32.120 to allow the owner opportunity to contest enrollment into the vacant building monitoring program. The hearing board may waive the fee and enrollment if the property owners can show that that any of the conditions listed in section 15.09.030 B.3 are applicable to the building or structure. The owner shall provide substantial evidence supporting the grounds for the waiver. After conducting the hearing and finding that the property is subject to the vacant building monitoring program, the hearing board shall direct that a bill be sent to the property owner with the notice stating a violation of this chapter exists, setting forth the reasons for the decision and that notice shall constitute enrollment in the vacant building monitoring program.
- D. The owner of a vacant building shall not allow or cause any use of the property or any buildings thereon unless the property owner has first corrected the violations which caused placement into the program and has paid the required quarterly monitoring fee, as well as any other penalties or fines owed to the city.
- E. Within 15 days of the decision by the hearing board to bill for the vacant building monitoring program fee, the city administrator or his/her designee shall file in the office of the county recorder a notice that the building is subject to the vacant building monitoring program fee and that upon transfer of the property the new owner shall have 90 days to bring the building or structure into compliance.
- F. Upon transfer or sale of a vacant building, the seller shall provide written notification to the city administrator or his/her designee that the property has been transferred or sold.
- G. Any fees established pursuant to this chapter which are more than 30 days delinquent, or not paid within 30 days after the decision of the hearing board has been mailed to the owner, shall constitute an assessment against the property. The city may use all legally available procedures to collect any unpaid fee including, but not limited to, collecting the unpaid fee on the tax roll or recording a lien on the property, consistent with applicable law.

Chapter 15.10 Abatement of dangerous buildings and structures

15.10.010 Definitions.

The term "dangerous structure" or "dangerous building" as used in this chapter means any building falling within the definition of "dangerous building" or any building which is considered "unsafe" under the criteria of the California Building Code, "dangerous" under the criteria of the 1997 Uniform Code for the Abatement of Dangerous Buildings, or "substandard" under the criteria of the Uniform Housing Code and which, in addition thereto, presents an imminent threat of substantial danger to public health, safety and welfare. The term "dangerous structure" also means any other structure, whether man-made or a condition of nature, which presents an imminent threat of substantial danger to public health, safety and welfare. Such threat may be presented by, but is not limited to, situations where a structure, or some part thereof, is likely to collapse onto a public street or sidewalk or where it presents an extreme fire hazard. Any structure falling within the definition of "dangerous structure" "or "dangerous building" is declared a public nuisance.

15.10.020 Abatement—Informal procedures authorized.

This chapter contemplates situations arising where insufficient time exists, due to the imminent threat to public safety, for due process notices and hearings to be held prior to abatement action. Accordingly, whenever the city building official determines that a building is a dangerous building, he or she shall contract for the abatement of the dangerous building by repair or demolition. In awarding such contract, the building official need not obtain formal bids but may award the contract on the basis of informal solicitations.

15.10.030 Abatement—Costs.

The costs and expenses of abatement of a dangerous building may be made a lien against the property on which the dangerous building was located, a special assessment against said parcel, and/or a personal obligation against the property owner through enforcement as a public nuisance and after a hearing as provided for under Chapter 08.32.200 through 8.32.230 et seq. of the city of Susanville municipal code as may be amended from time to time.

15.10.040 Scope.

This chapter shall apply and govern in those situations where insufficient time exists due to imminent threat of substantial danger to the public health, safety and welfare to invoke the procedures of notice and hearing provided for in the California Building Code, Uniform Housing Code, Uniform Code for the Abatement of Dangerous Buildings, and other provisions of law as adopted by the city of Susanville municipal code.

15.10.050 Determination of condition—Order of abatement.

The city administrator, with the advice of the building official and such other persons he or she chooses to consult, shall make the determination whether a structure constitutes a "dangerous structure" as hereinabove defined. As an exception to this procedure, the building official is hereby authorized to make said determination in those circumstances where, in his sole discretion, he concludes that an emergency situation exists requiring immediate abatement and that delay to consult with the city administrator would cause substantial risk to public health, safety and welfare. Summary abatement, without the

necessity of prior notification to anyone other than occupants of the structure, may be immediately ordered by the city administrator or the building official, whichever has made the determination that a dangerous structure exists. In the event the building official has made the determination and ordered summary abatement, he shall immediately thereafter report to the city administrator as to the situation. If summary abatement is to be accomplished by contract, the building official need not obtain formal bids but may award the contract on the basis of informal solicitations.

15.10.060 Effect on existing law.

Sections 15.10.040 through this section shall not restrict, limit or otherwise inhibit any power or authority for ordering summary abatement of dangerous and hazardous conditions invested in the city of Susanville fire chief under the California Fire Code or other provisions of law.

ORDINANCE NO. 17-1011

AN ORDINANCE REPEALING AND REPLACING CHAPTERS 1.12 GENERAL PENALTY, 10.22.030 DEFINITIONS, 8.32 ADMINISTRATIVE NUISANCE ABATEMENT AND 8.40 ADMINISTRATIVE CITATIONS AND ADDING CHAPTERS 8.52 PROPERTY MAINTENANCE, 15.09 NEGLECTED VACANT BUILDINGS AND 15.10 ABATEMENT OF DANGEROUS BUILDINGS TO THE SUSANVILLE MUNICIPAL CODE

WHEREAS, Susanville City Council has the authority, under its police power, to enact regulation for the public peace, safety, morals and welfare of the city, Cal. Const. art. XI, § 7; and

WHEREAS, the Susanville City Council finds that certain conditions constitute a public nuisance and are a threat to the public peace, safety and welfare of the city; and

WHEREAS, the Susanville City Council is committed to protecting the public peace, safety, morals and welfare by providing security and protection to the community from harms and wrongdoings that arise from public nuisances and that certain conditions ; and

WHEREAS, the Susanville City Council has an interest in maintaining the City of Susanville in an orderly and esthetically pleasing condition, to maintain property values and to improve the quality of life for its residents, businesses, and visitors; and

WHEREAS, Sections 36901, 38771 and 38773.5(a) of the California Government Code authorize the City of Susanville to enact ordinances declaring what constitutes a nuisance, the procedures for abating nuisance conditions, providing for the recovery of costs and attorney fees to abate the nuisance and providing for the collection of civil penalties; and

WHEREAS, the Susanville City Council finds that City of Susanville's municipal code does not currently provide an adequate administrative remedy for properties harboring conditions that constitute a public nuisance; and

WHEREAS, the City of Susanville proposes amending existing regulations relating to abating public nuisances and recovering the costs related to the enforcement of said regulations as well as adopting new regulations to address the public nuisance of buildings, structures and properties which contribute to neighborhood blight

THE CITY COUNCIL OF THE CITY OF SUSANVILLE DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 1.12 General Penalty is hereby repealed and replaced with the following:

1.12 General Penalty

1.12.010 General penalty—Violations.

Civil Actions. The city attorney may bring an action in a court of competent jurisdiction to enjoin a violation of any provision of this code or any other ordinance of the city, or to enforce administrative penalties imposed.

Wherever in this code or in any other ordinance of the city including codes adopted by reference, any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, the violation of any such provision of this code or other ordinance or code adopted by reference of the city shall, unless specifically defined as a misdemeanor, constitute an infraction and shall be punishable by:

- A. A fine not exceeding one hundred dollars (\$100.00) for a first violation;
- B. A fine not exceeding two hundred dollars (\$200.00) for a second violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$500 for a second violation of a building or safety code within one year from the date of the first violation;
- C. A fine not exceeding five hundred dollars (\$500.00) for a third, and each additional, violation of the same ordinance, term, or condition within one year from the date of the first violation, or \$1,000 for a third violation of a building or safety code within one year from the date of the first violation;

A second or subsequent violation need only be of the same ordinance, term, or condition to require the larger fine, and need not involve the same person or property, provided that the same responsible party is cited. The fine amounts shall be cumulative where multiple citations are issued.

Wherever in this code or in any other ordinance of the city including codes adopted by reference, any act is specifically declared to be a misdemeanor, said misdemeanor violation shall be punishable by a fine not to exceed the sum of one thousand dollars (\$1,000.00), and/or imprisonment not to exceed six months.

Every day the violation of this code or any other city ordinance continues shall constitute a separate offense.

1.12.020 Recovery of attorneys' fees and costs.

A. In addition to all other remedies and cost recovery authorized or provided by any provision of this code or any other law, any person violating any provision of this code shall be liable to the city for the city's reasonable attorneys' fees and costs incurred to remedy such violation or enforce such person's compliance with this code, including recovery of the city's reasonable attorneys' fees and costs in bringing an action or proceeding to enforce an administrative determination or court order against such person. This section does not apply to public nuisance abatement actions for which attorneys' fees are authorized under subsection B of this section.

B. In any action or proceeding brought by the city to abate a public nuisance, the prevailing party shall be entitled to recover reasonable attorneys' fees; provided that, pursuant to Government Section 38773.5, attorneys' fees shall only be available in an action or proceeding in which the city has elected, at the commencement of such action or proceeding, to seek recovery of its own attorneys' fees. In no action or proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the city in the action or proceeding.

C. Notwithstanding any other provision of this code, the city, in its discretion, may pursue any and all legal and equitable remedies for the collection of unpaid city fines, taxes, interest, fees, service charges, late payment charges, civil penalties, administrative penalties, and any other sum required to be paid under any provision of this code or any other law. Upon giving advance written notice that the debtor will be subject to collection costs if the debtor does not pay the unpaid amount owed to the city, the city shall be entitled to recover reasonable attorneys' fees and costs associated with the collection of the amount owed regardless of whether the city pursues said collection through litigation or by any other means. As used herein, "costs" include, but are not limited to, city staff time incurred in the collection of the amount owed, third-party costs incurred in the collection action, and those costs set forth in Code of Civil Procedure Section 1033.5. Pursuit of one remedy does not preclude the pursuit of any other remedies until the total amount owed has been collected.

Section 2. Chapter 10.22.30 Definitions, is hereby repealed and replaced with the following

10.22.030 Definitions.

As used in this chapter:

A. "Highway" means a way or place of whatever nature, publicly maintained or open to the use of the public for purposes of vehicular traffic. "Highway" includes "street."

