

**SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
October 4, 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, Mendy Schuster, Mayor pro tem 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 the removal of Item 9K and noted that a revised Item 9I has been provided for the Council and public.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to approve the agenda as amended; motion carried unanimously. Franco, Wilson, Stafford, Schuster and Garnier.

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS:

Mayor Garnier noted that public comment regarding an item not related to Closed Session would be permitted.

Ron Wood, representing the VFW, discussed activities sponsored by the local Veterans of Foreign Wars, including a monthly breakfast that helps provide funding to support community youth activities. He discussed the upcoming Veterans Day Parade and requested that the City Council present a proclamation in honor of Veterans Day.

3 CLOSED SESSION: At 6:06 p.m. the Council entered into Closed Session to discuss the following:

- A PUBLIC EMPLOYMENT – pursuant to Government Code §54957
 - 1 City Administrator – Approve final draft of job recruitment flyer and final draft of job announcement
 - 2 Approved Position List
 - 3 Interim City Administrator Agreement
 - 4 Administrative Consulting Services Agreement

At 7:05 p.m. the City Council recessed Closed Session.

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 and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that prior to Closed Session, the City Council approved the agenda with the removal of Item 9K and a revised Item 9I. The City Council met in Closed Session and the City Council gave direction but there was no reportable action.

Mayor Garnier offered the Thought of the Day.

5 BUSINESS FROM THE FLOOR: No comments.

Councilmember Schuster requested that the Council vote separately on the Consent Calendar Items.

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

- A Approve minutes from the City Council's September 6 and 8, 2017 meetings
- B Approve vendor warrants numbered 101273 through 101450 for a total of \$1,088,591.69 including \$254,865.10 in payroll warrants
- C Receive and file Finance Reports: August 2017

Councilmember Schuster requested that the minutes from September 6, 2017 be revised to include a paragraph regarding her statement asking that the City Council be provided the results of the survey that is to be conducted to determine the condition of the trees at Riverside Park.

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve Item 6A; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Stafford and Garnier.

Councilmember Schuster requested clarification of an item on page 10 of Item 6B payable to Andrew Petrow in the amount of \$20,647 in payment of professional services.

Chief Moore responded that Mr. Petrow is the consultant utilized to prepare the local Hazard Mitigation Plan, and the cost is grant funded.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Item 6B; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Item 6C; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

7 PUBLIC HEARINGS:

- A Consideration of **Resolution No. 17-5418 to 17-5428** authorizing Weed and Rubbish assessment and lien against certain real properties located within the City of Susanville:
 - Resolution No. 17-5418 * APN 105-232-09: 136 S. Fairfield
 - Resolution No. 17-5419 * APN 105-050-11: 1615 Fifth Street
 - Resolution No. 17-5420 * APN 103-250-39: 50 Harris Drive
 - Resolution No. 17-5421 * APN 107-090-19: 350 Limoneria
 - Resolution No. 17-5422 * APN 103-231-08: 1116 Mark Street
 - Resolution No. 17-5423 * APN 105-164-01: 57 N. McDow Street
 - Resolution No. 17-5425 * APN 107-171-25: 738 & 740 Plumas Street
 - Resolution No. 17-5426 * APN 105-301-02: Riverside/Laurel

Mr. Hancock explained the process that is set forth in Chapter 8.28 of the Susanville Municipal code to abate properties due to fire hazard and rubbish nuisances. In addition to the cost of hiring a contractor to abate the property, a \$200 administrative fee has been charged to each property owner to recover the cost of compliance with notification procedures and public hearing processes. The total cost to the City's code enforcement budget in the amount of \$5,580.00

At 7:12 p.m. Mayor Garnier opened the public hearing and requested comments.

Darrell Comier, owner of 1116 Mark Street, spoke to the Council regarding his property, the back taxes and payment that he owns and the financial difficulty that he has in making the payment. He explained that his grandparents owned the home, and his mother inherited the property upon their passing. He found out after his mother passed away that she had not paid the property taxes and that at some point along the way, the City had removed the house. He stated that he was not aware of past abatement activity at the house, and that he had not been notified. Mr. Comier concluded that it would be a hardship to add an additional lien on the property at this time.

Chief Moore explained the notification procedures that are followed prior to hiring a contractor to perform weed and rubbish abatements. The contact information for the property owners is obtained from the Tax Assessor's office and this particular property has been on the abatement list a number of times in the past.

Mayor pro tem Franco stated that he is familiar with the property and it was vacant and had been the site of a fire. There were a few abandoned trailers on the property and generally had become a nuisance that attracted kids and questionable activity. The removal of the burned structure and rubbish had been necessary.

Mr. Comier talked about the delinquent taxes which are approximately \$8,000, and he needs to be able to come up with about half of that amount in order to keep the County from foreclosing on the property.

Councilmember Wilson suggested removing 1116 Mark Street from consideration of the properties listed for the current discussion.

It was the consensus to remove the property from consideration and to ensure that staff has the correct contact information for Mr. Comier so they could follow up with him to discuss options.

There being no further comments, Mayor Garnier closed the public hearing at 7:28 p.m.