B. "Inoperative vehicle" means a vehicle that cannot or may not be operated for mechanical or statutory reasons, including, but not limited to, flat tires, engine failure, electrical malfunction, or non-display of current license plates, tabs or stickers as required by Article IX of Chapter 1 of Division 3 of the California Vehicle Code. An inoperative vehicle also includes, but is not limited to, a vehicle which cannot be legally driven on any public street or other area due to lack of front headlights and rear brake lights, windshield, wipers, front and rear bumper(s), or any other equipment required by the California Vehicle Code, any vehicle defined as a "non-repairable vehicle" or "total loss salvage vehicle" by the California Vehicle Code.

C. "Owner of the land" means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.

D. "Owner of the vehicle" means the last registered owner and the last legal owner of record.

E. "Public property" does not include "highway."

F. "Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway except a device moved by human power or used exclusively upon stationary rails or tracks.

Section 3. Chapter 8.32 Administrative Nuisance Abatement is hereby repealed and replaced with the following:

Chapter 8.32 Administrative Nuisance Abatement

8.32.010 Purpose.

This administrative nuisance abatement process is intended to enable the city to respond effectively to public nuisances in order to maintain and protect the public peace, safety, welfare and order and to provide security and protection to the community from harms and wrongdoings. This process makes available an alternative remedy to instituting a civil suit to enjoin public

nuisances by authorizing the administrative body to impose orders and conditions to abate and halt public nuisances.

8.32.020 Applicability.

A. This chapter provides for administrative abatement of public nuisances, which is in addition to all other legal remedies, criminal or civil, which the city may pursue to address any public nuisance.

B. The use of this chapter shall be at the sole discretion of the city.

C. The city may proceed to abate a public nuisance under this chapter against any or all persons responsible for creating or fostering the creation of the public nuisance, without regard to whether or not the person owns the property upon which the public nuisance is occurring.

8.32.030 Definitions.

A. "Hearing Board" means the planning commission of the city of Susanville sitting as the hearing board of the city of Susanville, or its successor, or such other board or commission of the city that the city council may, by resolution, authorize to perform the functions of the hearing board under this chapter.

B. "Responsible Party" means any individual who is the owner or occupant of real property, the holder or the agent of the holder of any permit, entitlement, or review, or the party or agent of a party to any agreement covered by this chapter; the owner or authorized agent of any business, company, or entity subject to this chapter; any person or the parent or legal guardian of any person under the age of 18 years; who violates any ordinance, regulation, permit, entitlement, review, or agreement described.

8.32.040 Public nuisance prohibited.

No person may maintain or use property or allow their property to be maintained or used in a manner that creates or fosters the creation of a public nuisance.

8.32.050 Public nuisance defined.

For purposes of this chapter, a public nuisance means any of the following:

A. A condition of real property or a building, structure, improvement or other thing located on real property that violates any provision of this code, including but not limited to:

1. Real property developed or used in a manner that violates the zoning and land use regulations adopted directly or by reference in this code;

2. A substandard building or a dangerous building or structure maintained in violation of the housing regulations or dangerous building regulations adopted by or pursuant to this code; or

3. A building or structure constructed, maintained or used in violation of the building regulations or fire regulations adopted by or pursuant to this code.

4. Neglected vacant buildings as defined and regulated in chapter 15.09 of this code.

5. Dangerous buildings as defined and regulated in chapter 15.10 of this code.

B. A condition of real property or a building, structure, improvement, or other thing on real property that endangers the public health, safety or welfare, including but not limited to:

1. A tree that is subject to disease or insect infestation likely to spread or is structurally unsound by reason of old age, disease, fire or other cause;

2. A failing private sewage disposal system;

3. An unprotected excavation or an abandoned and uncovered well; or

4. A well with a casing not sealed as required by applicable regulations.

C. A condition of real property or a building, structure, improvement, or other thing on real property that is unsightly and, by reason thereof, contributes to a diminution in the value of surrounding properties when visible from a public right-of-way or alley, including but not limited to:

1. An accumulation of lumber, unused equipment, or junk visible from a public right-of-way or surrounding properties;

2. An abandoned and dilapidated building or portion of a building; or

3. Dilapidated furniture in yards or on driveways, sidewalks, roofs or unenclosed balconies or porches.

4. The maintenance of property in the city in violation of chapter 8.52 of this code.

5. The outside storage of abandoned vehicles and vehicle parts as defined in chapter 10.22 of this code.

D. A condition of real property or a building, structure, improvement or other thing on real property that is an attractive nuisance (i.e., a dangerous or potentially dangerous condition of property likely to attract children and other curious people) including, but not limited to:

1. An unfenced or otherwise unenclosed outdoor swimming pool; or

2. Unused refrigerators, freezers or ice boxes stored, without the doors removed, outside a building or other enclosed structure.

E. A condition of real property, or of a building, structure, or improvement on real property, resulting directly or indirectly from the violation of:

1. Any regulatory or prohibitory provision of city, state or federal law or regulation applicable to the property or the occupancy of any structure; or

2. Any condition of approval or mitigation measure imposed upon the subdivision of land, any permit or any other entitlement for the use of land.

F. Real property that has been the situs for nuisance activity including, but not limited to:

1. Disturbing the peace, or
2. Illegal drug activity, or
3. Public drunkenness, or
4. Drinking alcoholic beverages in public, or
5. Harassment of passersby, or
6. Illegal gambling, or
7. Prostitution, or
8. The sale of stolen goods, or
9. Acts of violence, or
10. Public urination, or
11. Acts of vandalism, or
12. Acts of lewd conduct, or
13. Unreasonably loud noise, or
14. Loitering, or

G. Any other condition of real property, or of any building, structure, or improvement on real property, declared to be a nuisance by any statute of the State of California, or recognized to be a public nuisance by the common law of this state.

H. Nothing contained in this chapter shall prohibit persons from participating in activity which the city may not proscribe under the United States Constitution or the California Constitution.

8.32.060 Notification of nuisance.

Whenever an enforcement official, as defined in section 8.40.020 of this code, determines that a nuisance, as defined in this chapter, exists on any building, structure or property located within the city, he or she shall notify, in writing, the responsible party of property on which the nuisance is located of the existence of the alleged nuisance which shall be served by personal delivery, first class mail or by registered or certified mail. The notification shall specify the

violation(s), direct that the nuisance be abated and establish a reasonable abatement period of not less than 10 days.

8.32.070 Voluntary abatement of nuisances.

The responsible party having charge or control of any building, structure or property alleged to be a nuisance under the provisions of this chapter may abate the nuisance at any time within the abatement period provided in section 8.32.060. If the abatement requires alterations, repair, rehabilitation or demolition of a building or structure all required city permits or entitlements must be obtained prior to commencement of the work. The responsible party shall advise the enforcement official who issued the declaration of nuisance of the completed abatement. Once so advised, the enforcement official shall inspect the premises to insure that the nuisance has, in fact, been abated.

8.32.080 Failure to voluntarily abate a declared nuisance.

If an alleged nuisance is not properly abated within the period established under the provisions of section 8.52.060, the responsible party may be issued an administrative citation as provided in chapter 8.40 of this code. Alternatively the enforcement official may initiate abatement procedures by sending a Notice of Intention to Abate Public Nuisance to the responsible party and follow the process in sections 8.32.090 through 8.32.270.

8.32.090 Notice of intention to abate public nuisance and public hearing thereon.

The Notice of Intention to Abate Public Nuisance shall demand that the responsible party remedy or abate such public nuisance within a reasonable period of time which shall not be less than ten (10) days. It shall also give notice of the time, date and place of a public hearing which shall be held by the hearing board to review the determination and abatement of the public nuisance. The public hearing shall be set for a date no less than ten (10) days after the abatement period expires.

8.32.100 Right of entry procedures

A. Whenever necessary to make an inspection to enforce any ordinance or resolution of the City of Susanville or the provisions of any secondary code adopted by any ordinance, or whenever there is reasonable cause to believe that there exists a violation of any provision of such ordinance, resolution or code in any building, or upon any premises, or whenever any enforcement official of the city has reasonable cause to believe that any building or premises is

unsafe, substandard, unsanitary, or dangerous as defined in any provision of any such ordinance, resolution or code, an enforcement official of the city may enter such building or premises at a reasonable time to inspect the same and to perform any duty imposed upon such official by any provision of such ordinance, resolution or code. However, except in emergency situations, when consent of the owner and/or occupant to the inspection has not been otherwise obtained, the enforcement official shall give notice as follows:

1. If the building or premises is occupied, the enforcement official shall first present to the occupant city-issued credentials that include the enforcement official's name, position, title, and photograph. The enforcement official shall then request entry at a time convenient to the occupant within 24 hours of the time of the request;

2. If the building or premises is unoccupied, the enforcement official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises, and if located, the enforcement official shall present credentials to the owner or other person and then request entry at a time convenient to such owner or other person, but within 48 hours of the entry request;

3. If the owner or other person is located outside of the city, the enforcement official may notify that person by telephone or letter, and in doing so shall transmit sufficient information to identify the enforcement official's capacity to the owner or other person and may request entry at a time convenient to such owner or other person, within 5 days of such telephone request, or the receipt of such letter.

If entry is refused by the occupant, the owner, or other person having charge or control of the building or premises, or the enforcement official, after making a reasonable effort, cannot locate the owner, or other person having charge or control of the building or premises, so as to request entry, then the enforcement official may seek and obtain an administrative inspection warrant pursuant to the procedures provided by California Code of Civil Procedure Section 1822.50 through 1822.59, as may be amended from time to time, or the successor provisions thereto in order to secure entry to such building or premises.

B. Any enforcement official of the city or a duly authorized representative or agent of the city may enter upon a property to access the exterior of the building or structure for the purpose of posting or serving notice.

8.32.110 Service of notices and order to abate.

Service of Notice of Intention to Abate Public Nuisance, written orders of the hearing board or other items as required under this chapter shall be made by posting a notice in a conspicuous

place on or in front of the building, structure or property in question, as well as by any one of the following methods:

(A) By personal service on the responsible party;

(B) By registered or certified mail addressed to the owner at the last known address of the owner. If there is no known address for the owner, the notice shall be sent to the property address. "Owner" as used herein means any person(s) shown as the property owner on the latest equalized property tax assessment rolls. If the property owner cannot be served by personal service or by mail, service by posting shall be sufficient;

(C) By any other means which is authorized or required by applicable law for such nuisance abatement actions.

The failure of any person to receive any notice required and properly served, mailed, posted or published under this chapter shall not affect the validity of any proceedings taken under this chapter.

8.32.120 Hearing board - public hearing

At the time and place stated in the Notice of Intention to Abate Public Nuisance, the hearing board shall receive, hear and consider all relevant evidence, objections, protests and testimony of the responsible party, as well as that of other witnesses, city personnel and interested persons relative to the alleged public nuisance and to any proposed abatement measures. The hearing board shall only consider evidence that is relevant to whether the violation(s) occurred and whether the responsible party has caused or maintained the violation(s). Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify if the hearing board determines that the evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the hearing board in accordance with the fundamentals of due process. The hearing board may limit the total length of the hearing to one hour, and shall allow the appellant at least as much time to present its case as is allowed the city. The hearing may be continued from time to time.

The failure of any person subject to a Notice of Intention to Abate Public Nuisance pursuant to this chapter to appear at the nuisance abatement hearing shall constitute a failure to exhaust administrative remedies.

8.32.130 Decision of the hearing board

Following the public hearing, the hearing board shall consider all evidence and other matters noted during the hearing and shall determine whether the building, structure or property in question, or any part thereof, constitutes a public nuisance as alleged. If the hearing board finds that a public nuisance does exist and that there is sufficient cause to abate the nuisance, the hearing board shall make a written nuisance abatement order (Order), setting forth those findings and ordering the owner, lessee, agent, occupant or other person having charge or control of the building, structure or property to abate the nuisance by rehabilitation, repair or demolition in the manner and by the means that may be specifically set forth in the Order. The Order shall set forth the time within which the abatement work shall be completed, and it shall state that if the nuisance is not abated within such time period, it may be abated by the city. Where the implementation of the Order requires a building or development permit or an amendment to an existing development permit, the required permits shall be obtained prior to commencing abatement. The Order shall also state that all costs of the city's abatement efforts, including the abatement work and administrative time to investigate and to hear and effect the abatement shall be charged against the responsible party as a personal debt or may be assessed upon the property on which the nuisance existed and will constitute a lien or special assessment upon the property until paid.

8.32.140 Service of the nuisance abatement order; one year jurisdictional period.

A) Within five days following the Board's decision, the responsible party shall be served with a copy of the written nuisance abatement order in the manner provided in section 8.32.110.

(B) The Order shall be effective for a one year period after issuance. During such period, the hearing board shall retain jurisdiction over the conditions of the building, structure or property which constituted the nuisance established by the Order, as well as the abatement thereof, to ensure that the nuisance does not reoccur and that the building, structure or property is maintained in such a manner so as not to create a nuisance. If, during this one year period, any enforcement official determines that the same or another nuisance, as defined by this chapter exists with respect to the building, structure or property, he or she may give notice to abate the nuisance as provided for in section 8.32.060. If the responsible party does not abate the nuisance at any time within the abatement period, the city may proceed with the abatement itself under the provisions of section 8.32.190 without further action of the hearing board. The city may also recover all of its abatement effort costs as provided for in this chapter or this code.

8.32.150 Notice of unlawful detainer proceeding.

An owner of real property that is the subject of a nuisance abatement order and who has received a copy of the nuisance abatement order shall notify the city attorney if the owner initiates or causes to be initiated unlawful detainer proceedings:

A. As a part of the owner's efforts to comply with or address the nuisance abatement order; or

B. Related to the situations, conditions or behaviors described in the nuisance abatement order.

8.32.160 Grievance with final order- Appeal

Whenever any person is aggrieved by any final order of the hearing board issued pursuant to section 8.32.130, the person may appeal the order to the city council by filing a request for appeal of an order of abatement with the city clerk along with a deposit of \$200. The appellant shall be responsible for all costs of such appeal which exceeds the \$200 deposit. All costs and expenses incurred by the City for and during such appeal shall be an authorized incidental expense subject to this chapter. If the cost of the appeal is less than \$200 the difference shall be refunded to the appellant.

The appeal shall be heard by the city council at a regularly scheduled meeting within 45 days of the filing of the appeal. Notice shall be given to the appellant at least 10 days prior to the scheduled meeting by first class mail sent to the address provided by the appellant on the appeal request form. The appeal hearing shall be conducted in the same manner as the hearing board hearing in section 8.32.120.

8.32.170 Right of judicial review.

Any person aggrieved by a nuisance abatement order affirmed on appeal by the city council may obtain review of the nuisance abatement order in the Superior Court of the county of Lassen by filing with the court a petition for writ of mandate.

8.32.180 Abatement by responsible party.

The responsible party may, at his or her own expense, abate the nuisance as prescribed by the order of the hearing board prior to the expiration of the abatement period set forth in the order. If the nuisance has been inspected by an enforcement official and has been abated in accordance with the order, current proceedings shall be terminated, except that the hearing board's one year jurisdictional period shall continue.

8.32.190 Nuisance abatement work performed by or on behalf of the city

Where a responsible party has failed to abate a nuisance within the time prescribed by a nuisance abatement order approved by the hearing board and served on such responsible party in the manner provided for by this chapter, the enforcement official, with approval of the city administrator, shall cause the nuisance to be abated either by the use of city forces or by employing a private contractor to perform such work. However, the enforcement official shall not enter upon or cause any other person to enter upon the property which is the subject of a nuisance abatement order for the purpose of performing abatement work thereon without the prior written consent of the property owner unless and until a warrant or other order has been obtained by the city attorney on behalf of the city from a court of competent jurisdiction which authorizes an entry on such property for such purpose.

When undertaking work necessary to abate a nuisance following the failure of the owner of the property on which such nuisance is located to abate the nuisance within the time prescribed by a nuisance abatement order, the person responsible for performing the work shall keep an accurate record of the nature of such work and all direct and indirect costs incurred in connection with the performance of such work. In those cases in which the city has employed a private contractor to perform nuisance abatement work, such indirect costs shall include the cost of preparing plans and specifications for the work, the cost of preparing, bidding and awarding a contract for performance of the work, and the cost of inspecting the work.

8.32.200 Record of cost for abatement; notice of cost hearing.

The city finance manager, the enforcement official or such other city official as may be designated shall keep an account of all costs incurred by the city in abating nuisances on each separate lot or parcel of land where the work is done and shall render a written itemized report to the city council. Costs shall include the expense of abating such nuisance and shall be itemized showing the cost of abatement and the rehabilitation, repair, improvement, relocation, vacation, demolition or removal of said premises, building or structures, including any salvage value relating thereto and any incidental expenses; provided that before said report is submitted to said city council, a copy of the same shall be posted for at least ten (10) days upon such premises, together with a notice of the time when said report shall be heard by the City Council for confirmation; a copy of said report and notice shall be served upon the owners of said property, in accordance with the provisions of Section 8.32.110 of this chapter at least ten (10) days prior to submitting

the same to the city council; proof of said posting and service shall be made by affidavit filed with the city clerk. The term "incidental expenses" shall include, but not be limited to, the actual expenses and costs of the city in obtaining title reports, in the preparation and service of notices, preparation of specifications the preparation and award of contracts, all costs of inspecting any work done pursuant to this chapter, the costs of printing and mailing required hereunder, the costs of preparing materials for any hearing held pursuant to this chapter, penalties, permit fees, late charges, interest, conducting hearings, attorneys' fees, and a reasonable additional sum to cover the cost of administrative overhead.

8.32.210 Cost report – Hearing and proceedings.

At the time and place fixed for receiving and considering the cost report, the city council shall receive, hear and consider the report, together with any other relevant evidence, objections, protests or testimony. Thereupon, the Council may make such revision, correction or modification to the report as it may deem just after which, by resolution, the details of the report, as submitted or as revised, corrected or modified, shall be confirmed. Protests and objections shall relate to expenses for abatement and related administrative costs and not to the merits of underlying violations. The council resolution shall set forth the cost of the abatement, date of the Order, a brief description of the abatement work performed by or on behalf of the city, describe the property upon which such work was performed by legal description, assessor's parcel number, and where possible by a street address, contain the name and current address of the owner of such property and shall include a date set by which time the cost of abatement shall be due. In addition, the resolution shall provide for collection of the assessment in the event of nonpayment either by recordation of the council resolution in the manner provided for by section 38773.1 of the California Government Code as a lien on the property, by including the assessment on the county tax rolls in the manner provided for by section 38773.5 of the government code or as a personal debt against the responsible party.

8.32.220 Service for resolution of assessment costs

Following adoption of a council resolution levying an assessment for city abatement costs, the resolution to be served on the responsible party in the following manner:

A. If the council resolution levying the assessment provides for collection of the assessment by recordation of the resolution against the property upon which city abatement work was performed, the enforcement official shall cause a copy of the resolution to be served on the owner of such property in the same manner as required by law for the service of a summons in a

civil action, as set forth in Article 3, Chapter 4, Title 5 of Part 2 of the Code of Civil Procedure (commencing with Section 415.10); provided, however, that in the event the owner of the property upon which the city abatement work was performed cannot be found after a diligent search for same, the enforcement official shall serve the council resolution by posting a copy thereof in a conspicuous place on or next to such property for a period of 10 days, and by publishing a copy of the resolution in a newspaper of general circulation in the county of Lassen in the manner provided for by Section 6062 of the Government Code.

B. If the council resolution levying the assessment provides for collection of the assessment by inclusion of the assessment on the county tax rolls, the director shall cause a certified copy of the resolution to be served on the owner of the property by certified mail, if the property owner's identity can be determined from the county assessor's or county recorder's records. The notice shall be given at the time of imposing the assessment and shall specify that the property may be sold after three years by the tax collector for unpaid delinquent assessments. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes and subject to any other provisions of Section 38773.5 of the California Government Code.