Councilmember Wilson requested that Ms. Savage briefly explain the process to collect the costs that are assessed, particularly on the properties that are abated on a repeat basis.

Ms. Savage explained that the City approves a lien on the property which must be paid if the property sells. In addition, the Susanville Municipal Code provides that the lien may be filed with the Lassen County Auditor and be placed on the tax roll. At that point, it becomes due and payable with the property taxes.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 17-5418, 17-5419, 17-5420, 17-5421, 17-5423, 17-5425 and 17-5426; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

8 **COUNCIL DISCUSSION/ANNOUNCEMENTS:** None.

Commission/Committee Reports:

9 **NEW BUSINESS:**

9A Consider Resolution No. 17-5416 authorizing a street closure in support of the Annual Lassen Land & Trails Trust, Rails to Trails Festival and Handcar Races on October 7, 2017, 8:00 a.m. to 4:00 p.m. Mr. Newton reported that the Lassen Land and Trails Trust in partnership with the Lassen County Chamber of Commerce has requested City Council assistance with a street closure in support of the Annual Rails to Trails Festival. The event would require the closure of Richmond Road between Cypress Street and North Railroad Avenue on Saturday, October 7, 2017 from 8:00 a.m. and 4:00 p.m. The estimated cost for the support is \$690.00.

Motion by Councilmember Stafford, second by Councilmember Wilson, to approve Resolution No. 17-5416; motion carried unanimously. Ayes: Stafford, Wilson, Schuster, Franco and Garnier.

9B Consider Resolution No. 17-5429 supporting Veterans of Foreign Wars Annual Veterans Day Parade on Saturday, November 11, 2017, and authorizing the Public Works Director to submit an application for a Caltrans encroachment permit for the event Mr. Newton explained that this item involves another street closure request by the Veterans of Foreign Wars for the Annual VFW Parade. The event requires a closure of Main Street from Fair Drive to the Veterans Memorial Building on Saturday, November 11, 2017 from 11:00 to 12:00 p.m. CalTrans requires that the City obtain an encroachment permit, and they waive the permit fees. The estimated cost for supporting the closure involves personnel from Public Works and the Police Department at an estimated cost of \$2,675.00.

Motion by Councilmember Stafford, second by Councilmember Schuster, to approve Resolution No. 17-5429; motion carried unanimously. Ayes: Stafford, Schuster, Wilson, Franco and Garnier.

9C Consider Resolution No. 17-5430 authoring increase in out of area fires budget Chief Moore explained that the California OES Engine 8335 has been deployed for out of area fires since July 8, 2017, with 9 personnel on six separate fires. The City is reimbursed by the State for providing this support, and it is estimated that the revenue for 2017/2018 out of area fires will exceed the current budgeted amount of \$150,000. Due to the number of incidents, it is recommended to increase the revenue and expense to \$230,000 in revenue and \$200,000 in expense.

Councilmember Wilson asked if the City has sent other equipment to support out of area fires.

Chief Moore responded that the City has rented out the engine at one point, but has not sent other equipment, due to staffing shortages.

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to approve Resolution No. 17-5430; motion carried unanimously. Ayes: Stafford, Franco, Wilson, Schuster and Garnier.

9D Consider Resolution No. 17-5431 approving and authorizing City Administrator to execute 5-year agreement for banking services with Tri-Counties Bank Ms. Savage reported that the City circulated an RFP for banking services due to the upcoming closure of the Bank of America. The City received one proposal from Tri-Counties bank which provides for a savings of \$9,600 per year in banking fees, and she explained the other services that are offered through the contract for banking services. Tri-Counties Bank represents other cities as well as Chico State University, so they are prepared for the

volume of business. Ms. Savage added that the City Council could either accept the Proposal and award a contract for five years, or circulate the RFP in an attempt to solicit additional proposals.

BJ Hubbard, Assistant Manager, greeted the Council and thanked them for consideration, adding that Tri-Counties bank would be very happy to serve the City of Susanville.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5431; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9E Consider Resolution No. 17-5432 approving appointment of representatives to the Small Cities Organized Risk Effort (SCORE) Board of Directors Mr. Hancock explained that the City is part of a self-insured risk pool, and the group conducts quarterly meetings and one annual 2-day meeting. With recent changes in Administration, it is necessary for the City to appoint a new representative to the Board. Typically it is the City Manager or Finance Manager, so it is staff's recommendation that Mr. Newton be appointed as representative, and Ms. Savage be appointed as the alternate.

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to approve Resolution No. 17-5432; motion carried unanimously. Ayes: Stafford, Franco, Wilson, Schuster and Garnier.

9F Consider the option to purchase Hangar #9A at the Susanville Municipal Airport Mr. Hancock explained that the owner of Hangar 9A at the Susanville Municipal Airport has expressed a desire to sell their hangar, and the City has the right of first refusal. The City has not expressed any interest in purchasing hangars and it is recommended that the City refuse the right to purchase.

Motion by Councilmember Stafford, second by Councilmember Schuster, to decline the offer to purchase; motion carried unanimously. Ayes: Stafford, Schuster, Wilson, Franco and Garnier.