8.32.230 Collections of assessment by recordation of council resolution levying assessment - Recordation of council resolution

Where the council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such abatement costs by recording the resolution against the property on which the city abatement work was performed, the director, promptly after completing service of the council resolution in the manner hereinbefore required by this chapter, shall attach an affidavit or declaration attesting to such service to a certified copy of the resolution, and shall cause such certified copy of the resolution, with the declaration or affidavit attached, to be recorded in the official records of the county of Lassen. After the date of such recordation, the assessment provided for by such resolution shall have the force, effect and priority of a judgment lien governed by the provisions of Section 697.340 of the Code of Civil Procedure and may be extended as provided in Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure, all as may be amended from time to time.

8.32.240 Collection of assessment by recordation of council resolution levying assessment - Commencement of foreclosure action.

When directed to do so by the city council, the city attorney shall commence an action in a court of appropriate jurisdiction to foreclose the assessment lien for city abatement work which was established by recordation of the council resolution levying the assessment for such abatement work in the manner provided by this chapter. In such action the city shall be entitled to recover any costs incurred for the purpose of processing, serving or recording such resolution.

8.32.250 Collection of assessment by recordation of council resolution levying assessment - Release of assessment lien.

At such time as the lien created by recordation of the council resolution levying an assessment for city abatement costs is discharged or satisfied, either through payment of the lien, or by sale of the property encumbered by the lien at the conclusion of a foreclosure action, the director shall promptly cause a release of the lien, in a form approved by the city attorney, to be recorded in the official records of the county of Lassen.

8.32.260 Collection of assessment on county tax rolls - Requests for inclusion of assessment on county tax rolls.

Where the city council has adopted a resolution levying an assessment for city abatement costs and has provided in such resolution for the collection of such assessment on the county tax rolls, the enforcement official, after serving the resolution in the manner required by this chapter, shall promptly transmit a certified copy of the resolution to the finance director who shall immediately forward same to the Lassen County auditor with a request that the assessment levied by such resolution be added to the county tax rolls in the manner provided for by Section 38773.5 of the Government Code. Thereafter all laws applicable to the levy, collection and enforcement of property tax shall be applicable to such special assessment.

8.32.270 Collection of assessment on county tax rolls - Payment of assessment.

If the assessee should pay to the city the full amount of an assessment levied for city abatement costs, together with any interest or penalties thereon, after the date the assessment is added to the county tax rolls, the city finance manager shall promptly cause such assessment to be removed from the tax rolls.

8.32.280 Summary nuisance abatement.

(A) Notwithstanding any provisions of this chapter to the contrary, whenever the enforcement official determines that a public nuisance is so imminently dangerous to life or property that such condition must be immediately corrected, the enforcement official may institute the following procedures.

(1) Notice. The enforcement official shall attempt to contact, through a personal interview or by telephone, the owner, lessee, agent or other person, if any, occupying or otherwise in real or apparent charge or control thereof. In the event contact is made, the enforcement official shall notify such person(s) of the danger involved and require that such condition be removed, repaired, isolated or otherwise abated, within a reasonable period of time under the circumstances, so as to prevent the immediate danger to life or property.

(2) Abatement. In the event the enforcement official is unable to make contact as noted above, or if the appropriate person(s), after notification by the enforcement official, fail to abate the condition within the time frame specified by the enforcement official, then the enforcement official may, with the approval of the City Administrator, take all steps deemed necessary to remove, repair, isolate or otherwise abate such condition immediately and without further notice to the extent necessary to prevent the immediate danger to life or property.

(3) The costs may be recovered pursuant to this chapter or by any other means provided for by law.

8.32.290 Administrative civil penalties.

A. The process for the assessment of administrative civil penalties established in this chapter is in addition to any other administrative or judicial remedy established by law that may be pursued to address violations of the Susanville Municipal Code. The hearing board may impose penalties upon persons responsible for creating, maintaining or fostering a public nuisance in an amount not to exceed a maximum of five hundred dollars (\$500.00) per day for each day that the public nuisance occurs, except that the total administrative penalty imposed pursuant to this chapter shall not exceed ten thousand dollars (\$10,000.00), exclusive of administrative costs and interest.

B. In determining the amount of the penalty, the hearing board may take any or all of the following factors into consideration:

1. The period of time during which the public nuisance occurred;
2. The nature, frequency and recurrence of the public nuisance;
3. The ease with which the public nuisance could have been abated;
4. The good faith efforts made to deter the public nuisance or ameliorate its effects;

5. The economic impact of the penalty upon persons responsible for payment;
6. The impact of the public nuisance on the community; and/or
7. Such other factors as justice may require.

C. Penalties imposed by the hearing board may accrue from a date no earlier than the compliance date specified in the nuisance abatement cease and desist order and shall cease to accrue on the date the nuisance abatement order has been complied with as determined by the city attorney or the board.

D. Penalties assessed by the board shall be due by the date specified in the nuisance abatement order.

E. Penalties assessed by the board are a debt owed to the city and, in addition to all other means of enforcement, where the person against whom the penalties are assessed is an owner of the subject real property, may be enforced and collected through the placement of a lien against the subject real property.

F. Penalties shall continue to accrue on a daily basis until the nuisance abatement order has been complied with, subject to the maximum amount set forth in this section.

G. If a person subject to the nuisance abatement order gives written notice to the city attorney that the nuisance abatement order has been complied with and if the city attorney finds that compliance has been achieved, the date that the written notice was postmarked or personally delivered to the city attorney or the date of the city's final inspection, whichever first occurred, shall be deemed to be the date of compliance with the nuisance abatement order.

8.32.300 Violations.

A. Any responsible party who maintains any public nuisance defined in this chapter and who fails to comply with a nuisance abatement order served as provided in section 8.32.130 may be charged as either an infraction or a misdemeanor.

B. Any responsible party who causes or maintains any public nuisance defined in section 8.32.050 of this code, who allows such a nuisance to continue or who neglects to comply with a Notice of Intent to Abate Public Nuisance is guilty of an infraction. Each day such condition continues shall be regarded as a new and separate offense.

C. Any person who removes or causes the removal of any notice or order posted as required in this chapter for the purpose of interfering with the enforcement of the provisions of this chapter may be charged with either an infraction or a misdemeanor.

D. Any person who obstructs, impedes or interferes with any representative of the city or with any person who owns, leases, occupies or has charge or control over any building,

structure or property when any of the aforementioned individuals are lawfully engaged in proceedings involving the abatement of a nuisance under this chapter may be charged with either an infraction or a misdemeanor.

8.32.310 Interest.

Any person who fails to remit payment to the city of any penalty, cost or any other charge required to be paid to the city pursuant to a nuisance abatement order under this chapter on or before the date the penalty, cost or other charge is due shall, in addition to the amount of the penalty, cost, and charge, pay interest on the amounts due at the rate of ten percent per annum, pro-rata, from the date on which the amount due first became delinquent until the date that payment is received by the city.

8.32.320 Report of compliance after nuisance abatement order.

If the enforcement official determines that compliance with the nuisance abatement order has been achieved, the enforcement official shall file a report with the city clerk acting as secretary of the hearing board indicating that compliance has been achieved and the date of the city's final inspection of the subject property.

8.32.330 Compliance dispute.

A. If the enforcement official does not file a report pursuant to Section 8.32.340, a person subject to the nuisance abatement order who believes that compliance has been achieved may request a compliance hearing before the hearing board by filing a request for a hearing with the secretary of the board.

B. The hearing shall be noticed and conducted in the same manner as a hearing on an abatement order provided in Sections 8.32.080 through 8.32.130 of this chapter.

C. The hearing board shall determine if compliance with the nuisance abatement order has been achieved and, if so, when it was achieved.

Section 4. Chapter 8.40 Administrative Citations is hereby repealed and replaced with the following:

CHAPTER 8.40 Administrative Citations

8.40.10 Purpose.

This chapter provides for administrative citations in addition to all other civil remedies and as an initial alternative to any criminal remedy which may be pursued by the city to address any violation of this code. The use of this chapter shall be at the sole discretion of the city. The use of any other enforcement proceedings provided for by this code shall not be considered a prerequisite for the use of this chapter, nor shall the use of this chapter be considered a prerequisite for the use of any other enforcement proceedings.

A. The City Council hereby finds that an appropriate method of enforcement is the imposition and collection of administrative fines as independently authorized by both California Constitution Article XI, Section 7, and municipal affairs provisions of Government Code Section 53069.4.

B. The City Council further finds and determines that enforcement of the Susanville Municipal Code, other ordinances adopted by the City, conditions of approval of entitlements, permits, and CEQA reviews, and terms and conditions of City agreements made pursuant to the police power is a matter of public health, safety and welfare and serves important public purposes. The City of Susanville adopts this administrative citation program in order to achieve the following goals:

1. To protect the public health, safety and welfare of the City and its citizens;
2. To gain compliance with the Susanville Municipal Code, ordinances, agreements, and regulations of the City enacted pursuant to its police powers, and the conditions of approval of permits, entitlements, and CEQA reviews granted by the City pursuant to the City's police powers in a timely and efficient manner;
3. To provide for an administrative process that has objective criteria for the imposition of administrative fines and provides for a fair process to appeal the imposition of administrative fines and penalties;
4. To provide a method to hold parties responsible when they fail or refuse to comply with the provisions of the Susanville Municipal Code, ordinances, agreements, or terms and conditions of entitlements or permits enacted or approved pursuant to the police power;
5. To avoid or minimize the expense and delay of enforcement in the civil or criminal justice system.

8.40.020 Definitions.

A. "Enforcement official" means any official or employee of the City with the authority to enforce the Susanville Municipal Code. By way of example this means a police official, a fire official or the building official.

B. "Responsible party" means any individual who is the owner or occupant of real property, the holder or the agent of the holder of any permit, entitlement, or review, or the party or agent of a party to any agreement covered by this chapter; the owner or authorized agent of any business, company, or entity subject to this chapter; any person or the parent or legal guardian of any person under the age of 18 years; who violates any ordinance, regulation, permit, entitlement, review, or agreement described

8.40.030 Administrative citation.

A. Any person who violates any provision of the Susanville Municipal Code or regulation of the City, any condition of approval of a permit or entitlement, any condition of an environmental review, or any term or condition of any agreement with the City made pursuant to the police power may be issued an administrative citation by an enforcement official as provided in this chapter. A violation of the Susanville Municipal Code includes, but is not limited to, all violations of that code and all uncodified ordinances. A violation of a condition of approval of a permit or entitlement, includes, but is not limited to, a conditional use permit, minor conditional use permit, temporary use permit, architectural design and site plan review, sign permit, variance, specific plan, parcel map, subdivision map, building or grading permit, or any encroachment or right-of-way permit. A violation of a condition of approval of an environmental review includes, but is not limited to, any environmental impact report, mitigated negative declaration, negative declaration, or determination of categorical exemption. A violation of a term or condition of any agreement with the City made pursuant to the police power includes, but is not limited to, any development agreement, owner participation agreement, disposition and development agreement, road maintenance agreement, any easement, license, or other real property use agreement, or any agreement made with the city to implement any ordinance, plan, permit, entitlement, or review approved by the City.

B. Each and every day a violation exists constitutes a separate and distinct offense. A separate citation may be issued for each day a violation occurs.

C. A civil fine shall be assessed by means of an administrative citation issued by the enforcement official and shall be payable directly to the City of Susanville.

D. Fines shall be assessed in the amounts specified in chapter 1.12 of this code.

E. Notice of Violation in Lieu of Administrative Citation. If the violation consists of a violation of building, electrical, plumbing or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, the enforcement official shall defer issuance of an administrative citation until the responsible party for a violation has first been given notice of the

violation and an opportunity to correct the violation, in accordance with the procedures set forth in this chapter. In cases involving a violation of building, electrical, plumbing, or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, shall also include each owner of the property upon which the violation occurs.

F. Administrative Citations in Lieu of Criminal Citations. An administrative citation may be issued pursuant to this section in lieu of any criminal citation which could have been issued for the same violation. The issuance of the administrative citation shall not, however, prevent the issuance of a criminal citation or filing of a complaint for:

1. The same violation when any administrative fine imposed pursuant to this chapter has not been paid by the date payment is due, or
2. A subsequent violation of the same nature.

8.40.040 Contents of Administrative Citation.

Each administrative citation shall contain the following information:

- A. The date of the violation or, if the date of the violation is unknown, then the date the violation is identified;
- B. The address or a definite description of the location where the violation occurred or is occurring;
- C. The section of this code violated and a description of the violation;
- D. The amount of the administrative fine for the code violation;
- E. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
- F. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;
- G. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained; and
- H. The name and signature of the citing enforcement official.

8.40.050 Service of administrative citations and other notices.

The administrative citation and all notices authorized or required to be given by this chapter shall be deemed served when made in writing and either personally delivered to the responsible party for the violation or deposited in the United States mail, first class postage prepaid, addressed to such responsible party at their last known address. However, if a citation

or notice is required to be served on the owner of property, it shall be deemed served when made in writing and deposited in the United States mail, addressed to the owner at the owner's address as it appears on the latest equalized or supplemental assessment roll of Lassen County. In addition, the administrative citation shall be posted on the real property that is the subject of the violation. Service of a citation or notice by mail in the manner provided for by this section shall be effective on the date of mailing, and the failure of any person to actually receive any citation or notice specified in this chapter shall not affect the validity of the citation or notice or of the proceedings conducted hereunder.

8.40.060 Notice of violation - Generally.

Except as provided in section 8.40.070, when a violation consists of a violation of building, electrical, plumbing or zoning regulations set forth in this code, or any violation of Title 15 or 17 of this code, the enforcement official shall issue a written notice of violation to any responsible party for the violation prior to the issuance of an administrative citation for that violation. The notice of violation shall contain all of the following:

- A. The date and location that the violation was observed;
- B. The section of this code violated and a description of the violation;
- C. The actions required to correct the violation;
- D. A reasonable time period for the correction of the violation, not less than 10 days; and
- E. Notice that if the violation is not corrected by the date specified in the notice of violation, an administrative citation may be issued and administrative fines may be imposed.

8.40.070 Notice of violation - Exceptions.

An administrative citation may be issued in lieu of a notice of violation only if:

- A. The responsible party for the violation was issued an administrative or infraction citation for violation of the same provision of this code within the immediately preceding 12 months;
- B. The violation constitutes, in the opinion of the enforcement official, an immediate threat to the health or safety of any person or the public generally;
- C. One or more other violations exist on the property, any one of which is not subject to section 8.40.60; or
- D. The person responsible for the violation currently owes the city unpaid administrative fines that are delinquent.

8.40.080 Correction of violation.

If the enforcement official determines that all violations listed in the notice of violation have been corrected within the time specified in the notice of violation, an administrative citation shall not be issued. If the enforcement official determines that all violations listed in the notice of violation have not been corrected within the time specified, an administrative citation may be issued for each uncorrected violation or the enforcement official may invoke any other remedy provided by law.

8.40.090 Payment of the fine.

A. The fine shall be paid to the city within twenty-one (21) days from the date of the administrative citation.

B. Any administrative citation fine paid pursuant to subsection A shall be refunded in accordance with Section 8.40.100 if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation or that there was no violation as charged in the administrative citation.

C. Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the administrative citation.

8.40.100 Hearing request.

A. Any recipient of an administrative citation may contest that there was a violation of the code or that he or she is the responsible party by completing a request for hearing form and returning it to the city within twenty-one (21) days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for an advance deposit hardship waiver has been filed pursuant to Section 8.40.110.

B. A request for hearing form may be obtained from the city finance division.

C. The person requesting the hearing shall be notified of the time and place set for the hearing at least ten (10) days prior to the date of the hearing.

D. If the enforcement official submits an additional written report concerning the administrative citation to the hearing official for consideration at the hearing, then a copy of this report also shall be served on the person requesting the hearing at least five (5) days prior to the date of the hearing.

8.40.110 Advance deposit hardship waiver.

A. Any person who intends to request a hearing to contest that there was a violation of the code or that he or she is the responsible party and who is financially unable to make the advance deposit of the fine as required in Section 8.40.090(A) may file a request for an advance deposit hardship waiver.

B. The request shall be filed with the department of finance on an advance deposit hardship waiver application form, available from the department of finance, within fifteen (15) days of the date of the administrative citation.

C. The requirement of depositing the full amount of the fine as described in Section 8.40.090(A) shall be stayed unless or until the director of finance manager makes a determination not to issue the advance deposit hardship waiver.

D. The finance manager may, after consultation with and approval by the city administrator, waive the requirement of an advance deposit set forth in Section 8.40.100(A) and issue the advance deposit hardship waiver only if the cited party submits to the finance manager a sworn affidavit, together with any supporting documents or materials, demonstrating to the satisfaction of the finance manager the person's actual financial inability to deposit with the city the full amount of the fine in advance of the hearing.

E. If the finance manager determines not to issue an advance deposit hardship waiver, the person shall remit the deposit to the city within ten (10) days of the date of that decision.

F. The finance manager shall issue a written determination listing the reasons for his or her determination to issue or not issue the advance deposit hardship waiver. The written determination of the finance manager shall be final and shall be served upon the person who applied for the advance deposit hardship waiver.

8.40.120 Hearing Board.

The "hearing board" for administrative citations shall be the same as defined in section 8.32.030 of this code.

8.40.130 Hearing procedure.

A. No hearing to contest an administrative citation before the hearing board officer shall be held unless the fine has been deposited in advance in accordance with Section 8.40.100 or an advance deposit hardship waiver has been issued in accordance with Section 8.40.110.

B. A hearing before the hearing board officer shall be set for a date that is not less than fifteen (15) days and not more than sixty (60) days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

C. At the hearing, the administrative citation and any written report submitted by the enforcement official shall constitute prima facie evidence of the respective facts contained in the citation. Both the party contesting the administrative citation and the enforcement official shall be given the opportunity to testify and to present additional evidence concerning the administrative citation. Such evidence may include the testimony of other witnesses, or the introduction of documents or other evidence. Such testimony, written documents, or other evidence sought to be introduced shall not be limited to any legal rules of evidence, save and except for the rule that it shall be relevant and material to the issues of whether the violation alleged in the citation occurred and whether the person cited committed, caused or was responsible for the violation. Admission of evidence and the conduct of the hearing shall be controlled by the hearing board in accordance with the fundamentals of due process. The hearing board may limit the total length of the hearing to one hour, and shall allow the appellant at least as much time to present its case as is allowed the city.

D. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust their administrative remedies.

E. The administrative citation and any additional report submitted by the enforcement officer shall constitute prima facie evidence of the respective facts contained in those documents.

F. The hearing board may continue the hearing and request additional information from the enforcement official or the recipient of the administrative citation prior to issuing a written decision.

8.40.140 Hearing board's decision and city council review.

A. After considering all of the testimony and evidence submitted at the hearing, the hearing board shall issue a written recommendation to the city council to uphold or cancel the administrative citation and shall list in the decision the reasons for that recommendation. The city council shall make the final decision to uphold or cancel the administrative citation at the next regular meeting of that body in which the decision on the administrative citation can be legally calendared. That decision shall be final.

B. If the city council determines that the administrative citation should be upheld, then the fine amount on deposit with the city shall be retained by the city.

C. If the City Council determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver the due date for the payment of the fine shall be fifteen (15) calendar days from the date of city council's decision to uphold.

D. If the City Council determines that the administrative citation should be canceled and the fine was deposited with the city, then the city shall within fifteen (15) calendar days refund the amount of the deposited fine.

E. The recipient of the administrative citation shall be served with a copy of the city council's written decision. Service may be made personally at the conclusion of the city council meeting, or by mail, after the adjournment of the hearing.

8.40.150 Delinquent administrative fines – late payment charges and interest.

A. Late payment charges. The finance manager shall add a penalty of ten percent to the original amount of any delinquent administrative fine on the last day of each month after the due date thereof. However, the total amount of such penalties to be added shall not exceed 50 percent of the amount of the original administrative fine.