9G Consider the option to purchase Hangar #13 at the Susanville Municipal Airport Mr. Hancock explained that the owner of Hangar #13 has received an offer to purchase for \$25,000, and the City has the right of first refusal. It is recommended that the City decline the offer at this time.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to decline the offer to purchase; motion carried unanimously. Ayes: Franco, Wilson, Stafford, Schuster and Garnier.

9H Consider Resolution No. 17-5433 authorizing execution of an Airport Hangar Space Lease Agreement for Hangar #14 at the Susanville Municipal Airport Mr. Hancock explained that the City owns Hangar #14 is interested in leasing one of three portions of the Hangar at the airport, beginning October 5, 2017. The lease would be on a month to month basis.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution 17-5433; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9I Consider Resolution No. 17-5434 authorizing the Public Works Director to Submit a proposed list for street maintenance and rehabilitation projects per the Road Repair and Accountability Act of 2017 also known as Senate Bill 1 Mr. Newton reported that the State requires local agencies to submit a project list by October 16, 2017 to receive funds that may be available under the Road Maintenance and Rehabilitation Account (RMRA) which is associated with SB1. The funding available for pavement work to the City is estimated to be \$101,402 in fiscal year 2017/2018 and \$304,189

in fiscal year 2018/2019. These, along with projected Highway Users Tax (HUTA) funds for each fiscal year are attached for reference.

Mr. Newton reviewed the proposed list of streets within the City that staff is recommending be prioritized for various types of maintenance and rehabilitation which includes fog seal for recently paved streets; crack sealing for streets in good condition but exhibiting signs of transverse cracking; and slurry seals which provide a thicker seal coat for streets paved between 5-10 years ago and remain in good condition. Many streets proposed for maintenance will receive a combination of crack sealing and slurry depending on the frequency and severity of the cracks. Others may only receive fog or slurry seal depending their condition.

Mr. Newton described the value of focusing on a regular maintenance program to preserve the initial investment of a street overlay. Once the condition of the pavement falls below a certain level, it becomes progressively more expensive to rehabilitate. Streets overlaid or reconstructed are considered to have a pavement condition, or PCI, of 100. Over the years, the value diminishes as use, neglect, and minimal maintenance occur. The State estimated in 2016 that the County's road system, including City streets, had an overall PC of 61 to 71. The streets that are not suitable for maintenance and are more appropriate for overlay have been placed on a 2018 STIP project list, and will be programmed with the State for the next cycle of pavement rehab projects anticipated next year.

Mr. Newton concluded by stating that the RMRA list is tentative, subject to Council revision and adjustment, depending on cost estimates. A Maintenance of Effort (MOE) program is required to receive any funds from SB1 that can be used to provide street maintenance in the City.

The estimated MOE match required of the City is \$223,148, which is based upon a three year average of the City's maintenance program expenditures for the fiscal years 2009 through 2012. Staff is currently negotiating with the State to reduce this amount. One challenge in meeting the Maintenance of Effort program is that the State does not want agencies to stop spending General Fund money on Streets, and there is an expectation that the City will continue to spend General Fund money. Mr. Newton clarified that the 2018 STIP overlay projects will be funded with State and Federal Funds, and no local match funds are required for those projects. Approval of the list is not a commitment and staff would be required to bring back a plan to Council for completion of the work.

There was a general discussion regarding the condition of various streets throughout the City, and the effort to meet the Maintenance of Effort requirements established by the State, and the deadlines for approving the list of streets, and process to budget the funds but delay expenditure until the City is able to meet the MOE requirements.

Mr. Newton added that for the past few years, the City has not moved any General Fund money to streets, however equipment costs are considered to be a General Fund contribution. If the State sends the money, it is recommended to not expend any funds until the City can meet the maintenance of effort requirement.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5434; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9J Consider Resolution No. 17-5435 authorizing execution of agreement with Jared G. Hancock for consulting services Mr. Hancock reported that the agreement has been reviewed, and

there have been amendments requested, including the removal of the word from in Section 2, and removal of City Attorney as assigning work that it would be limited to the City Administrator or Interim City Administrator, and to amend the word pace with place.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to approve Resolution No. 17-5435; motion carried by polled vote. Ayes: Franco, Wilson and Garnier. No: Councilmember Stafford and Schuster.

9K Consider Resolution No. 17-5436 approving Cooperative Agreement Susanville Indian Rancheria Housing Authority – Removed from consideration.

9L Consider Resolution No. 17-5437 approving agreement for Interim City Administrator services with Dan Newton Mr. Hancock explained that there are no proposed changes to the agreement for Interim City Administrator services with Dan Newton.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve Resolution No. 17-5437; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12 CONTINUING BUSINESS: No business.

13 CITY ADMINISTRATOR'S REPORTS: No business.

14 COUNCIL ITEMS:

14A AB1234 travel reports:

Mayor Garnier thanked Mr. Hancock for all of his hard work and dedication to the City of Susanville.

15 ADJOURNMENT:

Kathie Garnier, Mayor

Respectfully submitted by

Gwenna MacDonald, City Clerk

Approved on: November 15, 2017