B. Interest. In addition to the penalties imposed, any recipient of an administrative citation who fails to remit an administrative fine by its due date shall pay interest at the rate of 10 percent per year, or fraction thereof, on the amount of the delinquent administrative fine, exclusive of penalties, from the first day of delinquency until paid.

8.40.160 Right to judicial review.

Any person aggrieved by a decision of the city council on an administrative citation may obtain review of the decision by filing a petition for review with the Lassen County Superior Court in accordance with the timelines and provisions as set forth in California Government Code Section 53069.4(b). Said procedure shall be available for all judicial review under this chapter, notwithstanding that the term or condition being enforced pursuant to this chapter may not be a matter covered by Section 53069.4(a). Judicial review of a citation shall not be available without first participating in a hearing as provided in this chapter.

8.40.170 Recovery of administrative citation fines and costs.

The city may collect any past due administrative fine, penalty, and interest charge by use of all available legal means. The obligation for past due administrative fines, penalties, and interest imposed for any violation which arises from a condition or use of any real property, or

structure thereon, which is owned by the person cited, which has not been fully satisfied within 60 calendar days, and for which no appeal has been filed may also be assessed and made a lien against the real property upon which the violation occurred. Lien and special assessment procedures shall be the same as outlined in municipal code sections 8.32.210 through 8.32.270.

8.40.180 Procedural compliance.

Failure to comply with any procedural requirement of this chapter, to receive any notice or decision specified in this chapter, or to receive any copy required to be provided by this chapter shall not affect the validity of proceedings conducted hereunder unless the responsible party is denied constitutional due process thereby

Section 5. Chapter 8.52 Property Maintenance is hereby added to the Susanville Municipal code as follows:

Chapter 8.52 Property Maintenance

8.52.010 Purpose and Intent of chapter.

It is the purpose of this chapter to provide a just, equitable, and practical method, in addition to any other remedy available by law or equity, whereby lands or buildings which are dilapidated, unsafe, dangerous, unsanitary, cluttered with weeds and/or debris, abandoned vehicles, machinery or equipment, junk, trash, or are a menace, or hazard to life, limb, safety, health, morals, property values, aesthetic standards, or the general welfare of the city, may be required to be repaired, renovated, vacated, demolished, made safe, or cleaned up by removal of offensive conditions.

Additionally the purpose of this chapter is to provide minimum standards for the maintenance of property in the city. Where this chapter imposes a greater restriction upon property or structures thereon than is imposed or required by existing provisions of law, ordinance, contract or deed, the provisions of this chapter shall control. It is not intended by this chapter to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances or with private restrictions placed upon property by covenant, deed or other private agreement or with restrictive covenants running with the land to which the city is a party.

8.52.020 Responsibilities for property maintenance.

Every owner, lessee, occupant or person having charge or control of buildings, structures or property within the city is required to maintain the buildings, structures or property in a manner so as not to violate the provisions of this chapter, and the owner, lessee, occupant or person having charge or control of the building, structure or property remains liable for violations hereof regardless of any contract or agreement with any third party regarding the same. The duty imposed by this section on an owner shall in no instance relieve those other persons referred to herein from the same duty.

8.52.030 Classification of nuisances.

The following acts and conditions, when performed or existing upon any lot or parcel of land within the city, are declared to be unlawful and are defined as and declared to be public nuisances which are injurious or potentially injurious to the public health, safety and welfare, which have a tendency to degrade the appearance and property values of surrounding property and/or which cause damage to public rights-of-way:

A. Structures or buildings, both permanent and temporary, or other lot improvements including buildings or sheds exempt from obtaining a building permit, which are subject to any of the following conditions:

1. Faulty weather protection, including, but not limited to, the following:
 - a. Crumbling, cracked, damaged, missing, broken or loose exterior plaster, siding of any kind, roofs, foundations or floors;
 - b. Broken, damaged or missing windows or doors; and
 - c. Painted or unpainted surfaces suffering from dry rot, warping or termite infestation;
2. Building or structures which are under construction or rehabilitation and are not completed within a reasonable time or whose building permit for such construction or rehabilitation has expired;
3. Fences or walls which are in a hazardous condition, which are in disrepair or which hinder free access to public sidewalks or rights-of-way or are maintained in such a condition to have a tendency to degrade the appearance and property values of surrounding property. All fencing, including gates shall be maintained in sound condition free of damage, breaks, or missing structural members. Areas that are leaning, buckling, sagging, or deteriorating shall be repaired or replaced with material compatible with the

undamaged portions of the fence. Where fencing has been painted and it shall be maintained and kept free of chipping, peeling, scaling or missing paint;

4. Substantial deterioration of porches, landings, patios, stairways or guardrails which, although not otherwise constituting an unsafe structure as defined in this code, are visible from public rights-of-way or neighboring properties and are injurious or potentially injurious to the public health, safety and welfare or have a tendency to degrade the appearance and property values of surrounding property;

5. Broken or defective elements of a building, structure, parking lot or landscaped area which are injurious or potentially injurious to the public health, safety and welfare or have a tendency to degrade the appearance and property values of surrounding property;

6. Litter, debris or abandoned personal property scattered in the interior of a vacant or unoccupied building or structure in such a manner as to create a fire hazard, health hazard or other condition which is injurious or potentially injurious to public health, safety and welfare;

B. Vegetation, trees, landscaping or other plant materials which are subject to any of the following conditions:

1. Overgrown or in such a condition that they are or are likely to:

a. Harbor rats, vermin or other vectors;

b. Provide a harboring place for vagrants or other persons;

c. Which encroaches into, over, or upon any public right-of-way, including, but not limited to, streets, alleys, or sidewalks, so as to constitute either a danger to the public safety or property or any impediment to public travel; or

d. Be injurious to the public health, safety and welfare or have a tendency to depreciate the appearance and property values of surrounding properties. Grasses and weeds shall be cut to a height not to exceed 4”;

e. Create a fire hazard as determined by the fire chief or duly authorized agent.

2. Dead, decayed, diseased, hazardous or in such a condition that they are or are likely to:

a. Be injurious to the public health, safety and welfare or have a tendency to depreciate the appearance and property values of surrounding properties. Grasses and weeds shall be cut to a height not to exceed 4”;

b. Create a fire hazard or health hazard;

C. The parking or storage of trailers, campers, boats, vessels, watercraft, snowmobiles, wood splitters or other similar vehicles and equipment on residentially zoned property is prohibited as follows:

1. On a paved driveway surface when such parking or storage unreasonably prevents routine and useful access to a required garage parking space or prevents the utilization of the garage or paved driveway area for required off-street parking. For purposes of this section, "paved driveway" shall mean a paved strip of land which meets all applicable zoning and building regulations of the city, which provides access from the street to a garage, carport or parking space and which has a single access point. The paved driveway may have two access points only if the driveway is semi-circular in nature. For purposes of this section, "parking space" shall mean a paved area within the front yard area which meets all applicable zoning and building regulations of the city and which is of sufficient size to be used for the express purpose of parking a vehicle.

2. In the front yard area. For the purpose of this section, the "front yard area" shall mean any area of the lot or parcel that is not a paved driveway, that is between the front elevation of the residential building and the front property line of the lot or parcel and that extends the entire width of the lot or parcel.

3. On a paved driveway area when such parking or storage unreasonably obstructs the cross visibility of vehicle or pedestrian traffic and creates an unsafe condition or traffic hazard or when the vehicle or equipment projects over or onto the sidewalk or street;

4. When stored directly on the ground and not upon a currently registered and operable vehicle, trailer or similar device designed to transport such vehicle or equipment.

5. In an abandoned, inoperative, wrecked or dismantled condition;

D. Attractive nuisances, those objects which, by their nature and according to the law, may attract children or other curious individuals including, but not limited to, hazardous pools,

ponds, iceboxes, refrigerators, neglected machinery, excavations, stagnant water or abandoned wells;

E. Storage or scattering over any portion of the property of any of the following:

1. Debris, rubbish, rubble, construction debris, litter or trash which is not stored in trash receptacles or which is scattered and blowing onto adjacent public or private property;

2. Abandoned, broken, wrecked, inoperable or discarded household or office furnishings, housewares, appliances, electronic equipment or devices, machines and tools or similar objects of equipment;

3. Abandoned, broken, wrecked, inoperable or discarded personal effects, including, but not limited to, books, magazines, newspapers, papers, knickknacks, ornamental objects, clothing or similar articles;

4. Outdoor storage of usable building materials for more than 180 days, except where construction or remodeling is occurring under a valid permit or as may be permitted by the zoning classification of the property. The material shall be stored in a neat and orderly manner so as not to create a health or fire hazard;

5. Outdoor storage or scattering of cardboard, newspaper, magazines, scrap metal, tin, wire, aluminum, plastic or glass containers, except within approved refuse or recycling containers or as may be permitted by this code or the zoning classification of the property;

6. Abandoned, inoperative, wrecked or dismantled vehicles or parts thereof in violation of Chapter 10.22 of this code;

7. Outdoor storage or scattering of materials, equipment or other items on residentially used property which is not typically associated with such use, which is inconsistent with the zoning classification of the property and which creates a fire hazard or health hazard or which is otherwise injurious or potentially injurious to the public health, safety and welfare;

8. Excessive accumulation of animal waste or the presence of any animal carcass.

F. Packing boxes or similar storage containers which are stored in yards or unenclosed patios, porches, carports or storage units and which create a fire hazard or health hazard or which are otherwise injurious or potentially injurious to the public health, safety and welfare;

G. Excessive accumulation of grease, oil or other residues on paved or unpaved surface areas open to the public or when such material flows or seeps onto any public street, sidewalk or public property;

H. Storage or the parking of non-recreational vehicles including buses, tow trucks, dump trucks, grading equipment, tractors, commercial trailers or coaches or any other commercial vehicle over 20 feet long, 8 feet high or 90 inches wide in a residential zone.

1. Non recreational vehicles under 20 feet long must be stored or parked in a side or rear yard. For properties developed after September 16, 2000 the parking/storage space must be paved. Properties developed prior to September 16, 2000 may utilize a gravel surface in the side or rear yard provided it can be shown that the parking area was established prior to September 16, 2000.

2. Recreational vehicles of any length must be stored or parked in a side or rear yard. For properties developed after September 16, 2000 the parking/storage space must be paved. Properties developed prior to September 16, 2000 may utilize a gravel surface in the side or rear yard provided it can be shown that the parking area was established prior to September 16, 2000.

I. To allow or permit graffiti to remain on any building, fence, wall, structure, sign or vehicle when visible to the public street, highway, right-of-way or public place for more than 1 week. For the purpose of this section, "graffiti" means any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, drawn or painted on any surface in violation of this code or other state or local law;

J. Signs constructed, erected or maintained in violation of the provisions of Chapter 17.128 of this code or an applicable specific plan ordinance;

K. Any device, decoration, design, fence or structure which, by reason of its condition or its location, is injurious or potentially injurious to the public health, safety and welfare or has a tendency to degrade the appearance and property values of surrounding property;

L. Animals, livestock, poultry, insects, or bees kept, bred, or maintained for any purpose and in violation of this code or any other code adopted by this city.

M. Maintenance of buildings, structures or premises in such condition as to be detrimental to the public health, safety or general welfare or in such manner as to constitute a public nuisance as defined by Cal. Civil Code § 3480 or other applicable law.

8.52.040 Declaration of nuisance.

Whenever the City Planner, City Building Official, City Fire Chief, City Engineer or any enforcement official as designated by the City Administrator to enforce the codes of the City determines that a nuisance, as defined by section 8.52.030, exists on any building, structure or property located within the city, he or she may utilize any abatement methods authorized by this code including but not limited to the process for abating public nuisances as contained in Chapter 8.32 of this code or the issuance of an administrative citation as provided for in chapter 8.40.

Section 6. Chapter 15.09 Neglected vacant buildings is hereby added to the Susanville Municipal code as follows:

Chapter 15.09 – Neglected vacant buildings

15.09.010 – Findings and purpose

The Susanville City Council Finds that vacant buildings and vacant boarded-up buildings are a major cause and source of blight in both residential and nonresidential neighborhoods, especially when the owner of the building fails to actively maintain and manage the building to ensure that it does not become a liability to the neighborhood. Vacant buildings attract vagrants and transients and invite criminal activity, the dumping of trash and garbage and unauthorized occupation. The use of vacant buildings by transients, who may employ primitive cooking or heating methods, creates a risk of fire for vacant buildings and adjacent properties. Vacant buildings, whether or not those buildings are boarded, discourage economic development and retard appreciation of property values. It is the responsibility of the owner to prevent owned

property from becoming a burden to the neighborhood and community, and a threat to the public health, safety and welfare.

The City Council also finds that because of the potential economic and public health, safety and welfare problems caused by vacant buildings, the city needs to monitor vacant buildings so that they do not become attractive nuisances, are not used by vagrants or trespassers, are properly secured and maintained, and do not become a blighting influence in the neighborhood. City departments involved in such monitoring include the police department, fire department, planning and building division and engineering division. There is a substantial cost to the city for monitoring vacant buildings which should be paid by the owners of the vacant buildings. The city has established the vacant building monitoring program to accomplish this purpose.

The purpose of this chapter is to require that vacant dwellings and buildings within the incorporated limits of the City of Susanville are maintained to certain minimum standards and suitable for use or habitation while allowing them to be properly secured and boarded up for a limited period time, and that dwellings and buildings which remain vacant and unoccupied for appreciable periods of time do not become public nuisances.

15.09.020 – Remedies for violation.

A building that is vacant or vacant and boarded in violation of this chapter is a public nuisance. In addition to the provisions in this chapter, the city is authorized to use the remedies set forth in state law, the California Building Code, the Uniform Code for the Abatement of Dangerous Buildings, and the City of Susanville Municipal Code.

The remedies, procedures and penalties provided by this chapter are cumulative to each other and to any others available under state law or other city ordinances. The imposition of a vacant building monitoring program fee shall not preclude the city from seeking all other remedial penalties available under the City of Susanville Municipal Code.

Any person violating the provisions of this chapter may be charged with either an infraction for each day such violation continues or with a misdemeanor. In addition to the remedies provided herein, violations of this chapter may be abated as a public nuisance pursuant to Chapter 8.32 of this code and/or administrative citation(s) issued pursuant to Chapter 8.40 of this code

15.09.030 - Vacant and neglected vacant building.

A. "Vacant building" means any building or structure, or unit in a building or structure, which is unoccupied or occupied by unauthorized persons. The definition includes without limitation, buildings or structures of any nature intended for human habitation, occupation or use and includes manufactured housing or mobile homes. A neglected vacant building is a vacant building which is not maintained in accordance with the provisions of this chapter.

B. A building or structure, or unit in a building or structure, is not deemed to be vacant for purposes of this chapter if:

1. The building is the subject of an active building permit for improvement, repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.
2. The building or structure meets minimum building code standards, does not otherwise constitute a public nuisance, is ready for use or occupancy and/or is actively being offered for sale, lease or rent; or
3. The building or structure, including the premises on which it is located, does not otherwise constitute a public nuisance and is not likely to become a public nuisance because it is being actively maintained and monitored. Active maintenance and monitoring shall include:
 - a. Maintenance of landscaping and plant materials in good condition;
 - b. Maintenance of the exterior of the building or structure, including, but not limited to, its paint and finishes, in good condition;
 - c. Regular removal of all exterior trash, debris and graffiti;
 - d. Maintenance of the building or structure in continuing compliance with all applicable codes and regulations;
 - e. Active prevention of all criminal activity on the premises, including, but not limited to, use and sale of controlled substances, prostitution and criminal street gang activity, loitering or trespassing;
4. The building or structure, or unit in a building or structure is unoccupied due to fire, flood, earthquake, or other form of natural disaster and the owner provides evidence to the city that he or she is actively pursuing assistance for demolition, rehabilitation or

restoration of the building and/or premises from local, state or federal assistance programs or from insurance agencies.

15.09.040 - Compliance required.

It is unlawful for any person who owns, controls, or is the responsible agent for a vacant building to maintain, or cause or permit the maintenance of the vacant building as a neglected vacant building or in a neglected condition.

15.09.050 - Structural and building standards.

A. All vacant buildings shall be maintained in a structurally sound condition.

B. All electrical, natural gas, sanitary, and plumbing facilities shall be maintained in a condition which does not create a hazard to public health or safety.

15.09.060 - Fire safety standards.

A. All vacant buildings shall be maintained in a manner which does not create an unreasonable risk of fire, including the removal of weeds, brush, vegetation, and debris which may constitute a fire hazard.

B. No vacant building or portion thereof shall be used for the storage of hazardous, combustible or flammable liquids or other materials which would constitute a safety or fire hazard.

C. Heating facilities maintained in accordance with applicable codes. If heating equipment in a vacant buildings is to be disabled fuel supply shall be removed or terminated in accordance with applicable codes and ordinances and the water supply to the building turned off to prevent burst water pipes in freezing weather conditions.

D. The street address of the building shall be posted and shall be visible from the street.

15.09.70 - Security standards.

A. All vacant buildings shall be maintained in a way which secures it from any unauthorized entry.

B. The owner or responsible agent of a vacant building which has remained unoccupied for a period of more than thirty days and which has suffered from vandalism, broken windows, broken doors or which had an unauthorized entry must repairs such damage within 15 days of becoming aware of such damage. Alternately, the owner or responsible agent may provide security which is adequate to prevent further deterioration and/or unauthorized entry for a time period of up to 6 months. After 6 months the building must un-boarded and actively maintained and monitored as required in section 15.09.030 B.3. Property owners may leave a building boarded up for an additional 6 month period by voluntarily enrolling in the vacant building monitoring program and paying the quarterly monitoring fee required by section 15.09.100. Owners of buildings which have been boarded up as a result of a catastrophic event such as fire or storm damage may request that the hearing board allow the building to be boarded up for an additional 12 months to allow for insurance disputes to be resolved or for other unusual circumstances as an alternative to enrolling in the vacant building monitoring program.

Methods of securing the building or structure must meet or exceed the following minimum standards or equivalent standards as determined by the city building official.

1. Windows. Windows and similar openings shall be boarded with exterior grade plywood of minimum thickness three-fourths inch (to be consistent with door security standards) or its equivalent. Vent holes may be required, as deemed necessary by the building official. The plywood shall be secured in place, as a minimum standard, by a set of two grade No. 2 douglas fir two-by-four cross members set at two feet on center vertically, secured to the plywood by three-eighths-inch plated carriage bolts with large washers at each end. Bolts used to secure the cross member shall be threaded to the correct length. A minimum of two such cross members shall be used on each window. Each cross member shall be a continuous piece of lumber, and each should extend approximately one foot past the window opening in each direction unless interior condition limit such extension. Bolts and nuts used to secure the cross members to the plywood must be tightened enough to slightly deflect the wood. Bolt heads must fit tightly against the wood and not give a purchase for pliers or pry bars. The nuts are to be located on the interior side of the structure.

2. Exterior Doors. There shall be at least one operable door into each building and into each unit of the building. If an existing door is operable but lacks an operable locking mechanism it may be used and secured with a suitable lock such as a hasp and minimum two-inch case hardened padlock or a one-inch deadbolt or deadlatch with two and one-half inch long # 8 screws in the strike-plate penetrating into the trimmer stud. If doors and frame(s) have been damaged, the main exterior (required) residential exit door(s) and all commercial exterior exit doors shall be boarded with exterior grade plywood of a minimum thickness of three-fourths inch or its equivalent, fitted to the entry door jamb with maximum one-eighth-inch clearance at each edge from the door jambs and threshold. The existing door should be removed. The plywood shall, as a minimum standard, be attached to three grade No. 2 douglas fir horizontal two-by-four wooden crossbars with two each three-eighths-inch carriage bolts and matching hardware, with nuts located on the interior side of the structure. The plywood shall be attached to the door entry with three case-hardened strap hinges located at quarter points and the plywood shall be secured by two case-hardened steel hasps located at third points on the strike side of the door and minimum two-inch case-hardened padlock. Fasteners used to attach the door hasp and hinges shall be the nonreversible type that do not give a purchase for pliers or pry bars. All other unsecured residential doors providing exterior access shall be removed and be secured in the same fashion as windows noted above.

3. Overhead garage doors shall be secured. Nailing the door to the jamb or nailing pieces of two-by-four to the jamb is not acceptable. The overhead door shall be padlocked with the existing garage lock or a newly installed one. In an attached garage it is acceptable, as a minimum standard, to insert a piece of grade No. 2 douglas fir two-by-four lumber through the overhead mechanism on the inside of the door. The two-by-four shall be long enough to go through both sides of the mechanism or shall be nailed in place on the inside so that it cannot fall out. Secondary garage entrances to the outside of the garage shall be secured with strong-backed plywood as described for windows above. Access doors between the house and attached garage need not be boarded. Detached garages shall be secured as separate structures.

4. All materials used to cover and secure window door or other openings shall be painted to match or complement the color of the main structure.

5. The property owner shall obtain a building permit for work done under this section and an inspection of the work shall be performed by the city.

15.09.080 - Debris removal.

All vacant buildings including all adjoining yard areas shall be maintained free of debris, combustible materials, litter and garbage.

15.09.090 - Appearance.

A. All vacant buildings must be maintained in a manner which minimizes the appearance of vacancy, including the prompt removal of graffiti pursuant to chapter 12.24 of this code.

B. All exterior surfaces, including any boarded windows or doors shall be applied with sufficient paint, siding, stucco or other finish to weatherproof the vacant building and to create a sufficient appearance of repair. If the building is subject to an existing use permit all conditions related to maintenance of the exterior of the structure or parcel on which the building is located shall continue to be complied with including the maintenance of landscaping.

C. The exterior of the vacant building property, including all landscaping, shall be kept in such condition as not to create the appearance of an unsecured, unoccupied structure or other hazard to public safety. Grasses and weeds shall be cut to a height not to exceed 4" and dead shrubs and trees removed.

D. Signage that no longer relate to the activities in the building shall be removed from the site. Any remaining signage shall be maintained in a manner which minimizes the appearance of vacancy.

15.09.100 - Quarterly monitoring fee.

A. Purpose. The quarterly monitoring fee will be used to finance the cost of monitoring, inspection and enforcement related to this chapter and to secure buildings and abate conditions on the property.

B. Fee Imposed. A quarterly monitoring fee in an amount adopted by resolution of the city council may be imposed upon every owner of a neglected vacant building in violation of this

chapter. The quarterly monitoring fee is due within 30 days of notice that the building is vacant and in violation of this chapter. The fee is due for every quarter upon which the building is vacant, even if the building is only vacant part of the quarter. The owner will be billed at the beginning of each quarter while the building is in violation of this chapter. The fee shall be payable as to any building, residential or nonresidential, which the hearing board, as defined by chapter 8.32, determines to be in violation of this chapter or has been boarded up for more than 6 months. Within 10 days of enrollment in the vacant building monitoring program, the owner must place a sign in a visible area in the front of the vacant building that indicates that the building has been enrolled in the city of Susanville's vacant building monitoring program. The sign will be provided to the owner by the city upon enrollment.

C. Notice and Procedures. The vacant building monitoring fee shall be billed to the owner of the property. Notice shall be served either personally, by first class mail, or by certified mail, addressed to the owner as the address appears on the last equalized assessment roll or as known to the enforcement official. A hearing shall also be set with the hearing board as proscribed in chapter 8.32.120 to allow the owner opportunity to contest enrollment into the vacant building monitoring program. The hearing board may waive the fee and enrollment if the property owners can show that any of the conditions listed in section 15.09.030 B.3 are applicable to the building or structure. The owner shall provide substantial evidence supporting the grounds for the waiver. After conducting the hearing and finding that the property is subject to the vacant building monitoring program, the hearing board shall direct that a bill be sent to the property owner with the notice stating a violation of this chapter exists, setting forth the reasons for the decision and that notice shall constitute enrollment in the vacant building monitoring program.

D. The owner of a vacant building shall not allow or cause any use of the property or any buildings thereon unless the property owner has first corrected the violations which caused placement into the program and has paid the required quarterly monitoring fee, as well as any other penalties or fines owed to the city.

E. Within 15 days of the decision by the hearing board to bill for the vacant building monitoring program fee, the city administrator or his/her designee shall file in the office of the county recorder a notice that the building is subject to the vacant building monitoring program fee and that upon transfer of the property the new owner shall have 90 days to bring the building or structure into compliance.

F. Upon transfer or sale of a vacant building, the seller shall provide written notification to the city administrator or his/her designee that the property has been transferred or sold.

G. Any fees established pursuant to this chapter which are more than 30 days delinquent, or not paid within 30 days after the decision of the hearing board has been mailed to the owner, shall constitute an assessment against the property. The city may use all legally available procedures to collect any unpaid fee including, but not limited to, collecting the unpaid fee on the tax roll or recording a lien on the property, consistent with applicable law.

Section 7. Chapter 15.10 Abatement of dangerous buildings and structures is hereby added to the Susanville Municipal code as follows:

15.10.010 Definition.

The term "dangerous structure" or "dangerous building" as used in this chapter means any building falling within the definition of "dangerous building" or any building which is considered "unsafe" under the criteria of the California Building Code, "dangerous" under the criteria of the 1997 Uniform Code for the Abatement of Dangerous Buildings, or "substandard" under the criteria of the Uniform Housing Code and which, in addition thereto, presents an imminent threat of substantial danger to public health, safety and welfare. The term "dangerous structure" also means any other structure, whether man-made or a condition of nature, which presents an imminent threat of substantial danger to public health, safety and welfare. Such threat may be presented by, but is not limited to, situations where a structure, or some part thereof, is likely to collapse onto a public street or sidewalk or where it presents an extreme fire hazard. Any structure falling within the definition of "dangerous structure" or "dangerous building" is declared a public nuisance.

15.10.020 Abatement—Informal procedures authorized.

This chapter contemplates situations arising where insufficient time exists, due to the imminent threat to public safety, for due process notices and hearings to be held prior to abatement action. Accordingly, whenever the city building official determines that a building is a dangerous building, he or she shall contract for the abatement of the dangerous building by repair

or demolition. In awarding such contract, the building official need not obtain formal bids but may award the contract on the basis of informal solicitations.

15.10.030 Abatement—Costs.

The costs and expenses of abatement of a dangerous building may be made a lien against the property on which the dangerous building was located, a special assessment against said parcel, and/or a personal obligation against the property owner through enforcement as a public nuisance and after a hearing as provided for under Chapter 08.32.200 through 8.32.230 et seq. of the City of Susanville Municipal Code as may be amended from time to time.

15.10.040 Scope.

This chapter shall apply and govern in those situations where insufficient time exists due to imminent threat of substantial danger to the public health, safety and welfare to invoke the procedures of notice and hearing provided for in the California Building Code, Uniform Housing Code, Uniform Code for the Abatement of Dangerous Buildings, and other provisions of law as adopted by the City of Susanville Municipal Code.

15.10.050 Determination of condition—Order of abatement.

The city administrator, with the advice of the building official and such other persons he or she chooses to consult, shall make the determination whether a structure constitutes a "dangerous structure" as hereinabove defined. As an exception to this procedure, the building official is hereby authorized to make said determination in those circumstances where, in his sole discretion, he concludes that an emergency situation exists requiring immediate abatement and that delay to consult with the city administrator would cause substantial risk to public health, safety and welfare. Summary abatement, without the necessity of prior notification to anyone other than occupants of the structure, may be immediately ordered by the city administrator or the building official, whichever has made the determination that a dangerous structure exists. In the event the building official has made the determination and ordered summary abatement, he shall immediately thereafter report to the city administrator as to the situation. If summary abatement is to be accomplished by contract, the building official need not obtain formal bids but may award the contract on the basis of informal solicitations.

15.10.060 Effect on existing law.

Sections 15.10.040 through this section shall not restrict, limit or otherwise inhibit any power or authority for ordering summary abatement of dangerous and hazardous conditions invested in the City of Susanville fire chief under the California Fire Code or other provisions of law.

Section 8. The City Clerk shall, within fifteen days after its passage, cause this Ordinance to be published at least once in the Lassen County Times, an adjudicated newspaper of general circulation, published and circulated within the City.

Section 9. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance, it being expressly declared that this Ordinance and each section, subsection, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clause or phrases be declared invalid or unconstitutional.

Section 10. This Ordinance shall take effect upon the thirty-first day after its final passage.

APPROVED: _____
Kathie Garnier, Mayor

ATTEST: _____
Gwenna MacDonald /City Clerk

The foregoing Ordinance No. 17-1011 was adopted at a regular meeting of the City Council of the City of Susanville, held on the 17th day of May, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

Gwenna MacDonald/City Clerk

APPROVED AS TO FORM: _____
Jessica Ryan, City Attorney

AGENDA ITEM NO. 13A

Reviewed by: JGH City Administrator
 City Attorney

 Motion Only
 Public Hearing
 Resolution
 Ordinance
 X Information

Submitted By: Jared G. Hancock, City Administrator

Action Date: May 17, 2017

CITY COUNCIL AGENDA ITEM

SUBJECT: 2017/2018 Budget Workshop Schedule

PRESENTED BY: Jared G. Hancock, City Administrator

SUMMARY: Each year the City prepares a budget, and a key component of that process is establishing goals, objectives and community and Council priorities along with reviewing projected revenues and expenses for the coming year.

Staff is recommending that a special budget workshop be scheduled to help facilitate these discussions on May 24, 2017 at 3:00 p.m. with a second workshop being tentatively scheduled for June 7, 2017 at 5:00 p.m. if needed. Staff is also open to alternative dates if necessary.

FISCAL IMPACT: None.

ACTION REQUESTED: Direction to staff.

ATTACHMENTS: None.